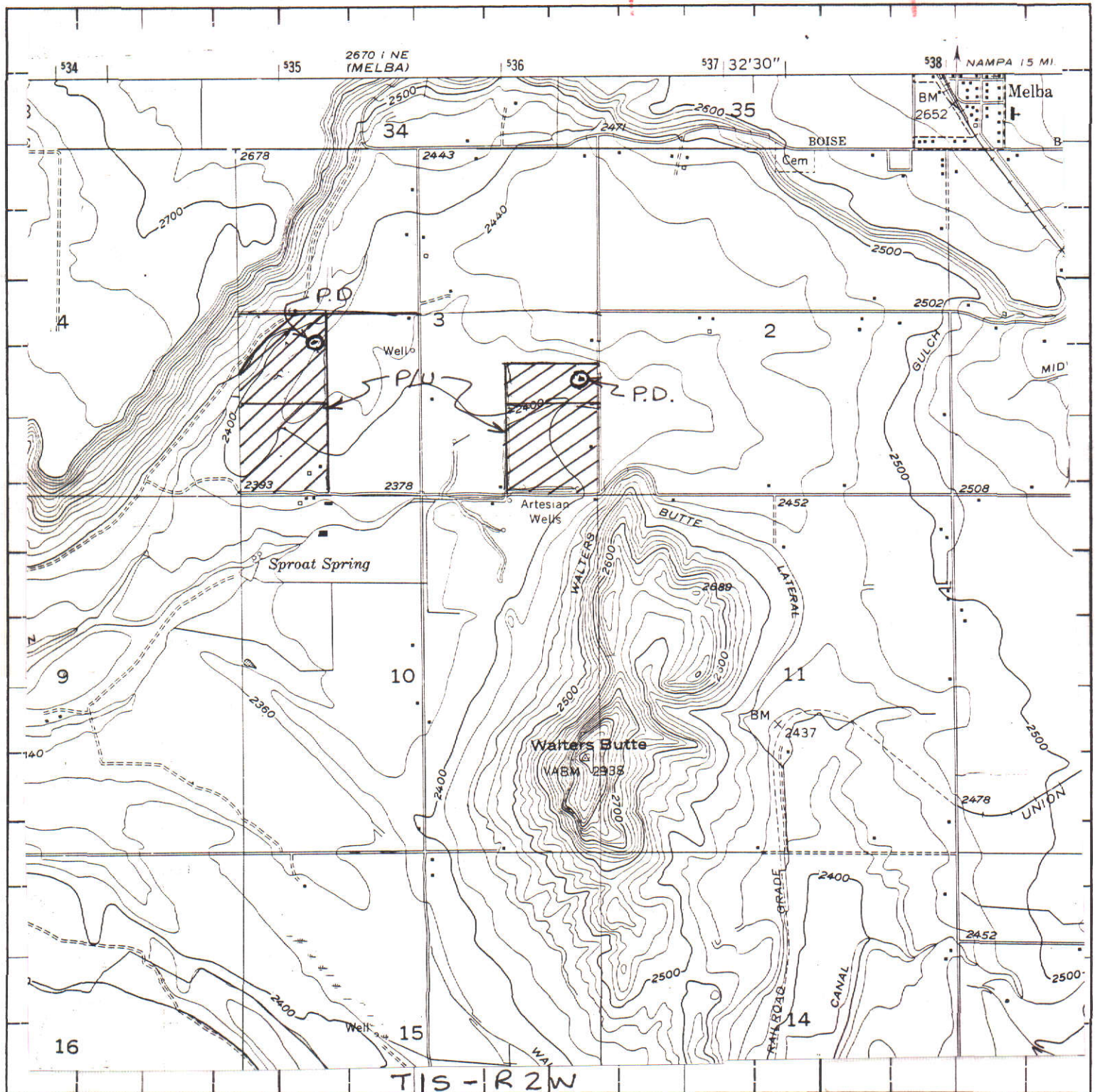


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

FEB 22 1990

C. N. Youngs *Carol J. Young*
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10483

1. Owner: C. W. Young Jr. and Carol

Phone No. (208) 495-2300

Current Address: 8651 Butte Road, Melba, Idaho 83641

2. Accompanied by: ecil A. Thomas

EXAM. DATE: October 1, 1990

Address: Box 868, Homedale, Idaho 83628

Phone No. (208) 377-3206

Relationship to Permit Holder: Water rights examiner

3. Source: Wells tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: Boise Project Board of Control

☐ Copies Attached

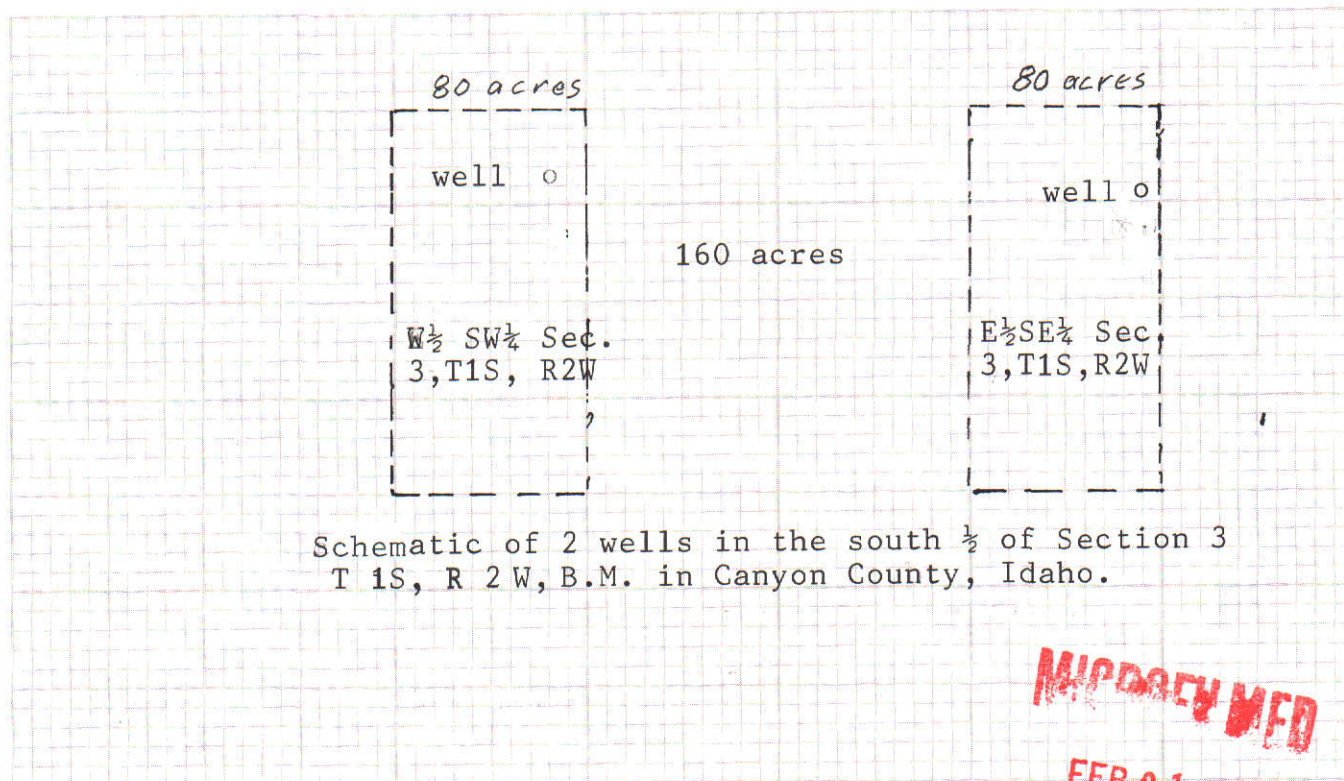
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 4" = 1 mile

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

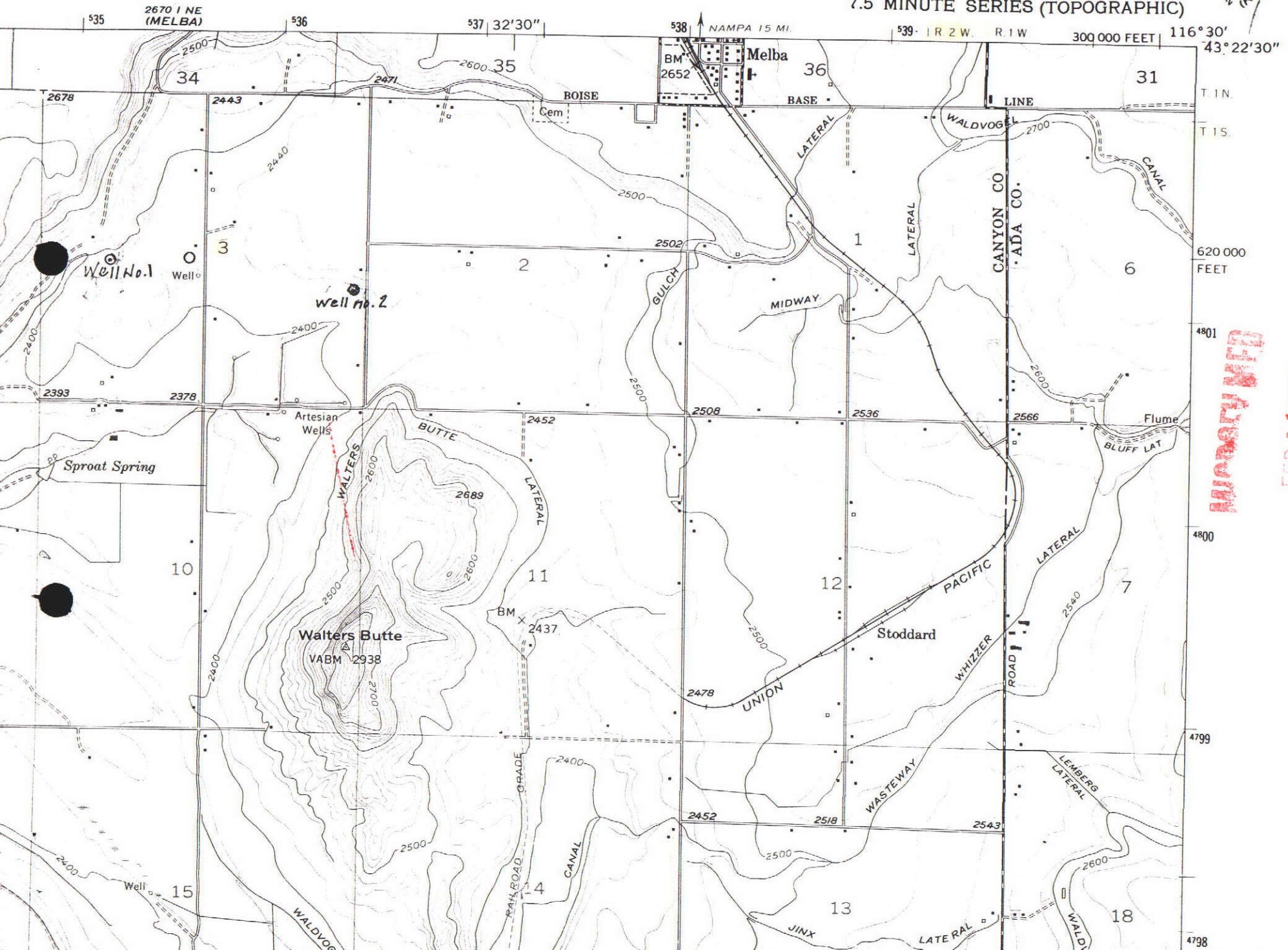
☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

WALTERS BUTTE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

2770 IV NW
(KUNA)



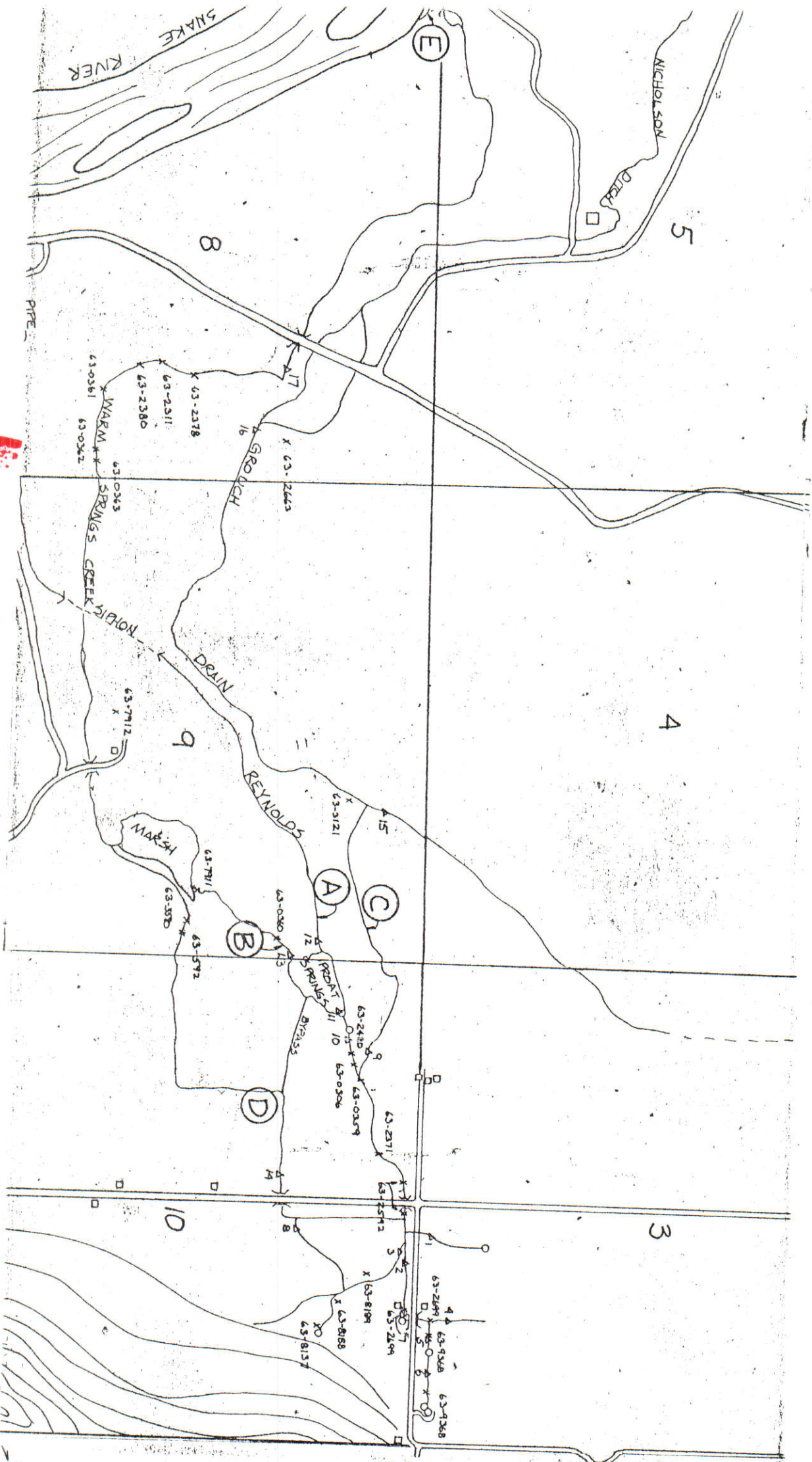
1993

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PROPERTY MAP





SCALE: 1" = 1000'

LEGEND

- WELL SITES
- △ STREAM FLOW MEASUREMENTS
- X WATER RIGHTS & PERMITS

FIGURE 1
LOCATION OF AREA STUDIED
STREAM FLOW MEASUREMENTS
& WATER RIGHTS BY POINT
OF DIVERSION OR
MEASUREMENT LOCATION

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10483

Priority: May 8, 1987

Maximum Diversion Rate: 2.04 CFS
Maximum Diversion Volume: 567.0 AF

This is to certify, that C W YOUNG JR
CAROL J YOUNG

8651 BUTTE RD
MELBA ID 836410000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 18, 1987; and has submitted Proof of Beneficial Use on December 31, 1990. An examination indicates that the works have a diversion capacity of 2.040 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>
IRRIGATION	03/15 to 11/15	2.04 CFS	567.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 3, Township 01S, Range 02W
NESE , Sec. 3, Township 01S, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	3	NWSW 35	SWSW 37	NESE 26	126
			SESE 28			

Total number of acres irrigated: 126

CONDITIONS/REMARKS:

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

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10483

CONDITIONS/REMARKS:

6. Water diverted and used under this right is supplemental to water available from other water rights appurtenant to the designated place of use of this right whenever a supply of water is available from such other rights.

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 23RD day of DECEMBER, 1992.

Acting for R. Keith Higginson, Director

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10483)

SOURCE: Ground Water

C.W. YOUNG JR. or CAROL J. YOUNG)

Applicants,)

COUNTY: Canyon

Reynolds Irrigation District)

Protestant.)

ORDER AMENDING PROPOSED DECISION
AND ISSUING THE FINAL DECISION

On June 22, 1988, a Proposed Memorandum Decision and Order was sent to all the parties involved in the Matter of Application for Permit No. 63-10483. On July 7, 1988, Exceptions to Proposed Memorandum Decision were received from William F. Ringert, attorney for the protestant. On July 20, 1989, a response to the exceptions was received from the applicants.

The Department's responses to the exceptions are as follows:

1. Exception: Protestant takes exception to Finding No. 16 on the ground that it has not been determined that a water right in the Snake River established by Protestant in the early years of its operation has been forfeited or abandoned.

Response: A determination of the validity of the Protestant's claimed water rights from the Snake River was not intended by this finding and is not a required aspect of this decision. Therefore, Finding No. 16 is amended to read as follows:

16. Diversion from the Snake River by the protestant has not been limited to the amount of water flowing through their power facility. If the rate of flow through the protestant's power plant is less than the rate of flow required by the protestant for irrigation purposes, Snake River water is diverted to supply the balance. Thus, the protestant is not solely dependent on the flows through the power plant for irrigation water.

2. Exception: Protestant takes exception to Finding No. 17 on the ground that Permit No. 63-9368 has been **RECEIVED** a condition

FEB 22 1990

subordinating the permit to subsequent non-hydropower uses, the project has been fully developed, and the water right is vested and a subordination condition cannot be applied to the permit at this late date.

Response: The Director is authorized by Idaho Code, Sec. 42-203B(6) to place a subordination condition upon water rights for power purposes either at the permit or licensing stage. All water rights for power purposes issued by the Department are subordinated to subsequent non-hydropower uses. Such subordination is a condition of approval for Permit No. 63-9909, and will be added to Permit No. 63-9368 at the time of licensing.

3. Exception: Protestant takes exception to Finding No. 22 on the grounds that the inference drawn in the last sentence of the finding was unexpected and Protestant is entitled to an opportunity to explain its current position regarding Application for Permit No. 63-9368.

Response: The application in two separate areas, item 6.a. and item 10, clearly states that the flow of the existing wells will be increased and, therefore, the finding is more than an inference. It is clear that the protestant intended to divert additional water from the well when the application was filed. Modification of this finding is not warranted.

4. Exception: Protestant takes exception to Finding No. 23 on the ground that the Applicant's testimony that statements by owners of domestic wells located in the vicinity of Well No. 1 reported no adverse effects caused by the pumping of Well No. 1 during the 1987 irrigation season is hearsay which should have been disregarded by the Hearing Officer.

Response: There was no objection by the protestant at the hearing and, therefore, since they are very knowledgeable of the area, the statements were considered as being accurate. As a result, Finding No. 23 is not modified.

5. Exception: Protestant takes exception to Finding No. 24 on the grounds that the Chapman report indicates a declining water supply and the Applicant has not presented evidence to show that the annual recharge to the aquifer will exceed the annual withdrawal from the aquifer authorized by the Protestant's water rights.

Response: While the doctrine of "first in time is first in right" is recognized, Idaho Code, Sec. 42-226 provides that a reasonable exercise of this right shall not block full economic development of underground water resources. Although the reasonable pumping level for this aquifer has not been precisely determined, Idaho Code, Sec. 42-226 provides that the reasonable pumping level for a cold water aquifer is below ground surface and artesian flows are not protected.

6. Exception: Protestant takes exception to Conclusion No. 3 on the grounds that the Applicant did not request, and the Director or the Department has not established, a reasonable groundwater pumping level on the aquifer involved in this proceeding, and on the further ground that establishment of a reasonable groundwater pumping level is not the proper remedy on an aquifer in which the annual recharge does not equal the annual withdrawal.

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Response: The department disagrees that the reasonable pumping level is not the proper doctrine to follow here. The annual recharge to an aquifer or a part of an aquifer is related to the water level in an aquifer, i.e. recharge increases as water levels drop. The significant annual recharge rate would be that associated with the aquifer at the reasonable pumping level rather than that associated with the artesian pressures that now exist.

7. Exception: Protestant takes exception to Conclusion No. 4 on the grounds that Permit No. 63-9368 was issued in 1980, before the legislature granted authority to subordinate rights to the use of water for power purposes, and the Director has no authority to subject that permit to subordination as suggested by Conclusion No. 4, and on the further ground that the suggested subordination of Permit No. 63-9368 would deprive the Protestant of its property without due process or just compensation, in violation of the Constitution of the United States of America and the Constitution of the State of Idaho.

Response: See Response 2 to the exception to Finding No. 17.

8. Exception: Protestant takes exception to Conclusion No. 5 on the ground that it is the Applicant's responsibility to prove that water is available in the aquifer to be developed, and the Applicant's evidence is not sufficient to establish that the annual rate of recharge to the aquifer equals or exceeds the annual rate of withdrawal under the Protestant's water rights and the proposed use under Application No. 63-10483.

Response: See Response 5 to the exception to Finding No. 24 and Response 6 to the exception to Conclusion No. 3.

9. Exception: Protestant takes exception to Conclusion No. 7 on the ground that installation of pumps to increase the flow is not a proper solution to the problem when the annual recharge is less than the annual withdrawal from the aquifer, and on the further ground that the potential availability of another source of water is not a proper factor for consideration, particularly in view of the excessive cost to the Protestant. If water is available in the Snake River, perhaps the Applicants should be required to pump that water to their land.

Response: See Response 5 to the Exception to Finding No. 24 and Response 6 to the Exception to Conclusion No. 3.

10. Exception: Protestant takes exception to the Order on the grounds that it is contrary to law and is not supported by the evidence, and on the further ground that there is insufficient water to satisfy the proposed use and the proposed use would injure the Protestant's existing water rights.

Response: The Director finds the Order supported by both the evidence and the law.

ORDER

IT IS HEREBY ORDERED:

1. Finding of Fact No. 16 of the June 21, 1988 Proposed Memorandum Decision and Order is hereby amended as follows:

Order, Page 3

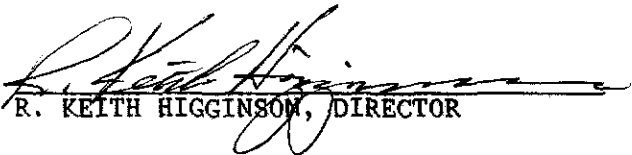
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16. Diversion from the Snake River by the protestant has not been limited to the amount of water flowing through their power facility. If the rate of flow through the protestant's power plant is less than the rate of flow required by the protestant for irrigation purposes, Snake River water is diverted to supply the balance. Thus, the protestant is not solely dependent on the flows through the power plant for irrigation water.

2. Proof of construction of works and application of water to beneficial use is due on or before March 1, 1991.

Dated this 9TH day of February, 1990.


R. KEITH HIGGINSON, DIRECTOR

CERTIFICATE OF MAILING

I hereby certify that on this the 12th day of February, 1990, a true and correct copy of the ORDER AMENDING PROPOSED DECISION AND ISSUING THE FINAL DECISION, was mailed postage prepaid to:

Carol J. or C. W. Young, Jr.
Box 13, Star Route
Melba, ID 83641

Jerry L. Hoagland, Chairman
Reynolds Irrigation District
Hc 79, Box 44
Melba, ID 83641

Sam C. Pitman, Director
Reynolds Irrigation District
HC 79 Box 35
Melba, ID 83641

Keith E. Anderson
James M. Montgomery
161 Mallard Dr.
Boise, ID 83706-3974

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


RITA I. FLECK
Secretary/Records Manager

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10483)

SOURCE: Ground Water

C.W. YOUNG JR. or CAROL J. YOUNG)

Applicants,)

COUNTY: Canyon

Reynolds Irrigation District)

Protestant.)

PROPOSED MEMORANDUM DECISION AND ORDER
APPROVING APPLICATION FOR PERMIT NO. 63-10483

BY HEARING OFFICER BOBBY D. FLEENOR.

C. W. Young Jr. or Carol J. Young having filed with the Department of Water Resources Application for Permit No. 63-10483 to appropriate unappropriated water; a protest having been received; and a hearing having been held, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

The Application

1. On May 8, 1987, C. W. Young Jr. or Carol J. Young (hereinafter applicants) applied to the Department of Water Resources for a permit to appropriate 2.52 cubic feet per second (cfs) of water from ground water to be used for irrigation purposes during the period from March 15 through November 15 each year. The locations of the proposed points of diversion are within the NW1/4 SW1/4 and the NE1/4 SE1/4, Sec. 3, Twp. 1 S., Rge. 2 W., B.M., Canyon County, and the location of the proposed place of use is 126 acres within the W1/2 SW1/4 and the E1/2 SE1/4 of the same section.

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2. Notice of the application was published in the Idaho Press Tribune on August 5 and 12, 1987.

Protest

3. A protest against approval of the application was received from the Reynolds Irrigation District (hereinafter protestant).

4. The protestant raised objections to the proposed project by alleging that there is insufficient water to satisfy the proposed use, and the proposed use would injure existing water rights.

Conference and Hearing

5. On October 15, 1987, a conference was held regarding the protested application. The applicants were present and represented themselves, and the protestant was represented by Jerry L. Hoagland, Chairman of the Board of Directors, and by Sam C. Pitman, Director. At the conclusion of the conference, the applicant and the protestant agreed to consider a draft "Agreement and Withdrawal of Protest".

6. On November 18, 1988, the Department requested from the parties the status of the draft agreement. The applicants responded that the proposal was not satisfactory, and requested that a hearing be held in this matter to allow the Department to reach a decision.

7. The Department scheduled a hearing for January 13, 1988. The hearing was delayed by agreement of all parties due to the inability of one of the expert witnesses to attend.

8. On February 16, 1988, a hearing was conducted by the Department. The applicants were present and represented themselves. Testimony on behalf of the applicants was provided by expert witness Keith E. Anderson. The protestant was represented by Jerry L. Hoagland and Sam C. Pitman. Testimony on behalf of the protestant was provided by expert witness Sherl L. Chubb.

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9. Pursuant to guidelines established at the hearing, the protestant submitted flow measurement data for the record after the hearing, and the applicant submitted a response to the data.

Status of the System

10. During the 1987 Idaho drought, emergency Rules and Regulations of Water Appropriation were adopted to allow the Department to issue a temporary approval of diversion of groundwater to supplement surface water diversions in certain situations. On May 8, 1987, the applicants applied for a temporary diversion, and an approval was issued by the Department on May 11, 1987. This approval authorized supplemental irrigation from groundwater for a period of 120 days, ending September 7, 1987. Meanwhile, in accordance with provisions of the rules and regulations, at the request of the applicant the temporary approval request was advertised and processed as an application to develop a more permanent water right.

11. Based on the temporary approval the applicant caused two supplemental wells to be drilled, each with a ten inch diameter. Well No. 1 was drilled in the NW1/4 SW1/4, Sec. 3, Twp. 1 S., Rge 2 W., B.M. to a depth of 79 feet. Well No. 2 was drilled in the NE1/4 SE1/4 of the same section to a depth of 60 feet. The applicants installed a 7.5 horsepower pump on Well No. 1 and used it to provide supplemental irrigation water during the 1987 season. The maximum predicted rate of flow from each well is anticipated by the applicants to be about 1.0 cfs. The static water levels in the two wells was measured by the well driller to be 38 feet and 30 feet, respectively. The distances of these wells from the Reynolds Irrigation District wells located in and near the NE1/4, Sec. 10, Twp. 1 S., Rge 2 W., B.M. are about 1 mile for Well No. 1 and about 1/4 mile for Well No. 2.

Existing Water Rights

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12. The recorded water rights on the north side of the Snake River in the name of Reynolds Irrigation District are summarized as follows:

<u>No.</u>	<u>Type</u>	<u>Priority Date</u>	<u>Source</u>	<u>Use</u>	<u>Flow Rate</u>
63-2420	License	03/08/1929	Warm Springs Cr.	Irr.	23.56 cfs
63-0306	Decree	04/01/1934	Warm Springs Cr.	Irr.	8.00 cfs
63-0359	Decree	04/01/1950	Drains	Irr.	26.00 cfs
			Groundwater		
63-9368	Permit*	04/17/1980	Groundwater	Power	50.00 cfs
63-9909	Application	03/31/1982	Warm Springs Cr.	Power	18.00 cfs
			Grouch Drain		

*Currently assigned to Spokane Bank for Cooperatives

13. Water right transfer No. 3027, which was approved on September 24, 1984, limits the combined total of water rights Nos. 63-2420, 63-0306 and 63-0359 to 31.28 cfs.

14. The sources for decreed water right No. 63-0359 include a series of artesian wells located in and near the NE1/4 of Sec. 10, Twp. 1S., Rge, 2W., B.M. Pumps have not been installed on these wells and they are free-flowing. The original purpose for drilling the wells was to provide drainage for the lands in the vicinity of the wells.

15. The Reynolds Irrigation District was formed in 1931. The protestant for many years, conveyed waters from the north side of the Snake River to the irrigated land on the south side of the river via a system of ditches, pipeline and siphon. In 1979, when this system was in need of reconstruccion, the protestant decided to replace the siphon with a pumping plant from the Snake River in combination with a facility to generate power with water from the north side of the river that had traditionally been conveyed through the siphon. The protestant has continued to consider the water that flows into the power generation facility to be irrigation water, which is exchanged for water diverted from the Snake River.

16. Diversion from the Snake River by the protestant has not been

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limited to the amount of water flowing through their power generation facility. If the rate of flow through the protestant's power plant is less than the rate of flow required by the protestant for irrigation purposes, Snake River water is diverted to supply the balance. Thus, the protestant is not solely dependent on the flows through the power plant for irrigation water. The protestant does not currently have a water right for these diversions from the Snake River, but water is most likely available for appropriation in the reach where the protestant's point of diversion is located.

17. Permit No. 63-9368 has not yet been conditioned to be subordinated to subsequent non-hydropower uses. This subordination is proposed to be a condition of approval for Application for Permit No. 63-9909.

Availability of Water

18. Information about the ground water aquifer in the vicinity of Wells Nos. 1 and 2 is contained in two reports prepared by Sherl L. Chapman. These reports, entitled "Evaluation of Ground Water Conditions Near Melba, Idaho" dated May 16, 1980, and "Supplement to Water Availability and Water Rights Evaluation for Reynolds Irrigation District" dated April 22, 1981, are both included in the record.

19. The ground water aquifer from which the applicant proposes to divert appears to be limited to a sand and gravel layer located about 25 to 50 feet below land surface, covering an area of less than three (3) square miles. This aquifer appears to be the same as that which provides water for the wells owned by the protestant, located in and near the NE1/4, Sec. 10. Twp. 1S., Rge. 2 W., B.M. flow.

20. The protestant installed a broad crested weir in the concrete flume upstream from the power generation plant in November, 1986. Data collected at this weir demonstrates that during the 1987-1988 season the

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full amount of the protestant's irrigation water rights, 31.28 cfs, flowed through the measuring device on about 59 percent of the days during the irrigation season from March 15 through November 15.

21. The applicant has indicated that wet spots still exist in the vicinity of the wells. Because these wet spots could be caused by perched groundwater, their existence does not necessarily indicate water availability in the aquifer.

22. When the protestant filed Application for Permit No. 63-9368 on April 17, 1980, a statement was included in the remarks that "Under this application, Reynolds wishes to further develop the three district wells to a maximum of 50 cfs to be used for power generation...". The wells to which this statement refers are the protestant's wells located in and near the NE1/4, Sec. 10. Twp. 1 S. Rge 2 W., B.M. This statement indicates that the protestant intended to further develop the aquifer at the time the application was submitted.

Impact on Existing Water Rights

23. The applicant provided unrefuted testimony that owners of the domestic wells located in the vicinity of Well No. 1 reported no adverse effects caused by the pumping of Well No. 1 during the 1987 irrigation season.

24. Based on the proposal of the applicant to use the water diverted under this water right for supplemental purposes only, and given the distances between the wells, it is unlikely that the diversions of the applicant will have a measureable impact on the protestant's wells.

CONCLUSIONS OF LAW

Applicable Legal Principles

1. Idaho Code, Sec.42-203A(5) (Supp. 1987) states in part as follows:

The director of the department of water resources shall find and determine from the evidence presented to what use

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water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Idaho Code, Sec. 42-226 (Supp. 1987) states in part as follows:

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

3. A proposed reduction in artesian pressure in an existing well is not considered to be a reduction in the quantity of water under an existing water right if there remains sufficient water available in the source to satisfy the existing water right through pumping at depths above the reasonable pumping lift.

4. The policy of the Department is to condition all water rights for hydropower purposes to 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 the new hydropower water right.

Application of Legal Principles

Availability of Water

5. The artesian aquifer from which the applicant proposes to divert,

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while apparently limited in size, has been shown to not be fully developed. Limitation of additional development of the aquifer would serve to block full economic development of the underground water resources.

Impact on Existing Water Rights

6. Potential reduction in pressure of existing artesian wells does not constitute a reduction in the quantity of water under water rights as prohibited by Idaho Code Sec. 42-203A(5).

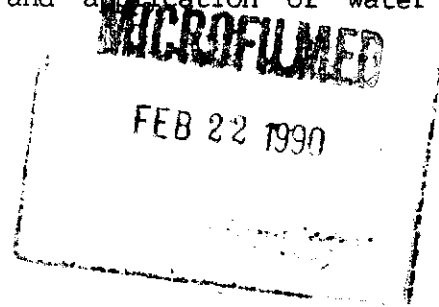
7. If diversion as proposed in the application results in decreased flow from the artesian wells owned by the protestant, the protestant has two opportunities to augment flows to provide for irrigation water rights. One choice is to install pumps to increase the flows from the artesian wells. Alternatively, the protestant can increase the diversion of Snake River water.

8. Water right permit no. 63-9368, while not yet subordinated to new water rights other than hydropower, is anticipated to be so subordinated at the time of licensing.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 63-10483 is APPROVED subject to the following conditions:

1. This water right is subject to all prior water rights.
2. A flow measurement port or other device as specified by the Department shall be installed by the permit holder at each point of diversion to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. Water diverted and used under this permit is supplemental to water available from other water rights now appurtenant to the designated place of use of this permit whenever a supply of water is available from such other rights.
4. Proof of construction of works and application of water to



beneficial use shall be submitted on or before the date indicated on the final order.

Dated this 21st day of June, 1988.

for Norman C. Gray
BOBBY D. FLEENOR, HEARING OFFICER

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CERTIFICATE OF MAILING

I hereby certify that on this the 22nd day of June, 1988, a true and correct copies of the foregoing ORDER ISSUING PROPOSED MEMORANDUM DECISION and PROPOSED MEMORANDUM DECISION AND ORDER were mailed, postage prepaid to:

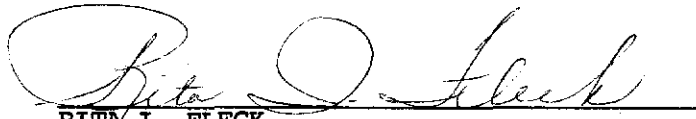
Carol J. or C. W. Young Jr.
Box 13, Star Rte.
Melba, ID 83641

Jerry L. Hoagland, Chairman
Reynolds Irrigation District
HC 79 Box 44
Melba, ID 83641

Sam C. Pitman, Director
Reynolds Irrigation District
HC 79 Box 35
Melba, ID 83641

Keith E. Anderson
James M. Montgomery
161 Mallard Dr.
Boise, ID 83706-3974

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


RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Approved

To appropriate the public waters of the State of Idaho

1. Name of applicant C W Young (Carol) Young Phone 495-2300
Post office address Box 13, Star Rt, Melba, Idaho 83641
2. Source of water supply groundwater which is a tributary of 11/A
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 3 Township 1S Range 2W B.M. Canyon County; additional
points of diversion if any: NESE S.3 1S-2W
4. Water will be used for the following purposes:
Amount 2.52 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) 2.52 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 - 7.5 hp pumps
INTO DITCHES

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 10 inches; proposed depth of well is 100 to 150 feet.
d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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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	
15	2W	3										30	40		19			37	126

Total number of acres to be irrigated 126

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

BOISE-KUNA IRRIGATION

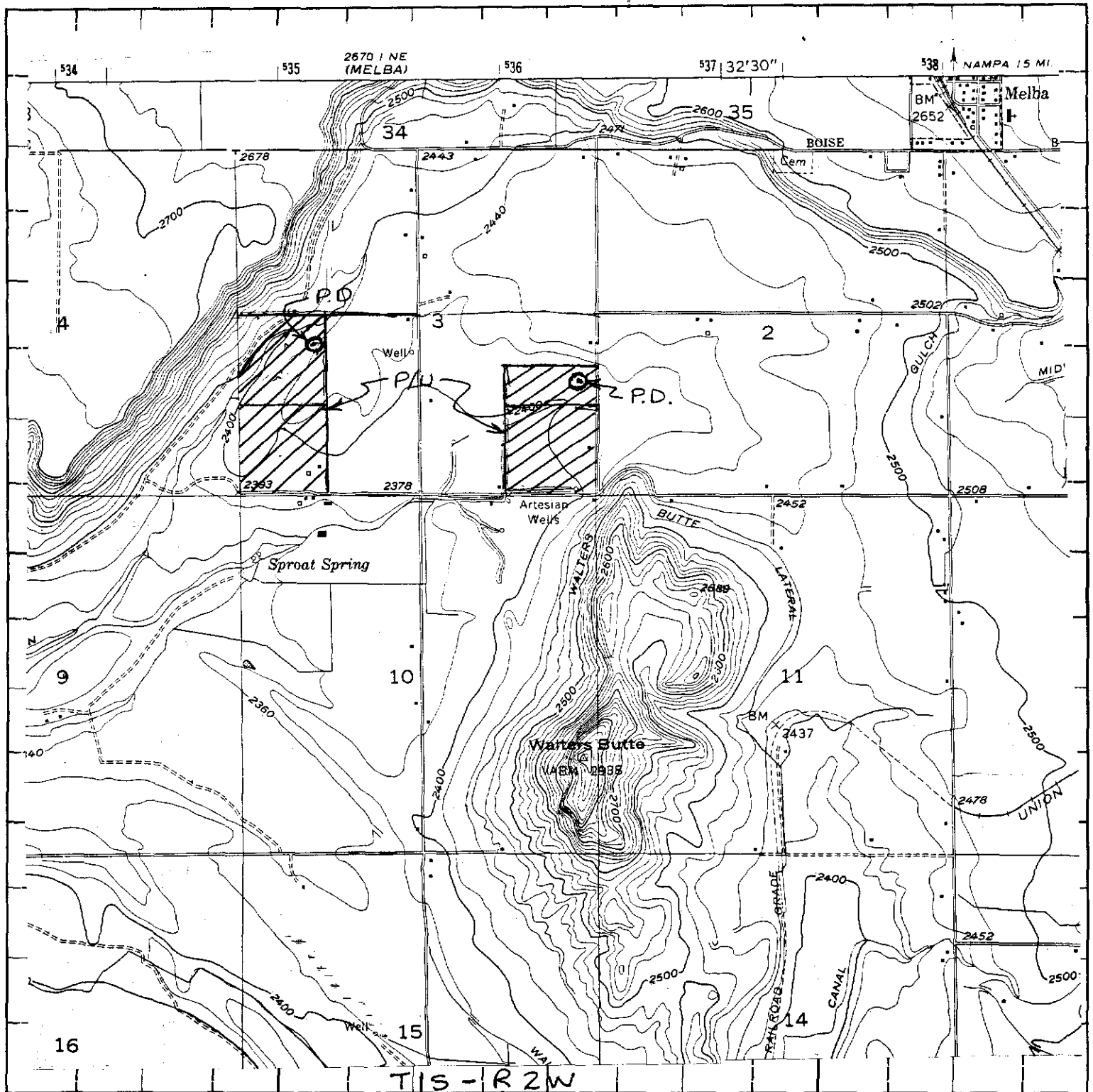
- Who owns the property at the point of diversion? C. W. Young Jr. & Carol J. Young
- Who owns the land to be irrigated or place of use? Same
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: SUPPLEMENTAL WATER

FILED

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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 hereinafter set forth.

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FEB 22 1990

C. N. Youngs *Carol Youngs*
(Applicant)

Received by Am Date 5/8/87 Time 4:00 PM Preliminary check by [Signature]
Fee \$ 85.00 Received by Am # 44827 Date _____
Publication prepared by [Signature] Date 6/10/87 Published in PRESS-TRIBUNE
6/17 & 6/24/87
Publication approved GG Date 7/14/87 B/S & 8/12/87

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. 63-10483, and said application is hereby APPROVED.

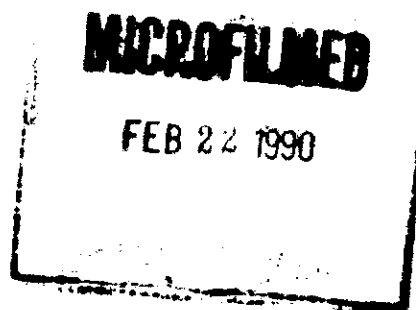
1. Approval of said application is subject to the following limitations and conditions:

- 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 March 1, 19 91.
- 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:

PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER AND ORDER AMENDING PROPOSED DECISION AND ISSUING THE FINAL DECISION.

Dated this 9TH day of FEBRUARY, 19 90.

[Signature]
R. KEITH HIGGINSON, Director



BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10483 IN THE NAME)
OF C. W. OR CAROL YOUNG)
_____)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

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

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

I.
EXCEPTIONS

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

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

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

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

II.
BRIEFS

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

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

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III.

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

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

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

IV.

CERTIFICATE OF SERVICE

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

V.

FINAL DECISION

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

Dated this 22nd day of June, 19 88.


R. KEITH HIGGINSON
Director

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FEB 22 1990

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JUL 08 1987

Department of Water Resources

July 6, 1987

Department of Water Resources
Mr A Kenneth Dunn, Director
Statehouse
Boise ID 83720

Dear Mr. Dunn:

This letter is to protest the proposed granting of a water right application number 63-10483 for C.W. &/or Carol Young.

We feel that if this application is granted the water available under our water rights, numbered 63-2420, 63-0306, 63-0359, and 63-9368 would be reduced. Studies that our irrigation district has had done by Sherl Chapman have indicated that well drilling in the proposed area would probably reduce our water flow.

As we indicated in our letter of June 2 we feel it will be necessary for us to protest the granting of any new rights in Sections 1,2,3,4,9,10,11, or 12 of Township 1 South, Range 2 West to protect our existing rights.

Sincerely,

Jerry L. Hoagland
Jerry Hoagland, President
Reynolds Irrigation District

David Daniel
David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

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FEB 24 1990

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JUL 13 1987

Department of Water Resources
Western Regional Office

AUG 18 1987

Department of Water Resources

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 63-10483 in the name of C.W. &/or Carol J. Young was published in error on June 17 & 24, 1987.

The point of diversion for this legal was advertised as being within NWSW NESE Sec 03 T 01S R 02W and the place of use within the NWSW SWSW NESE SESE Sec 03 T 01S R 02W.

WHEREAS, the actual point of diversion for this legal is within the NWSW NESE Sec 03 T 01S R 02W and the place of use within the NWSW SWSW NESE SESE Sec 03 T 01S R 02W.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, Statehouse, 450 W. State St., Boise, Idaho 83720, on or before August 24, 1987.

KEN DUNN
Director
August 5, 12, 1987

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

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

3. That the notice, of which the annexed is a printed copy, was published 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:
August 5, 12, 1987

Debra Martin del Campo

Subscribed and sworn to before me this
12th day of August
1987

Janna Lusk
Notary Public, Residing at Nampa, Idaho

RECEIVED

Department of Water Resources
Western Region

RECEIVED

FEB 22 1990

MY COMMISSION EXPIRES
JULY 1991

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public water of the State of Idaho:

63-10483
YOUNG, C.W. &/or CAROL
BOX 13 STAR RT., MELBA, ID
83641

Source: GROUNDWATER
Diversion Pt: NWSW NESE Sec 03
T 01S R 02W

Use: IRRIGATION (2.520 CFS)
Date Filed: 05/08/1987
In: NWSW SWSW NESE SESE Sec
03 T 01S R 02W FOR 126 ACRES

63-10484
Dacre Farms Inc.
RT. 1, KUNA, ID 83634

Source: GROUNDWATER
Diversion Pt: NESW Sec 30 T 02N
R 01W

Use: IRRIGATION (4.0 CFS)
Date Filed: 05/04/1987
In: NENW LOT 02 (SWNW) SENW
NESW LOT 03 (NWSW) Sec 30 T
02N R 01W FOR 200 ACRES

63-10485
FLOYD, LLOYD W. &/or
SHIRLEY
RT. 4, BOX 899, CALDWELL, ID
83605

Source: GROUNDWATER
Diversion Pt: SWNE Sec 17 T 03N
R 03W

Use: IRRIGATION (0.860 CFS)
Date Filed: 05/14/1987
In: NWNE SWNE Sec 17 T 03N R
03W FOR 43 ACRES

63-10487
RIVETT, KENNETH G. &/or
MARY A.
2115 E. GREENHURST RD.,
NAMPA, ID 83651

Source: GROUNDWATER
Diversion Pt: LOT 03 (NENW) Sec
02 T 02N R 02W

Use: IRRIGATION (0.120 CFS)
DOMESTIC (0.040 CFS)
Date Filed: 05/18/1987
In: LOT 03 (NENW) Sec 02 T 02N
R 02W FOR 6 ACRES

63-10492
KARCHER CHURCH OF THE
NAZARENE
P.O. BOX 978, NAMPA, ID 83651

Source: GROUNDWATER
Diversion Pt: NWNW Sec 17 T 03N
R 02W

Use: IRRIGATION (0.2 CFS)
Date Filed: 05/28/1987
In: NWNW Sec 17 T 03N R 02W
FOR 10 ACRES

63-10494
NOTUS HOP CO. INC.
P.O. BOX 189, CALDWELL, ID
83606

Source: GROUNDWATER
Diversion Pt: SWNW Sec 36 T 04N
R 04W

Use: IRRIGATION (0.8 CFS)
Date Filed: 06/01/1987
In: NWSW Sec 36 T 04N R 04W

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JULY 6, 1987.

KEN DUNN
Director
June 17 25, 1987

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JUN 26 1987

Department of Water Resources

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

County of Canyon)

Debra Kalousek

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

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

3. That the notice, of which the annexed is a printed copy, was published 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:

June 17, 25, 1987

Subscribed and sworn to before me this

25th

day of

June

19 87

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FEB 24 1990

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JUN 26 1987

Department of Water Resources



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 28, 1992

C W YOUNG JR
CAROL J YOUNG
8651 BUTTE RD
MELBA ID 836410000

RE: WATER RIGHT NO. 63-10483

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure



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 2, 1992

C W YOUNG JR
CAROL J YOUNG
8651 BUTTE RD
MELBA ID 836410000

RE: WATER RIGHT NO. 63-10483

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

FEB 01 1993

LICENSE REVIEW CHECKLIST

Permit # 63-10483

Date 11-20-92

28

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance?
	<u> </u>	<u>✓</u>	Memo to Advance
	<u> </u>	<u>✓</u>	Order to Reinstate Needed?
TOTAL CFS	<u>NA</u>	<u> </u>	Certified Examiner
	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u> </u>	<u>✓</u>	Disagree with Actual Measurement?
	<u>NA</u>	<u> </u>	<u>126 x .62 = 2.52 / 2.04 cfs</u>
	<u>✓</u>	<u> </u>	Disagree with Theoretical? <u>7.5 x 8.8 x .7 = 1.16 x 2 = 2.32</u>
	<u> </u>	<u> </u>	Limited by Capacity? <u>2.04 cfs 40' x (2.31 x 0)</u>
TOTAL VOLUME	<u> </u>	<u> </u>	Rate/ac <u>4.5</u> AFA Irr. Season <u>D</u>
	<u> </u>	<u> </u>	<u>3-15 to 11-15</u> Standard Irr. Season
	<u>✓</u>	<u> </u>	<u>Same Per Permit</u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations?
	<u> </u>	<u>✓</u>	<u>126 x 4.5 = 567 cfs (IRR)</u>
	<u> </u>	<u>✓</u>	Limited by Flow? <u>2.04 x 245 x 1.9835 = 991.42567</u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u>✓</u>	<u>Intended</u> source
	<u> </u>	<u>✓</u>	Notice of Intent to Void.
P/D	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed?
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>	<u>✓</u>	Verify with Map
	<u>* </u>	<u>✓</u>	Amendment Needed?
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use?
	<u> </u>	<u>✓</u>	Amendment Needed?
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4?
	<u> </u>	<u>✓</u>	Non-Irr. Uses
	<u>✓</u>	<u> </u>	Special Overlap Condition <u>Condition 3</u>
	<u> </u>	<u>✓</u>	Other
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u>B32</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
	<u> </u>	<u>✓</u>	DATES/MISC
	<u> </u>	<u>✓</u>	Water Dist.
	<u> </u>	<u>✓</u>	App Rec'd
	<u> </u>	<u>✓</u>	Exam Made

COMMENTS/MEMOS NEEDED: Reduced Rate
126 Acres on Permit
30' static level / Used 46' dynamic level estimate

License	10-Day	15-Day	Special Correspondence	
	1S 2W S3	NWSW SWSW	NESE SESE	Totals
Permit Acres		30	40	19
Acres Found		35	37	37
* Recommended Acres		35	37	28
			26	28
				126

DATE: 12/01/92
PAGE: 1

Audit: 12/01/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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NOV 30 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10483

1. Owner: C. W. Young Jr. and Carol

Phone No. (208) 495-2300

Current Address: 8651 Butte Road, Melba, Idaho 83641

2. Accompanied by: ecil A. Thomas

EXAM. DATE: October 1, 1990

Address: Box 868, Homedale, Idaho 83628

Phone No. (208) 377-3206

Relationship to Permit Holder: Water rights examiner

3. Source: Wells tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: Boise Project Board of Control

☐ Copies Attached

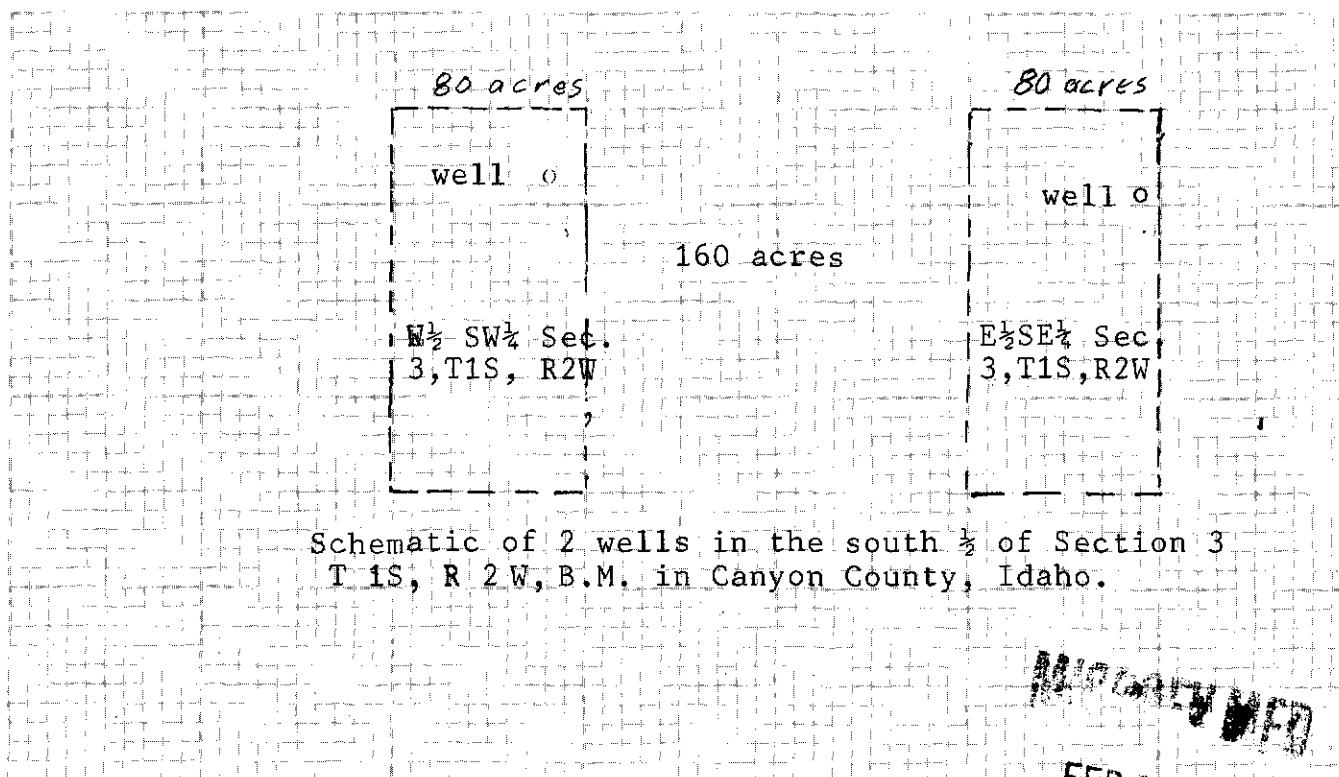
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 4" = 1 mile

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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FEB 01 1993

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Relatively shallow wells drilled with 10" casings into the near artesian aquifers. Pipes 4" in diameter discharge into existing surface ditches on the farm. Pumps are 7½ hp submersible and static heads are reported to be near 30 feet at each well.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Red Jacket	submersible	7½	HP pump in each of the		2 wells.

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		NE	NW	SW	3	1S	2W	Canyon	SCS and USGS Quadrangle
2		SE	NE	SE	3	1S	2W	Canyon	SCS and USGS Quadrangle

6. **Place(s) of Use:**

Indicate Method of Determination SCS Maps & owner

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	2W	3										35	37		39			28	139

Do not use this space

FEB 01 2000

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter	rotor	Grainland		11139	fits 1" port	5/23/90

2. Measurements:

Installed rotor in 1" port to the center of the 4" PVC pipe which is determined to be the point in a 4" pipe where the average velocity occurs. The flow meter is rated to read out the discharge in 10's of gallons per minute for an 8 inch pipe based on the velocity at the rotor. For pipes different from an 8" pipe the discharge in the meas-

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

ured pipe is the rate exhibited on the readout multiplied by the ratio of the area of the 4" pipe to an 8" pipe.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 139 \times 4.5 = 626 \text{ acre-feet}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 150 \times 2.04 \times 1.9835 = 607 \text{ acre-feet}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 607 \text{ acre-feet}$

2. Volume Calculations for Other Uses:

Note: Volume computations are not relevant under operating conditions. Mr. Young has a permit from March 15 to November 15. He can then pump earlier and later than the regular deliveries from the Boise system.

He reports that on the average he pumps about 60 days most of which is early and late, or before and after regular deliveries in the Boise system.

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Measurements, cont'd.

Diameter of the discharge pipes was measured to be 4.06 inches.

Area=12.95 square inches.

Area of an 8" pipe is 50.26 square inches.

Pipe 1: Observed rate of discharge for pipe 1 averaged 165X10=1650gpm.

Ratio of area of pipe 1 to 8" pipe is $12.95/50.26 = 0.26$

$1650 \times 0.26 = 429$ gpm.

Pipe 2: Observed rate for pipe 2 averaged 187X10=1870

$1870 \times 0.26 = 486$ gpm .

Total both pumps s $429+486=915$ gpm or 2.04 cfs or 102 miners inches.

I. RECOMMENDATIONS

1. Recommended Amounts

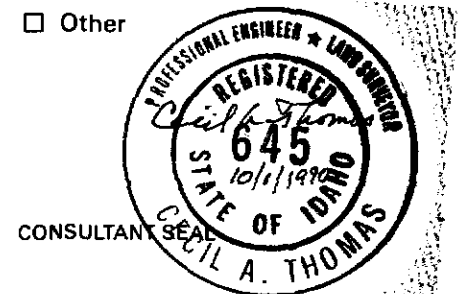
Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Large diurnal variations make supplemental water desirable for satisfactory irrigation. Soils are light and water percolates quickly. Pumps used to supplement flow from Boise Project. He is at the end of the ditch and suffers from extreme variations in deliveries. Soils are sandy and windblown.			
Totals:			

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 |

J. AUTHENTICATION

Field Examiner's Name Cecil A Thomas
Signature Cecil A Thomas
Certification Date October 1, 1990
Field Report Preparation Date October 1, 1990

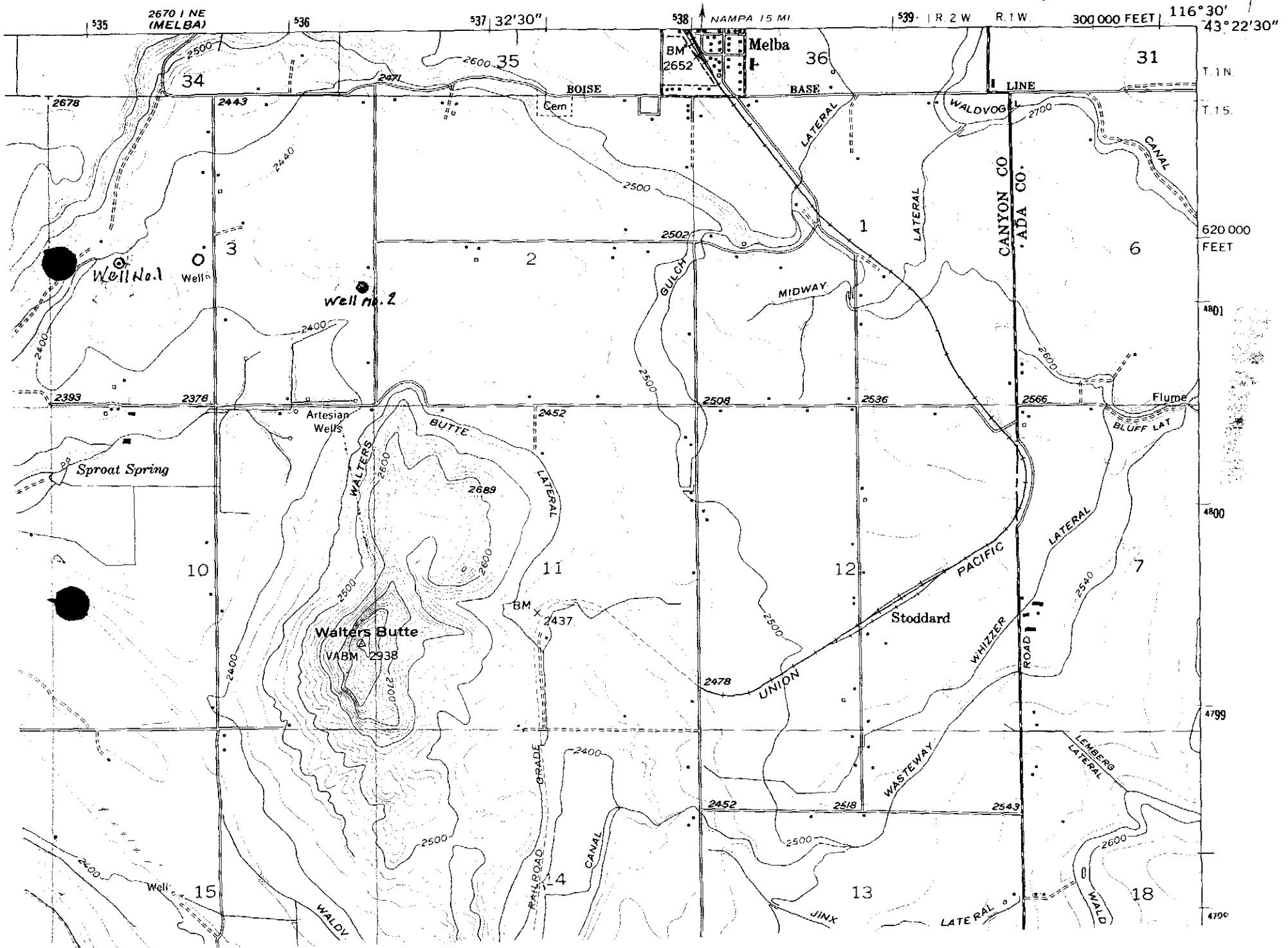


K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

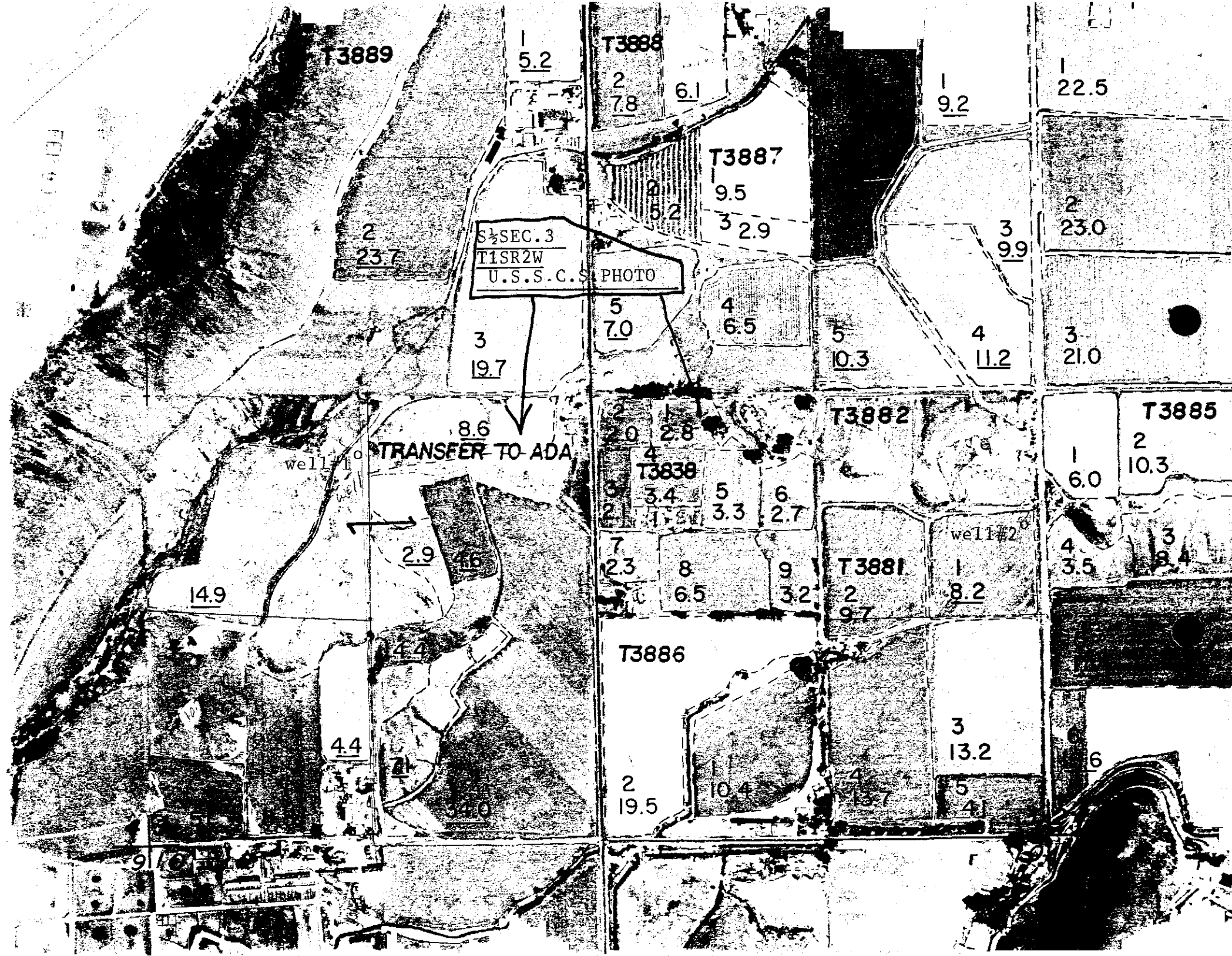
FEB 01 1993

WALTERS BUTTE QUADRANGLE IDAHO 7.5 MINUTE SERIES (TOPOGRAPHIC)

2770 IV NW
(KUNA)



1993



October 8, 1990

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

This is to certify that Cecil A. Thomas has been authorized to represent us in preparing the proof of beneficial use for Permit No. 63-10483. Cecil A. Thomas is a Certified Water Right Examiner.

C. W. Young Jr.

RECORDED

FEB 01 1993

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
THE OFFICE OF THE BISHOP

REPLY TO:

RECEIVED
FEB 01 1993

January 23, 1991

C. W. AND CAROL YOUNG
8651 BUTTE ROAD
MELBA, ID 83641

Dear Mr. and Mrs. Young:

Re: Permit No. 63-10483

The department received the proof of beneficial use form and the beneficial use field report conducted by Cecil Thomas.

The next step is for the department to review the beneficial use field report and determine the extent of beneficial use for licensing. I cannot tell just when the department staff will complete this review, but you will be notified of the recommendations for licensing prior to a license being issued.

If you have questions, please contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: W. Reg.

RECEIVED

FEB 01 1991

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.

1981 9 6 1987

[illegible]

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

USE TYPEWRITER OR

JUN 26 1987

1. WELL OWNER Name <u>W. and Carol T. Young</u> Address <u>Star Route Box 13</u> <u>Malba, Idaho 83641</u> Owner's Permit No. <u>63-10403</u>	7. WATER LEVEL Static water level <u>41</u> 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 ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td><u>220</u></td> <td><u>43</u></td> <td><u>1 1/2</u></td> </tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>220</u>	<u>43</u>	<u>1 1/2</u>																																																								
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th rowspan="2">Water Yes No</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>12</td> <td>0</td> <td>2</td> <td>top soil</td> <td></td> </tr> <tr> <td>12</td> <td>2</td> <td>6</td> <td>sub soil</td> <td></td> </tr> <tr> <td>12</td> <td>6</td> <td>10</td> <td>broken lava</td> <td></td> </tr> <tr> <td>12</td> <td>10</td> <td>26</td> <td>lava</td> <td></td> </tr> <tr> <td>12</td> <td>26</td> <td>29</td> <td>red cinders</td> <td></td> </tr> <tr> <td>12</td> <td>29</td> <td>47</td> <td>lava</td> <td></td> </tr> <tr> <td>10</td> <td>47</td> <td>48</td> <td>lava</td> <td></td> </tr> <tr> <td>10</td> <td>48</td> <td>52</td> <td>black cinder</td> <td></td> </tr> <tr> <td>10</td> <td>52</td> <td>62</td> <td>lava</td> <td></td> </tr> <tr> <td>10</td> <td>62</td> <td>79</td> <td>black cinders</td> <td></td> </tr> <tr> <td>10</td> <td>79</td> <td>-</td> <td>black lava sand & gravel</td> <td></td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water Yes No	From	To	12	0	2	top soil		12	2	6	sub soil		12	6	10	broken lava		12	10	26	lava		12	26	29	red cinders		12	29	47	lava		10	47	48	lava		10	48	52	black cinder		10	52	62	lava		10	62	79	black cinders		10	79	-	black lava sand & gravel	
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____	10. Work started <u>5-12-87</u> finished <u>5-29-87</u>																																																														
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>10</u> inches</td> <td><u>2</u> feet</td> <td><u>47</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>47</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>top of casing</u>	Thickness	Diameter	From	To	<u>250</u> inches	<u>10</u> inches	<u>2</u> feet	<u>47</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>D. S. C. W. Drilling</u> Firm No. <u>399</u> Address <u>837 West Iowa</u> Signed by (Firm Official) <u>[Signature]</u> Date <u>5-29-87</u> and _____ (Operator) <u>Same</u>																																		
Thickness	Diameter	From	To																																																												
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6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. <u>FEB 01 1993</u> Block No. _____ County <u>Canyon</u> <u>AW</u> % <u>SUN</u> % Sec. <u>3</u> T. <u>1</u> N. S. R. <u>2</u> E. W.	12. RECEIVED JUN 29 1987 Department of Water Resources Western Regional Office																																																														

RECEIVED

DEC 31 1990
As received
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
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. 63-10483

Name(s) of Permit Holder: C. W. Young and Carol

Post Office Address: 8651 Butte Road, Melba, Idaho 83641

Telephone No. 495-2300

Source of Water: two wells

Extent of Use:

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

Irrigation supplemental water (acres) Other/Remark _____
for 139 acres.

Total rate and/or volume for which proof is submitted 2.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1987

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No Fee enclosed \$ _____
(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:

Cecil A. Thomas (208) 337-3206

(Name)

MICROFILM Telephone Number)

Box 868 Homedale, Idaho 83628

(Address)

FEB 01 1991

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.

X

Date

C. W. Young & Carol A. Young X
Signature of Permit Holder (and title, if appropriate)

138922

December 31, 1990

C. W. YOUNG
CAROL YOUNG
STAR RT. BOX 13
MELBA, ID 836410000

PROOF DUE NOTICE

RE: PERMIT NO. 63-10483

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 March 1, 1991. (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

RECORDED

FEB 01 1993



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

February 12, 1990

Carol or C. W. Young, Jr.
Box 13, Star Route
Melba, ID 83641

Dear Mr. and Mrs. Young:

Re: Application for Permit No. 63-10483

Enclosed is a copy of the approved Application for Permit No. 63-10483 along with a copy of the Order Amending Proposed Decision and Issuing the Final Decision. Please note the conditions of approval as set forth in the Order.

Be sure to note the special condition requiring you to install a flow measurement port or measuring device 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.

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

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

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

c: Jerry L. Hoagland
Sam C. Pitman
Keith E. Anderson/James M. Montgomery
Sherl L. Chapman

RECEIVED

FEB 22 1990

RECEIVED

JUL 20 1988

Department of Water Resources

Box 13, Star Route
Melba, ID 83641
July 20, 1988

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83704

Subject: Water Right Application 63-10483

Dear Mr. Higginson:

We have received a copy of the exceptions to the proposed memorandum decision that was prepared by Mr. Ringert, the lawyer for the Reynolds Irrigation District who is protesting our water right application. This letter is being sent to you to express some comments that my wife and I have concerning those exceptions.

1. There are several references to whether the average recharge to the aquifer is as much as the withdrawal. We are not sure that our wells are even in the same aquifer. Mr. Chapman's reports describe the aquifer at the Reynolds Irrigation District wells as a limited area of sand and gravel covered by silt, clay and soil. Mr. Anderson asked Mr. Chapman at the hearing if my wells were in sand and gravel and he said he didn't know. The well driller reports on file at your office show that both of my wells are drilled in lava or cinders.
2. If I thought that I would not be believed when I said my neighbors wells were not affected in 1987 I would have brought signed statements to the hearing. I can still furnish written statements if you wish.
3. The irrigation district must feel that some more water could be developed in the area. Their application for 63-9368 said they intended to increase the water from their three wells. Mr. Chapman's reports said new wells might affect some existing water levels or artesian flows but he went ahead and discussed where new wells could be drilled, or casings cut off to increase flows.
4. It is my understanding that just because a water level goes down or a flow is smaller doesn't prove that there is too much development.
5. Both you and Mr. Chapman say that the artesian pressure is not a part of the irrigation district's water right. As far away as my wells are, and as little we would be using them, I can't see how they could possibly have to set a pump down more than a foot or so. This would seem to be a reasonable pumping lift if we had any effect at all.

RECEIVED

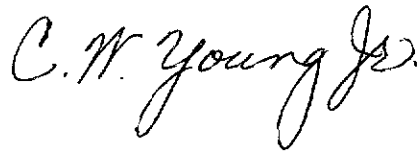
FEB 22 1990

6. After Mr. Chapman sent us the flow measurements after the hearing, Mr. Anderson pointed out that the drop in flow to the power plant in April was because some irrigation wells had been diverted for irrigation use. If there is really a shortage of underground water, maybe those flowing irrigation wells should be shut off in the winter.
7. Again, I would say that these two small wells are just for supplemental water when we need it. Some years we may not need them at all. And any runoff from our pumping would get to the power plant.

Thank you for letting me make these comments. My wife and I would really appreciate your decision as soon as possible. We could really use some water from these wells right now.

Very truly yours,

C. W. Young, Jr.



cc: W. F. Ringert
Jerry Hoagland
Sam Pitman
Sherl Chapman
Keith Anderson
Western Region IDWR

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FEB 22 1990

RECEIVED
JUL - 7 1988

Department of Water Resources

W. F. Ringert
RINGERT, CLARK, HARRINGTON, REID,
CHRISTENSON & KAUFMAN, CHARTERED
599 W. Bannock, P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

Attorneys for Protestant
Reynolds Irrigation District

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	EXCEPTIONS TO PROPOSED
FOR PERMIT NO. 63-10483 IN THE)	MEMORANDUM DECISION
NAME OF C. W. OR CAROL YOUNG)	
_____)	

Reynolds Irrigation District (Protestant) files the following exceptions to the Proposed Memorandum Decision and Order issued by Hearing Officer Bobby D. Fleenor on June 21, 1988, in the above captioned matter.

EXCEPTIONS TO FINDINGS OF FACT

Existing Water Rights

Protestant takes exception to Finding No. 16 on the ground that it has not been determined that a water right in the Snake River established by Protestant in the early years of its operation has been forfeited or abandoned.

Protestant takes exception to Finding No. 17 on the ground that Permit No. 63-9368 has been issued without a condition subordinating the permit to subsequent non-hydropower uses, the

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FEB 22 1990

project has been fully developed, and the water right is vested and a subordination condition cannot be applied to the permit at this late date.

Impact on Existing Water Rights

Protestant takes exception to Finding No. 22 on the grounds that the inference drawn in the last sentence of the finding was unexpected and Protestant is entitled to an opportunity to explain its current position regarding Application for Permit No. 63-9368.

Protestant takes exception to Finding No. 23 on the ground that the Applicant's testimony that statements by owners of domestic wells located in the vicinity of Well No. 1 reported no adverse effects caused by the pumping of Well No. 1 during the 1987 irrigation season is hearsay which should have been disregarded by the Hearing Officer.

Protestant takes exception to Finding No. 24 on the grounds that the Chapman report indicates a declining water supply and the Applicant has not presented evidence to show that the annual recharge to the aquifer will exceed the annual withdrawal from the aquifer authorized by the Protestant's water rights.

EXCEPTIONS TO CONCLUSIONS OF LAW

Applicable Legal Principles

Protestant takes exception to Conclusion No. 3 on the grounds that the Applicant did not request, and the Director or the Department has not established, a reasonable groundwater pumping level on the aquifer involved in this proceeding, and further ground that establishment of a reasonable groundwater

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FEB 22 1990

pumping level is not the proper remedy on an aquifer in which the annual recharge does not equal the annual withdrawal.

The Protestant takes exception to Conclusion No. 4 on the grounds that Permit No. 63-9368 was issued in 1980, before the legislature granted authority to subordinate rights to the use of water for power purposes, and the Director has no authority to subject that permit to subordination as suggested by Conclusion No. 4, and on the further ground that the suggested subordination of Permit No. 63-9368 would deprive the Protestant of its property without due process or just compensation, in violation of the Constitution of the United States of America and the Constitution of the State of Idaho.

Application of Legal Principles

Protestant takes exception to Conclusion No. 5 on the ground that it is the Applicant's responsibility to prove that water is available in the aquifer to be developed, and the Applicant's evidence is not sufficient to establish that the annual rate of recharge to the aquifer equals or exceeds the annual rate of withdrawal under the Protestant's water rights and the proposed use under Application No. 63-10483.

Impact on Existing Water Rights

Protestant takes exception to Conclusion No. 7 on the ground that installation of pumps to increase the flow is not a proper solution to the problem when the annual recharge is less than the annual withdrawal from the aquifer, and on the further ground that the potential availability of another source of water is not a

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FEB 24 1990

proper factor for consideration, particularly in view of the excessive cost to the Protestant. If water is available in the Snake River, perhaps the Applicants should be required to pump that water to their land.

Protestant takes exception to Conclusion No. 8 on the ground that there is no statutory authority for subordinating Permit No. 63-9368 to new water rights other than hydropower, and such subordination would constitute an unconstitutional denial of due process and taking of property without just compensation, and on the further ground that Protestant's water rights for irrigation are not subject to subordination in any event or for any purpose.

EXCEPTIONS TO THE ORDER

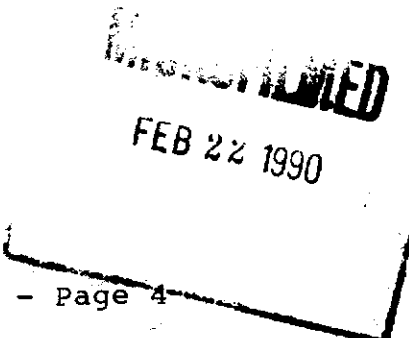
Protestant takes exception to the Order on the grounds that it is contrary to law and is not supported by the evidence, and on the further ground that there is insufficient water to satisfy the proposed use and the proposed use would injure the Protestant's existing water rights.

Respectfully submitted this 7th day of July, 1988.

RINGERT, CLARK, HARRINGTON, REID,
CHRISTENSON & KAUFMAN, CHARTERED

By


W. F. Ringert, Attorney for
Protestant


FEB 22 1990

CERTIFICATE OF SERVICE

I hereby certify that service of the within and foregoing Exceptions to Proposed Memorandum Decision and Order was made this 7th day of July, 1988, by mailing a copy thereof to Carol J. or C.W. Young, Jr., Box 13, Star Route, Melba, Idaho 83641.



W. F. Ringert

MICROFILMED

FEB 22 1990

JAMES M. MONTGOMERY, CONSULTING ENGINEERS, INC.

161 Mallard Drive, Boise, ID 83706-3974 / (208) 345-5865



8855.0043

March 9, 1988

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MAR 11 1988

Mr. David Tuthill
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

Subject: Application 63-10483
C.W. and/or Carol J. Young

Dear Mr. Tuthill:

Mr. Young has asked me to write to you on his behalf.

We have received and reviewed the weir measurements supplied by Sherl L. Chapman which tabulate inflows to the Reynolds Irrigation District power plant penstock for the period March - November 1987.

We wish to point out that these records represent the total flow into the hydroelectric project facility, comprising surface water sources (springs, drains, and runoff from precipitation and irrigation) as well as ground water from a number of flowing wells (Nicholson wells and Boise-Kuna Irrigation District well; plus the four Reynolds Irrigation District wells which were the basis for the protest).

The noticeable decrease in total water supply for the power plant (that occurred about April 10, 1987) is the result of changing the flow from the Nicholson wells from power production to irrigation use. It should not be interpreted as representing flows, or changes in flow, from the four Reynolds Irrigation District wells in the protest.

It is our understanding that the Nicholson irrigation wells are allowed to flow continuously—from the latter part of October to early April for power generation, and for the balance of the year for irrigation.

Sincerely,

Keith E. Anderson

/ln

cc: Reynolds Irrigation District c/o David Daniel
Sherl L. Chapman
C.W. Young, Jr.
Bobby Fleenor

MICROFILMED

FEB 22 1990

Sherl L. Chapman

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FEB 26 1988

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

Department of Water Resources

BDF

Dave DM

February 25, 1988

Mr. Bob Fleenor
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Fleenor:

Enclosed you will find flow data from the broad crested weir installed by Reynolds Irrigation District for their hydroelectric power project. The flume measures water flowing through the Reynolds diversion facilities into the hydropower plant and is a measure of the water flowing from the springs and relief wells described in my report submitted to you during the recent water right protest hearing in Caldwell, Idaho. This is a measurement of the water exchanged for Snake River water and records have been kept to the present time although not reflected on the enclosed table. I have limited the data on the enclosed table to the general irrigation season for this area in order to minimize the amount of paperwork submitted to you.

If you have any questions regarding the table, please don't hesitate to contact me.

Additionally, given the testimony presented at the hearing, it would seem that Mr. Young is in fact diverting water without a valid water right and did so for most of the 1987 irrigation season. I would suggest that pursuant to Idaho Code 42-351 that the Department of Water Resources should direct Mr. Young to cease and desist operation of the wells involved under these water rights until a determination has been made by the Department of Water Resources.

Sincerely yours,

Sherl L. Chapman

Sherl L. Chapman
Consultant

SLC:kje
enclosures
cc:Mr. Jerry Hoagland

MICROFILMED

RECEIVED

MAR 4 1988

FEB 24 1990

Department of Water Resources
Western Regional Office

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

RECEIVED

FEB 26 1988

February 25, 1988

Department of Water Resources

Mr. C. W. Young
Box 13, Star Route
Melba, Idaho 83641

Dear Mr. Young:

Enclosed you will find the tabular data submitted to the Idaho Department of Water Resources relating to the flow through the broad crested weir on the Reynolds Basin Irrigation District project. This table is submitted to you in accordance with the direction of Mr. Bob Fleenor of the Idaho Department of Water Resources at the recent hearing on permit #63-10483.

If you have questions regarding the table, please feel free to contact me.

Sincerely yours,

Sherl L. Chapman
Consultant

SLC:kje
enclosures
cc:Mr. Bob Fleenor
Mr. Jerry Hoagland

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SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

FLO RECORDS FOR REYNOLDS IRRIGATION STRICT
BROAD CRESTED WEIR
SW/4 SW/4, SEC. 9, T1S, R2W
TABULATED FEBRUARY 25, 1988
SHERL L. CHAPMAN

* Gage height less than 1.79 indicates a flow less than the water right of 31.28 cfs

DATE	GAGE HT. (ft)	FLOW (cfs)	DATE	GAGE HT. (ft)	FLOW (cfs)
1987			1987		
MARCH			APRIL		
1	2.0	37.2	1	1.97	36.3 +
2	2.0	37.2	2	1.97	36.3 +
3	2.0	37.2	3	1.97	36.3 +
4	2.0	37.2	4	2.0	37.2 +
5	1.99	36.9	5	1.99	36.9 +
6	1.88	33.7	6	1.99	36.9 +
7	1.88	33.7	7	1.98	36.6 +
8	1.87	33.4	8	1.97	36.3 +
9	1.88	33.7	9	----	----
10	1.97	36.3	10	1.6	<28.7
11	1.99	36.9	11	1.6	<28.7
12	1.97	36.3	12	1.59	<28.7
13	1.99	36.9	13	----	----
14	1.99	36.9	14	1.60	<28.7
15	1.99	36.9 +	15	----	----
16	1.97	36.3 +	16	----	----
17	1.97	36.3 +	17	1.34	<28.7
18	1.98	36.6 +	18	1.47	<28.7
19	1.99	36.9 +	19	1.50	<28.7
20	1.98	36.6 +	20	1.50	<28.7
21	1.97	36.3 +	21	1.68	<28.7
22	1.98	36.6 +	22	1.73	29.6
23	1.98	36.6 +	23	----	----
24	1.98	36.6 +	24	1.44	<28.7
25	1.99	36.9 +	25	1.61	<28.7
26	1.99	36.9 +	26	1.4	<28.7
27	1.99	36.9 +	27	1.38	<28.7
28	1.98	36.6 +	28	1.61	<28.7
29	1.97	36.3 +	29	1.05	<28.7
30	1.97	36.3 +	30	1.48	<28.7
31	1.98	36.6 +			

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+ = 31.28 was available 59%
- = <31.28 was available 31%

+ = 25

- = 17

Σ + = 142

Σ - = 97

DATE	GAGE HT. (ft)	FLOW (cfs)
1987		
MAY		
1	1.57	<28.7
2	1.49	<28.7
3	1.42	<28.7
4	1.39	<28.7
5	1.44	<28.7
6	1.40	<28.7
7	1.62	<28.7
8	1.36	<28.7
9	1.35	<28.7
10	1.32	<28.7
11	1.41	<28.7
12	1.47	<28.7
13	1.41	<28.7
14	1.34	<28.7
15	1.33	<28.7
16	1.54	<28.7
17	1.47	<28.7
18	1.36	<28.7
19	1.34	<28.7
20	1.32	<28.7
21	1.55	<28.7
22	1.42	<28.7
23	1.48	<28.7
24	1.44	<28.7
25	1.42	<28.7
26	1.47	<28.7
27	1.39	<28.7
28	1.41	<28.7
29	1.40	<28.7
30	1.40	<28.7
31	1.40	<28.7

DATE	GAGE HT. (ft)	FLOW (cfs)
1987		
JUNE		
1	1.39	<28.7
2	1.38	<28.7
3	1.43	<28.7
4	1.48	<28.7
5	1.42	<28.7
6	1.42	<28.7
7	1.28	<28.7
8	1.48	<28.7
9	1.68	<28.7
10	1.52	<28.7
11	1.56	<28.7
12	1.60	<28.7
13	1.56	<28.7
14	1.59	29.9
15	1.74	<28.7
16	1.68	30.4
17	1.76	<28.7
18	1.61	<28.7
19	1.67	<28.7
20	1.62	<28.7
21	1.64	<28.7
22	1.63	30.9
23	1.78	34.6 +
24	1.91	<28.7
25	1.62	28.7
26	1.70	<28.7
27	1.64	<28.7
28	1.59	<28.7
29	1.61	<28.7
30	1.60	<28.7

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DATE	GAGE HT. (ft)	FLOW (cfs)
1987		
JULY		
1	1.66	<28.7
2	1.69	<28.7
3	1.70	28.7
4	1.68	<28.7
5	1.76	30.4
6	1.74	29.9
7	1.77	30.7
8	1.78	30.9
9	1.87	33.4
10	1.72	29.3
11	1.72	29.3
12	1.78	30.9
13	1.71	29.0
14	1.73	29.6
15	1.78	30.9
16	1.79	31.2
17	1.88	33.7
18	1.84	32.6
19	1.88	33.7
20	1.83	32.3
21	1.86	33.1
22	1.85	32.8
23	1.81	31.7
24	1.82	32.0
25	1.84	32.6
26	1.86	33.1
27	1.86	33.1
28	1.87	33.4
29	1.86	33.1
30	1.91	34.6
31	1.91	34.6

DATE	GAGE HT. (ft)	FLOW (cfs)
1987		
AUG.		
1	1.92	34.8
2	1.90	34.3
3	1.92	34.8
4	1.91	34.6
5	1.97	36.3
6	1.92	34.8
7	1.94	35.4
8	1.91	34.6
9	1.94	35.4
10	1.96	36.0
11	1.98	36.6
12	1.97	36.3
13	1.97	36.3
14	1.97	36.3
15	1.98	36.6
16	1.98	36.6
17	1.99	36.9
18	1.97	36.3
19	1.99	36.9
20	1.99	36.9
21	2.0	37.2
22	2.06	39.0
23	2.03	38.1
24	2.04	38.4
25	2.06	39.0
26	2.04	38.4
27	2.06	39.0
28	2.05	38.7
29	2.05	38.7
30	2.04	38.4
31	2.05	38.7

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- - 15

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DATE	GAGE HT. (ft)	FLOW (cfs)
1987		
SEPT		
1	2.06	39.0 ⁺
2	2.08	39.6 ⁺
3	2.09	39.9 ⁺
4	2.1	40.2 ⁺
5	2.05	38.7 ⁺
6	2.05	38.7 ⁺
7	2.01	37.5 ⁺
8	1.99	36.9 ⁺
9	2.01	37.5 ⁺
10	2.04	38.4 ⁺
11	2.02	37.8 ⁺
12	1.99	36.9 ⁺
13	1.94	35.4 ⁺
14	1.99	36.9 ⁺
15	1.95	35.7 ⁺
16	1.93	35.1 ⁺
17	1.89	34.0 ⁺
18	1.98	36.6 ⁺
19	1.98	36.6 ⁺
20	----	----
21	2.0	37.2 ⁺
22	1.98	36.6 ⁺
23	2.0	37.2 ⁺
24	2.0	37.2 ⁺
25	1.98	36.6 ⁺
26	2.0	37.2 ⁺
27	2.0	37.2 ⁺
28	2.03	38.1 ⁺
29	2.03	38.1 ⁺
30	2.03	38.1 ⁺

DATE	GAGE HT. (ft)	FLOW (cfs)
1987		
OCT.		
1	2.02	37.8 ⁺
2	1.99	36.9 ⁺
3	1.99	36.9 ⁺
4	1.93	35.1 ⁺
5	1.96	36.0 ⁺
6	1.80	31.5 ⁺
7	1.86	33.1 ⁺
8	1.82	32.0 ⁺
9	1.82	32.0 ⁺
10	1.78	30.9 ⁺
11	1.81	31.7 ⁺
12	1.80	31.5 ⁺
13	1.81	31.7 ⁺
14	1.78	30.9 ⁺
15	1.81	31.7 ⁺
16	1.80	31.5 ⁺
17	1.80	31.5 ⁺
18	1.79	31.2 ⁺
19	1.80	31.5 ⁺
20	----	----
21	1.78	30.9 ⁺
22	1.78	30.9 ⁺
23	2.1	40.2 ⁺
24	2.0	37.2 ⁺
25	2.0	37.2 ⁺
26	2.1	40.2 ⁺
27	2.1	40.2 ⁺
28	2.1	40.2 ⁺
29	2.0	37.2 ⁺
30	2.0	37.2 ⁺
31	2.1	40.2 ⁺

+ - 54

- - 5

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DATE GAGE HT. (ft) FLOW (cfs)

1987

NOV.

1	2.2	43.3
2	2.2	43.3
3	2.04	38.4
4	2.1	40.2
5	2.1	40.2
6	2.1	40.2
7	2.0	37.2
8	2.1	40.2
9	1.96	36.0
10	1.97	36.3
11	1.94	35.4
12	1.91	34.6
13	1.94	35.4
14	1.95	35.7
15	1.94	35.4
16	1.93	35.1
17	1.94	35.4
18	1.92	34.8
19	1.92	34.8
20	1.93	35.1
21	1.93	35.1
22	1.93	35.1
23	1.92	34.8
24	1.92	34.8
25	1.91	34.6

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CONVERSATION MEMORANDUM

DATE 3/8/88

FILE 63-10483

NAME OF PARTY Keith Anderson

EMPLOYEE Dave Tuttle

RE: Response to Well Log Data

Mr. Anderson called - he has just rec'd a copy of the
well log data. I responded that a response will
be timely if it is dated this week.

DR

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FEB 22 1990

Re:

No. 63-10483 - C. W. and/or Carol J. Young

Place:

First Floor Conferene Room, Canyon County Courthouse

Date:

1:30 p.m., Tuesday, February 16, 1988

Hearing conducted by:

Bob Fleenor & Dave Tuttle

ROSTER OF ATTENDANCE

[illegible]

Hearing on 63-10483.

App for Permit in the Name of C.W. & Carol J. Young

Protestant - Reynolds Irr Dist, Represented by Jerry Hoagland, ^{Chairman} ~~Pres.~~ Board,
Sam Pittman Director, & Sherl Chapman (Expert witness)

Both Present &
Applicants - Represented by themselves
* Keith Anderson, Expert Witness

1:30 Pm. Caldwell, Id Feb 16, 1988

Notes by D. Tutthill. Hearing Officer: Bob Fleenor

Also present: Ron Rainey ^{Esq.} as an observer (not participating)

Issues: - Interference on Reynolds Irr Dist?
a. Sufficient water
b. Injury to existing rights

Applicant

10" holes with pump on one 50"/well (2 wells)

well #1 = home place

well #2 = Other place (east)

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neighbors have domestic wells - no problems to date
Seeps exist along drain ditches. Wet spots continue in
the fields. Tail water runs into the Reynolds ID (RID)
System.

Applicant (cont.)

Wells were drilled in accordance with temporary permits issued by IDWR

well on home place is a mile from RID (pumped)

well on other place is $\frac{1}{4}$ mile from RID

Land presently irrigated by Boise River Irr Dist
This is supplemental only

X exam - Chapman

Q: When will you use water

A: Early Spring

X exam - Tuttle

Q: Which well is home place

A: Western well is "home place"

Keith Anderson - Qualified witness

- Familiar with area in question starting in 1951
at that time he was the regional irr & drainage engineer
with the B of Rec in Boise

- B of Rec or Boise Project had drilled artesian wells to
act as drainage wells to reduce waterlogging. Some
other wells were drilled in the late 1950's

RID water rts

63-0306	- 8 cfs	1934	Surface
63-0359	- 26 cfs	1950	Surface & Gw
63-2420	- <u>23.56</u>	1929	Surface

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57.56 cfs reduced to 31.28 by transfer order
dated 24 Sept, 1984

Anderson, Cont

— not subordinated?

63-9368 - 50 cfs from G.W. for Power Prod (1980)
covers 3 flowing artesian wells about
1/4 to 3/8 mile South of #2 well

Flow from artesian wells varies considerably. 15.91 cfs from
3 wells in fall. In spring, 8.92 cfs from 3 wells.

63-9909 - 18 cfs for Power Prod (1982) - 2 protests filed -
Subsequently withdrawn

Artesian wells are not pumped - this factor is noted by the
Sher Chapman reports in the file.

Existence of wet spots is indicative of too much water presently.
Return flows would be available for diversion by RID.

App for supplemental water only.

Consumptive use will be minimal (during spring and fall)

Chapman's reports contemplate additional

Artesian wells flow year around.

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Jerry Hoagland

Has been on RID board since 1979. ~~Has joined since 1970.~~

His grandfather used to own the Young place. RID started
in 1941. Too little water in the early years. 1956 decree
entered on waters from wells around Sproat Springs. In 1979
a study was conducted re: water for a hydro plant. Installed
power plant on north side of river & pumping plant on south
side of river and abandoned pipeline. Bank of Spokane rec'd
mortgage of water rights.

Hoagland, cont.

RID is traditionally short of water. Amt of water on north side is about 18 cfs. in the spring. Adequate water is available after about mid-June.

→ 1200" was capacity of pipeline + 300" by booster (Total of 1500")
Have weir at pipeline since 1986 $\frac{N}{\uparrow}$ (North or South)
per exam by Tutill

X exam Anderson

Casing was cut off lower to increase output from one of the artesian wells. No measurements - can't say if it helped.

95' of fall into Snake R.

Lift into canals is about the same

Gerl Chapman Sand zones are limited to about 100' in depth
General water bearing strata is about 1 mile wide
Sand is underlain by blue clay (not water bearing)
Sand is about 25-50' below land surface
2378'-2390' elev of water surface in the young wells
These wells are higher in elev than the flowing artesian wells.

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Concern: development will reduce water available to existing rights. For example this year there is a potential for a significant water use. Cumulative impacts are a concern. There is no unappropriated g.w. in this area. There is a conjunctiveness between gw & Sw in this area.

Wet spots on Young's land may be caused by perched

Chapman (cont.)

- 2 Broad crested weir was installed above power plant
31 cfs corresponds to 1.79 on the weir

→ Will submit a copy of the broadcrested weir within 10 days

* exam by Anderson

- we take notice of well logs from the young wells
1987 data for weir was taken in a short ^{water} year.

1980 report & 1981 report copies submitted for the record.

Hearing off: Took notice of Chapman report

RID does have a water rt from the Snake R. to
make up for short water

Tape #2

Chapman - Aquifer interfingers to the southwest.

Anderson: Broken lava & cinder zones may be the water producing
zone

15 days for response to the weir data

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Feb 16, 1988

63-10483

CW. Young

Keith Anderson - Consultant - 432 Summit Edge -

Ronald Rainey - Attorney - observing -

- Protestant

Reynolds Irrigation District

Jerry Hoagland - Pres

Sam Pitman - Director

Sherl Chapman - Consultant -

Issues

- Originally drilled as temp permit well
- 79' deep 38' to ^{water} well ~~about 100'~~ - Home place
- 60' deep - 38' - ~~Home place~~ -
- Elev of water 20' feet higher than Reynoldt
- Domestic wells show no problem -
- Drain ditches have been dug and flow -
- Reynoldt's will pick up tail water -
- Supplemental Water
- No intention to injure - closest is 1/4 mile away
- Pumping would occur Spring

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Keith Anderson - Summary of Education - Expert Witness -

- Flowing wells drilled to provide drainage -

A - Injury to existing rights

63-0306 8 cfs surface 63-0359 26 cfs surfatground 2020 23.56 cfs surface

total 57.56 cfs reduced to 31.28 by order due to order on transfer

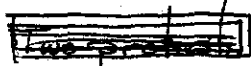
63-9368 - 50 cfs groundwater for power production

How far
away?

- Flow measured by Sherl of Reynolds Irrigation Wells -
- 63-9909. 18cfs priority 1982 subordinated -
- Reynolds are flowing wells -
- Artesian flow is not a parameter of the water right -
- No complaints from neighbors -
- Most important supplemental water only -
- Consumptive use would be small -

B - Insufficient Supply -

- There is ample supply
- Wet areas in the vicinity



Dowells flow
continuously

- Yes flow year around -

X-exam -

Protestant - Jerry Hoagland, President

- On the Board of Directors since 1969 -
- Grew up in the area -
- ID formed in 1931 -
- Decree in 1934 allowed RID 8cfs -
- 1978 pipeline was replaced -
- Chapman study for hydro plant -
- P.P. built on North side of river and pumping plant on southside of river. -
- R.I.D is short of water -
- Spring is the worst time - 900 inches
- Water is measured in and out -

Why were
RID wells
drilled?

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X-exam -

Head of pipeline to power plant is the same

Sherl Chapman -

- Expert - witness
- B.O.R. relief wells drain a limited area
- No water at lower level -
- Water levels of Youngs well are approximately the same piezometric elevation -
- Wet spots don't necessarily indicate available water -
- Weir installed near the power plant -
- I

- do the relief wells still flow?

- Does Reynolds have a wr. from Snake?

→ Take notice of Weir Reading →

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Application for Permit No. 63-10483

C.W. Young and/or Carol J. Young

(Notes on remarks by Keith E. Anderson, Consultant for applicant, at hearing on protest of application, February 16, 1988, Caldwell, Idaho)

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

A. Existing water rights of Reynolds Creek Irrigation District (RCID):

63-0306	8 cfs	Surface Water	1934 Irrig.
63-0359	26 cfs	Surface/Ground Water	1950 Irrig.
63-2420	<u>23.56</u> cfs	Surface Water	1929 Irrig
	57.56 cfs		

(Total reduced to 31.28 cfs by order re Transfer, 24 September 1984)

These rights assigned to Spokane Bank for Cooperatives.

63-9368	50 cfs	Ground Water	1980 Power
---------	--------	--------------	------------

Flow measurements (cfs)	<u>Fall</u>	<u>Spring</u>
3 Wells	15.91	8.92
2 Wells	10.11	5.98

This right assigned to Spokane Bank for Cooperatives.

63-9909	18 cfs	Surface Water	1982 Power
---------	--------	---------------	------------

This right junior and subordinate to all later rights except power.

B. RCID wells in question are flowing artesian wells. The "flow" is not a part of the water right (recognized in Chapman consulting report to RCID).

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- C. This application, when approved, would be subject to all prior rights.
 - D. No protest from nearby domestic well owners; no report of interference resulting from 1987 pumping.
 - E. Pumping under this application could reduce present non-beneficial consumptive use from wet areas.
 - F. Return flows from pumping under this application would be available for redirection by RCID for power.
 - G. This application is only for supplemental water. Irrigation consumptive use is minimal in early spring and fall when wells would be used.
2. Is the proposed water supply insufficient for the purpose intended?
- A. There is no indication of insufficiency in this area; there are still wet areas needing drainage.
 - B. RCID has previously considered or planned on developing additional ground-water supply (Chapman report).
 - C. Two protests to RCID's Application 63-9909 were withdrawn.
3. Is the application made in good faith or for delay or speculative purposes?
- A. (No comment)
4. Has the applicant sufficient financial resources with which to complete the project?
- A. (No comment)

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5. Will the proposed use under this permit conflict with the public interest?
- A. The permit can assure crop production, enhancing the local economy.
 - B. Power production is now being subordinated to other uses (63-9909).
 - C. Pumping under this permit could provide some additional drainage benefits.
 - D. RCID, in their July 6, 1987 protest of this application, indicate an intention to protest all applications for any new water rights in an area of 8 sections of land (approximately 5000 acres). This would not appear to be "in the public interest".

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Sherl L. Chapman

CONSULTANT

921 S. ORCHARD / SUITE N / BOISE, IDAHO 83705 / PHONE 344-6690

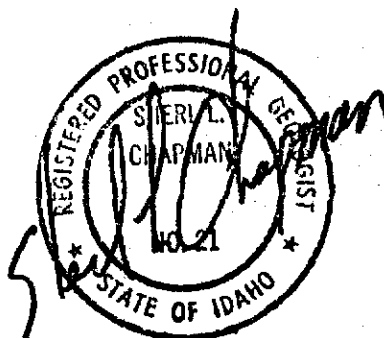
SUPPLEMENT TO WATER AVAILABILITY

AND

WATER RIGHTS EVALUATION

REYNOLDS IRRIGATION DISTRICT

April 22, 1981



SHERL L. CHAPMAN

CONSULTANT

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SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

INTRODUCTION

This supplement is an addition to an earlier report prepared for and submitted to J-U-B Engineering Company and the Reynolds Irrigation District. The purpose for the original study was to evaluate the water rights and water availability for a hydropower project contemplated by Reynolds Irrigation District. This supplement is prepared to document the flows during the late winter and early spring months when it is believed that the flows are at their lowest level. No further evaluation was made of the water rights position of the irrigation district nor are the conclusions and recommendations made earlier changed.

WATER MEASUREMENT

The flows of the various drains and waterways were measured on or about March 28, 1981 using a pygmy current meter, an AA current meter, and various types of portable weirs. All measurements were taken using standard techniques for open channel flow measurement. These measurements have been combined where appropriate to indicate the actual flow conditions in any given sequence or drains and all flows, including those made earlier, are shown on Table I.

As can be seen from Table I, the flows in most of the drains were lower than the earlier levels. This is primarily due to a lack of recharge to the ground water system, a result of no irrigation on the benches to the north and northeast within the Boise Project and associated lands. As was mentioned in the earlier report, the source of recharge to the artesian wells and springs is primarily from water applied to agricultural lands to the north and northeast

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TABLE I
FLOW MEASUREMENTS - SPROAT SPRINGS AREA
October 23, 1980 and March 28, 1981

<u>MEASUREMENT NUMBER</u>	<u>QUANTITY (cubic feet per second)</u>		<u>COMMENTS</u>
	<u>October 23</u>	<u>March 28</u>	
1	4.77	2.47	30 feet upstream from culvert.
2	21.86	15.34	
3	-0-	-0-	Ditch silted and grown in; water not flowing.
4	7.73	4.60	100 feet upstream from confluence of drains.
5	15.91	8.92	Measures flow from all three wells upstream.
6	10.11	5.98	Approximately 75 feet upstream from artesian well.
7	.09	-0-	Measurement taken just prior to water going under road.
8	2.23	.3	Measured at weir, 200 feet east of county road.
9	7.72	7.66	Taken 25 feet downstream from bridge.
10	1.29	2.43	100 feet below well discharge.
11	7.09	8.71	30 feet below wells.
12	10.70	8.03	In box 10 feet below gate.
13	5.98	13.21	100 feet below pond outlet.
14	29.95	14.13	50 feet below county road.
15	.82	1.13	100 feet above confluence.
16	7.64	4.68	600 feet upstream from highway above diversion.
17	34.53	14.13	100 feet upstream from highway culvert.

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and leakage from the various canals and waterways serving those lands. During the winter months when no water is applied or leaks from the canals, the amount of water available to the wells decreases causing the flows to also decrease.

The recent measurements shown on Table I were taken at what is believed to be the extreme low flow period and are, therefore, representative of the minimum amount of water available to the Reynolds Irrigation District for winter production of hydroelectric power. Since the water is to be diverted into the siphon for hydropower production, it can be seen from the map provided with the earlier report that the measurements taken at points 9, 11, 14 and 15 are the flows essentially available to Reynolds Irrigation District for hydropower production. The total of these flows during the latter series of measurements was 31.63 cubic feet per second. It should be noted that in order to be used the flow measured at point 15 would have to be transferred through a diversion to the Reynolds siphon. The only water right that would interfere with the low flow as measured at this point in time would be water right #63-3121 in the amount of 1.18 cfs for the purposes of stock water, irrigation, and domestic usage. The water right is owned by Mr. Carl NicholSEN and has a priority date of February 17, 1958 which pre-dates the hydropower application. However, the point of diversion is below measurement 15 which at the low flow period was 1.13 cfs, nearly enough to satisfy Mr. NicholSEN's right. Therefore, it is entirely feasible that during most of the year his water right could be satisfied by not diverting water from the waterway measured at point 15 which would also reduce the physical effort necessary to convey that water to the district's siphon.

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Based upon the satisfaction of Mr. NicholSEN's right, it appears from the measurements made that the minimum amount of water that will be available for hydropower production during normal winter months would be 43.08 cubic feet per second. This level may vary, of course, depending upon climatic conditions but for the most part it is expected to remain relatively constant.

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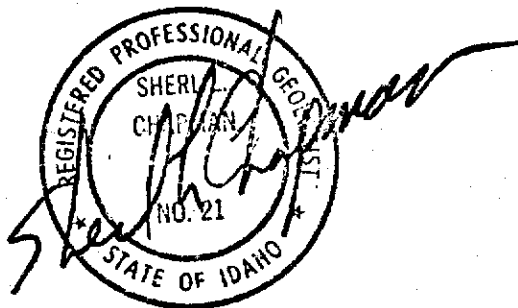
FEB 22 1990

Sheri L. Chapman
CONSULTANT

4706 FAIRVIEW AVENUE / BOISE, IDAHO 83704 / PHONE 375-6131

EVALUATION OF GROUND WATER CONDITIONS NEAR MELBA, IDAHO

May 16, 1980



SHERI L. CHAPMAN

CONSULTANT

MICROFILMED

FEB 22 1990

SPECIALIST IN
GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

INTRODUCTION

This firm was contacted by representatives of J-U-B Engineering in March, 1980, regarding evaluation of the ground water conditions southwest of Melba, specifically including the area of artesian wells previously constructed by the Bureau of Reclamation. This area, in general, lies approximately two miles southwest of Melba and occupies the lowland area north and west of Walters Butte. The objectives of the subsequent investigation were fourfold.

1. Determine the area of local artesian pressure that may be tapped by wells and accessible to the canals presently operated by the Reynolds Irrigation District.
2. Determine the general method of construction and depth of wells that could be drilled if the irrigation district chooses to do so.
3. Determine the impact of new well development on the ground water system and any water rights problem that may arise due to the additional development.
4. Evaluate and make recommendations for protection of the water rights of the Reynolds Irrigation District regarding the existing system.

Work conducted for this investigation included field reconnaissance of wells and springs in the area, measurements of the ground water surface, and geologic evaluation of the aquifer structure. Additional research was conducted utilizing records of the State of Idaho Department of Water Resources, and the U. S. Water and Power Resources Service (formerly the U. S. Bureau of Reclamation). This report is the result of this investigation.

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GEOHYDROLOGY

The geologic makeup of the area studied is somewhat unique in that the artesian aquifer occupies the lowland area between Walters Butte and the basalt capped bluffs to the northwest. This lowland is part of an ancient stream channel system developed in the region subsequent to the deposition of the basaltic lavas in the area. These streams eroded the lake bed sediments of the underlying Glens Ferry Formation where they were not protected by a basaltic cap. These ancient flood channels may have been part of, either the old Snake River when it occupied a stream course to the northeast of its present channel or may have served as flood water channels for glacial meltwater during the latter stages of alpine glaciation in the mountains north of the present Treasure Valley. While the source of the water is not critical to an understanding of the hydrologic system, these old stream beds are important in the sense that gravel and coarse sand were laid down in the channels at a relatively shallow depth. These coarse sediments were subsequently covered by silt, clay, and soil formation which act as a seal or aquiclude and, therefore, confines water in the sand and gravel beds giving rise to artesian pressure.

According to historical data, under natural conditions little water was encountered in these sands and gravels, the bulk of which was used for domestic purposes. However, with the advent of widespread irrigation from the Boise Project and private development on the benches above the area, the quantity of water increased. Previous investigations have shown that the source of this water is a combination of leakage from canals and lateral systems, excess water that percolates below the root zone of crops, and, in general,

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waste water that is disposed of, in the irrigated areas. This water percolates downward through the soil and basalt cap to the north and northeast joining the previously somewhat limited regional ground water system and migrates to the southwest toward the Snake River. A portion of this water is trapped in the sand and gravel in the ancient channel and develops a low artesian head simply because of the elevation difference between the point of entry or recharge of the system and the southwestern extent of the sands and gravels. As the water travels through the gravel aquifer it loses a portion of this head simply because of friction and other resistance to flow. Based upon measurements taken in the area, the approximate elevation at which wells will flow is about 2,390 feet above mean sea level. Since most of the area that contains this aquifer is above that elevation, flowing wells that have been developed in the aquifer have been drilled, perforated, and then deep excavations made around the well and downslope in order to achieve the flowing condition that now exists. Most of the well heads have been excavated to a depth of 12 to 15 feet and then the casing cut off below the 2,390 foot elevation level. The largest of these wells are located along the southern boundary of Section 3 and in the norther portion of Section 10. The original intent of the wells and excavations were to relieve the water logging problems that began to occur in this area after irrigation had been in progress for several years on the Boise Project. Some of the water is presently used by Reynolds Irrigation District through a series of canals, siphons and pipelines on the side of the Snake River.

Data on the drilled wells is extremely sparse. The so-called

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drainage wells that now provide the artesian water utilized by Reynolds Irrigation District were reportedly drilled under contract for the U. S. Water and Power Resources Service sometime during the early 1940's. Unfortunately no documentation is available but oral reports indicate the wells were drilled to a maximum depth of about 100 feet and encountered the sand and gravel unit from 25 to 50 feet below land surface. The wells were perforated throughout this zone and in some cases it is reported that perforated casing was installed from top to bottom. As previously indicated, once the well was constructed and the static water level was determined, ditches were excavated to below this level and the casing cut off below the water level in order that the well would flow under artesian pressure.

The aquifer appears to be severely limited in areal extent (Figure 1). The area of historical development appears to be the approximate boundary of the potential for artesian head development. Even though the flood channel appears to have included the area to the east of Walters Butte, very little of the sand and gravel shallow aquifer is found and the depth to water in wells in this area ranges from 71 feet below land surface to over 100 feet below land surface eliminating the potential for shallow ground water development in this area. The sand and gravel unit appears to thin rapidly southwest of the presently developed Sproat Springs with the southwestern edge of the unit running parallel to the low ridge which trends northwest-southeast in the valley. Wells developed to the southwest of this ridge have a static water level from 9 to 20 feet below land surface and only penetrate very thin intermittent layers of the sand and gravel unit. The depth to

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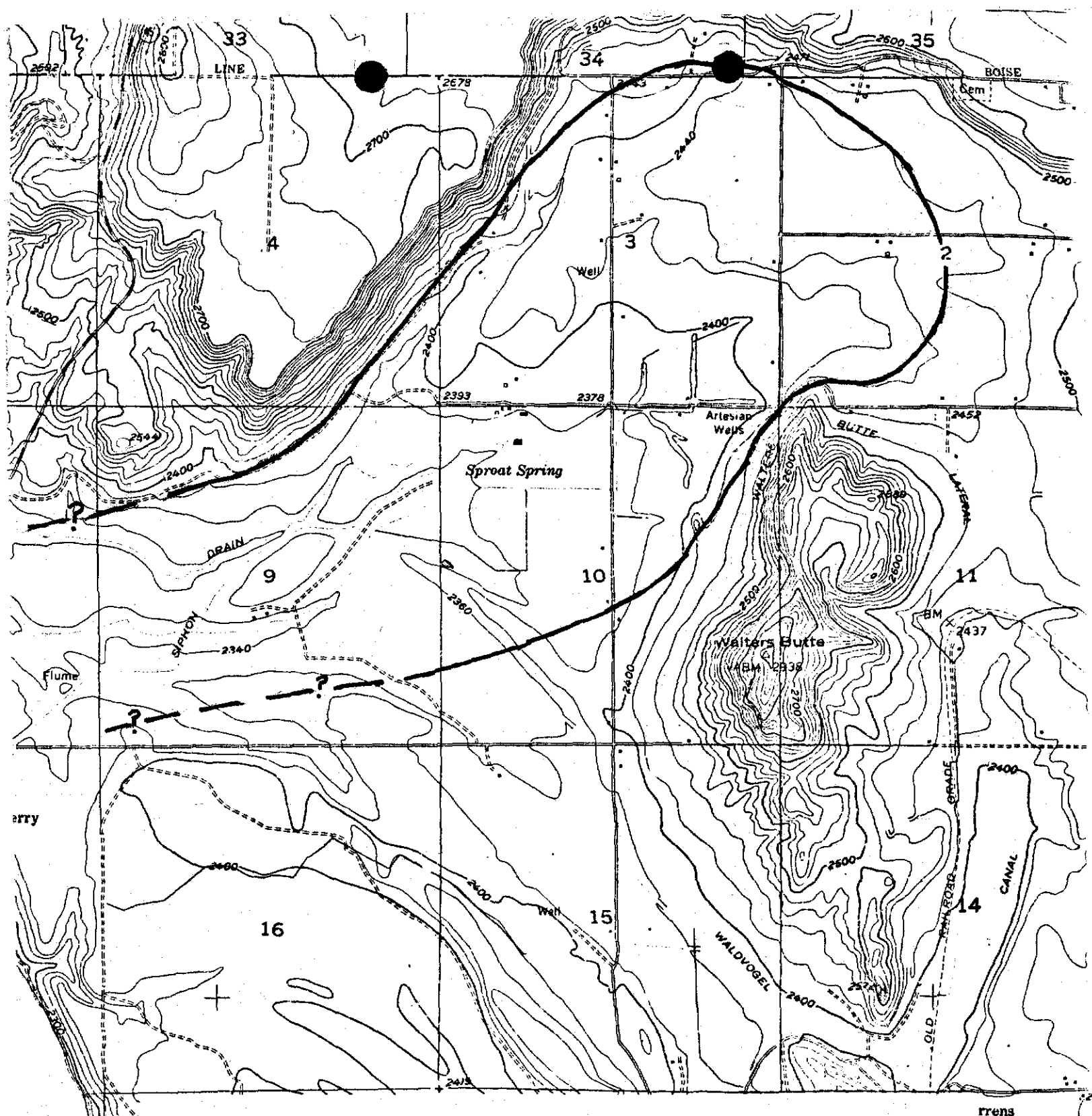


FIGURE 1 - LOCATION AND AREAL EXTENT OF ARTESIAN AQUIFER NEAR
MELBA, IDAHO

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water tends to deepen to the south and west. Yields to wells under pumped conditions in the area to the south and west of the terminus of the aquifer range from approximately 100 gallons per minute to a maximum of about 1,000 gallons per minute. While artesian flow may be able to be developed along the southwestern edge of the aquifer, it is anticipated that the flow would be relatively low and, as will be discussed in a future section of this report, other water rights may be injured.

Since the aquifer system is limited in areal extent, new stresses through either pumping or artesian flow are likely to be felt in the wells presently deriving water from the shallow aquifer system. At least three major artesian flowing wells have been developed in the aquifer system for the Reynolds Irrigation District. One well for an aquaculture facility in Section 10 and numerous domestic wells penetrate the aquifer throughout this area. While recorded data are sparse, several land owners in the area have indicated declines in domestic wells in particular over the past few years. These declines are probably the result of the new development within the area as well as development on the bench to the northeast. An additional stress that cannot be quantified at this point in time but that would reduce recharge to the area is the large scale conversion to sprinkler systems that has occurred over the past several years in the Boise Project area. This conversion would reduce the quantity of water available for deep percolation. It is unknown, however, exactly how much land in the area affecting this limited aquifer has been converted to sprinkler system or that has become more efficient in its irrigation practices through the installation of gated pipe, siphon tubes, concrete ditches or other water saving devices. Additionally,

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some recent impact may be attributed on the short term to the recent drought in 1977. Based upon the reports of decline, the change in irrigation practices, and the limited aquifer extent, it is entirely probable that development of additional artesian wells in this area will adversely impact the flow and water level in other wells in the artesian aquifer. However, if Reynolds Irrigation District wishes to install additional wells in an effort to develop additional water, it is recommended that these wells be located in the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 2, T1S, R2W. This appears to be the area that has the greatest potential for additional well development with the least amount of impact on domestic wells in the area. It should be noted that the development of any wells in this area will require excavation as have the other wells to a level approximately 2,385 feet above mean sea level in order to accomplish artesian flow. Wells to be drilled should be at least 16" in diameter and double perforated top to bottom with 1/8" x 3" slots. In order to install such casing, a waiver will be required from the Idaho Department of Water Resources. The anticipated depth of these wells will be approximately 75 to 100 feet below land surface and once the aquifer is encountered and the well completed to its total depth, the well bore should be swabbed and surged in order to develop the aquifer. This development will produce the greatest amount of water with the least amount of head resistance. An additional recommendation is that water levels and flows be monitored in the other artesian wells at several strategic points prior to the development of the additional wells and for at least a one year period after the wells are put into production. This will provide the irrigation district with base level data in order to determine whether or not there is, in fact, adverse impact on other wells in the area. It should be pointed

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out that ~~under Idaho law and an Idaho Supreme Court decision~~, artesian pressure is not a part of a water right and, therefore, the irrigation district cannot be effectively challenged in court ~~under the interference argument~~ if, in fact, all that is accomplished is a reduction in artesian flow or head. However, it should be noted this is a two edged sword and once artesian head begins to decline and individuals are forced to install pumps instead of allowing artesian flow, water level declines will accelerate.

WATER RIGHTS

The water right files of the Idaho Department of Water Resources were researched to determine the extent of water rights on the springs, artesian wells, and various drains throughout the area of study. Several water rights were found for surface waters but no filings have been made in this area for ground water with the exception of the Reynolds Irrigation District filing for power and irrigation.

The makeup of the water rights position of Reynolds Irrigation District and the artesian aquifer system poses two problems that are of interest for this study. The first problem is to what extent development of new artesian wells would have on existing water rights. At the present time, aside from the water rights held by Reynolds Irrigation District, several other individuals hold water rights either from sources denoted as springs, seeps, unnamed drains, the Grouch drain, and Warm Springs Creek. The water rights that have waste water as their source are not of concern since, in the case of a waste water right, an individual cannot be forced to continue to waste water to satisfy another's

water right. However, the water rights that derive water from the Grouch drain, springs, Warm Springs Creek, or other drains, may incur some impact if new artesian wells are drilled. As previously noted, the artesian ground water system feeds the springs and artesian wells which provide most of the water presently in the drains. Therefore, additional stresses on the aquifer by new development will decrease, to some extent, the amount of water available to the drains, both from artesian wells, springs, and upward leakage. It is impossible, at this point, however, to quantify the change in flow in any of the drains or wells but if significant new development does occur in the artesian aquifer or on the benches to the north and northeast, the flow may noticeably decrease and give rise to water right conflict.

The second question is the status of the water rights of Reynolds Irrigation District. Based upon records of the Department of Water Resources, the irrigation water rights of Reynolds Irrigation District are based on both surface and ground water sources. Since at least a portion of the water is derived from the artesian wells and a well located at Sproat Springs in addition to the normal surface water supply, some potential for water right problems exist if the artesian pressure declines to the point that the wells no longer flow. Since the Idaho Supreme Court has held that artesian pressure is not a part of a water right, the district would have no recourse against other water right holders even if it could be shown their well or wells directly effected the existing artesian flow. It is therefore in the best interest of Reynolds Irrigation District to discourage as much ground water development in the artesian area and on the Melba bench to the north and northeast as possible.

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CONCLUSIONS

Based upon the data collected for this investigation, several conclusions may be drawn with regard to the artesian aquifer and potential new development. These conclusions are as follows:

1. The artesian aquifer, as defined by the stream channel gravels found in the area of study, is limited in areal extent, being bounded on three sides by basalt capped bluffs underlain by the lake bed sediments of the Glenns Ferry Formation. The aquifer thins rapidly and for all practical purposes terminates approximately 1/4 mile southwest of Sproat Springs.
2. The artesian surface presently appears to be approximately 2,390 feet above mean sea level and flowing wells developed in the aquifer have well head elevations of approximately 2,385 feet above sea level or less.
3. Artesian head in the aquifer has declined slightly over the past several years. This decline is believed to be the result of withdrawal from the aquifer system, ground water development to the north and northeast, and a change in irrigation practices within the Boise Project that have decreased the amount of deep percolation thus reducing recharge to the artesian system.
4. Development of new wells in the artesian aquifer is possible but this new development will probably adversely affect the artesian head in the aquifer resulting in continued artesian pressure decline.
5. If new wells are to be developed with the least impact to the existing wells and springs in the area, they should be developed in the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 2, T1S, R2W.

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If any questions arise regarding this report or additional information is needed, the author would be most happy to meet with the district or J-U-B Engineering at any time.

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KEITH E. ANDERSON
VICE PRESIDENT

Taken at the hearing on
2-16-88
Application 63-10483

BDF

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

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

SUMMARY:

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

EXPERIENCE:

JAMES M. MONTGOMERY, CONSULTING ENGINEERS, INC.

As a Principal Engineer and Vice President of James M. Montgomery, Consulting Engineers, Inc., Mr. Anderson is responsible for the technical supervision and management of engineering projects throughout the United States and abroad, in the fields of surface water and ground-water hydrology, hydrogeology, irrigation and agricultural development, water quality, water rights and litigation, and ground-water contamination and hazardous wastes.

ANDERSON & KELLY

Mr. Anderson was a partner in Anderson & Kelly, established in 1966 to provide expanded services and facilities as specialized consultants in engineering and geology on water problems to clients world-wide. The Anderson & Kelly partnership was a continuation of the independent consulting office begun by Mr. Anderson in 1957. During his career, Mr. Anderson has worked on more than twelve hundred projects involving ground water, irrigation, and drainage. For sixteen years he has served as a consultant to the World Bank in the appraisal or supervision of many large irrigation, water supply, and agricultural projects throughout the world. He has participated in studies evaluating seepage losses from reservoirs, worked on projects for drainage or dewatering with pumped wells, investigated the relationship between ground water and adjacent streams or lakes, worked on the evaluation and monitoring of large well fields for municipal use, studied return-flow problems, conducted well-interference studies, made "safe-yield" evaluations of aquifers, and worked with well rehabilitation problems. Mr. Anderson has performed feasibility studies and designs for irrigation and drainage projects in both domestic and foreign localities, and served as an expert witness on matters of ground water, irrigation, drainage, and water rights in many State and Federal courts.

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Department of Labor Resources
Western Regional Office

Mr. Anderson's drainage and dewatering project experience has involved:

- o Open-pit mining
- o Tunneling and underground mining
- o Building or construction sites
- o Agricultural lands

U.S. BUREAU OF RECLAMATION

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

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

IOWA GEOLOGICAL SURVEY

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

MISSOURI GEOLOGICAL SURVEY

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

U.S. GEOLOGICAL SURVEY

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

ORGANIZATIONS:

American Society of Civil Engineers
National Society of Professional Engineers
Idaho Society of Professional Engineers
Consulting Engineers of Idaho
International Commission on Irrigation and Drainage
American Geophysical Union
National Water Well Association
American Water Works Association
Idaho Association of Professional Geologists
Idaho State Board of Registration for Professional Geologists
American Arbitration Association

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C. W. & Carol A. Young
Box 13 Star Kt
Melrose 20 83641

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Department of Water Resources
Western Regional Office

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STREET AND NO.			
<i>Box 13 Star Rt</i>			
P.O., STATE AND ZIP CODE			
<i>Malibu ID 93641</i>			
POSTAGE			\$
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	¢
		SPECIAL DELIVERY	¢
		RESTRICTED DELIVERY	¢
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
		SHOW TO WHOM, DATE, ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
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P 300-228 130

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H.C. 7A Box 127				
moloka, HI 93641				
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CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		c
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	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		c
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVER		c
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		c
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10483 IN THE NAME OF) NOTICE OF HEARING
C. W. &/OR CAROL J. YOUNG)

On October 15, 1987, a conference was held regarding the above-referenced application for permit. As a result of the conference, the applicants considered a proposed "agreement and withdrawal of protest". The applicants have determined that the proposed document is not a satisfactory resolution to this matter and have requested that a water right hearing be held.

The Department has set the matter of protest for hearing on Tuesday, February 16, 1988, at 1:30 p.m. in the East End General Conference Room, First Floor, Canyon County Courthouse, 1115 Albany St., Caldwell, Idaho, 83605. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 26th day of January, 1988.

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David R. Tuthill, Jr.

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

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

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

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

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

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

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

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

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

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CERTIFIED MAIL

January 26, 1988

No. 63-10483 -

C. W. &/Or Carol J. Young(Applicant)
Box 13, Star Rt.
Melba, ID 83641

Reynolds Irrigation District
c/o David Daniel, Sec. & Treas.
HC 79 Box 127
Melba, ID 83641

NON-CERTIFIED MAIL

Sherl L. Chapman
Idaho Water Users
410 S. Orchard, Suite 144
Boise, ID 83705

Jerry Hoagland
HC 79 Box 44
Melba, ID 83641

Keith Anderson
161 Mallard Dr.
Boise, ID 83706

Sam Pitman
HC 79 Box 55
Melba, ID 83641

cc. Bobby F.

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Hearing on 63-10483, Young
1/13/1988 in Caldwell

Reynolds Err Dist is not ready. - Sherl Chapman is not available
Times available

Feb 3-18 for Keith Anderson

Check with Sherl Chapman

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SENDER: Complete items 1, 2, 3, and 4.

Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —¢☐ Show to whom, date, and address of delivery.. —¢

- 2.
- ☐
- RESTRICTED DELIVERY**
- ¢

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

- 3.
- ARTICLE ADDRESSED TO:**

Reynolds Inn District
 c/o David Daniel Section
 HC 7A Box 127 Melba ID 83641

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED☒ CERTIFIED ☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

9300

228 136

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE☐ Addressee☐ Authorized agent

- 5.

DATE OF DELIVERY

1-29-88

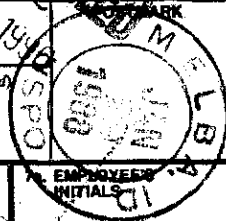
- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE:**

8. **EMPLOYEE'S INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

30401-24



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



RECEIVED
RETURN TO

RECEIVED
FEB 24 1990

DEPARTMENT OF WATER RESOURCES
8735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

Department of Water Resources
Western Regional Office

(Street or P.O. Box)

(City, State, and ZIP Code)

Re: No. 63-10483 -C. W. &/or Carol J. Young

Place: East End Conference Room, First Floor, Canyon County Courthouse,
Caldwell, ID

Date: 1:30 p.m., Wednesday, January 13, 1988

Hearing conducted by: Bob Fleenor & Dave Tutthill

ROSTER OF ATTENDANCE

[illegible]

P 300 228 113

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO				
<i>Quigley's Bar Dist</i> STREET AND NO. <i>David Avenue</i> <i>7/0</i>				
P.O., STATE AND ZIP CODE <i>60798 Ex 127</i> <i>Milwaukee WI 53241</i>				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		¢
		SPECIAL DELIVERY		¢
		RESTRICTED DELIVERY		¢
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
SHOW TO WHOM, DATE AND ADDRESS DELIVERED WITH RESTRICTED DELIVERY		¢		
TOTAL POSTAGE AND FEES				

POSTMARK OR DATE

FEB 22 1990

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

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P 300-228 112

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO

C. W. Carol Young

STREET AND NO.

Box 13 Star Rt

P.O., STATE AND ZIP CODE

moloka ID 23641

POSTAGE

\$

CONSULT POSTMASTER FOR FEES

CERTIFIED FEE

0

SPECIAL DELIVERY

0

RESTRICTED DELIVERY

0

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

SHOW TO WHOM AND
DATE DELIVERED

0

SHOW TO WHOM, DATE,
AND ADDRESS OF
DELIVERY

0

SHOW TO WHOM, DATE,
AND ADDRESS OF RESTRICTED
DELIVERY

0

SHOW TO WHOM, DATE,
AND ADDRESS OF DELIVERY WITH
RESTRICTED DELIVERY

0

TOTAL POSTAGE AND FEES

19.40

POSTMARK OR DATE

RECORDED
FEB 22 1976

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

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
 2. ☐ Restricted Delivery.

3. Article Addressed to:

Reynolds Irrigation Dist
 a/c David David Sec/Gen
 HC 79 Box 127
 Malibu CA 90264

4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

P 300
 228 113

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

12-18-87

8. Addressee's Address (ONLY if requested and fee paid)

FEB 22 1990

RECEIVED

32401-39

DOMESTIC RETURN RECEIPT

MELBA

IDAHO

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Use postage items 1, 2, 3, and 4 on the reverse.
- Do not fold or staple. If space permits, attach a return receipt to back of article.
- If you wish a return receipt, check box and attach return receipt to number.

75 YEARS OF PROGRESS

DEC 18 1987

PENALTY FOR PRIVATE USE \$300

RETURN TO DEC 21 1987

RECEIVED

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

FEB 24 1990 (Name of Sender)
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

2735 AIRPORT WAY
(No. and Street, Apt., Suite, P.O. Box or R.D. No.)
BOISE, IDAHO 83705

(City, State, and ZIP Code)

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
 2. ☐ Restricted Delivery.

3. Article Addressed to:

C.W. & Carol J. Younger
 Box 13 Star 12t
 Malibu CA 90264

4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

9300
 228 112

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

6. Signature - Agent

X

7. Date of Delivery

12-17-83

8. Addressee's Address (ONLY if requested and fee paid)

RECEIVED
 B 221990

E2401-37

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INFORMATION

Print your name, address, and telephone number in the space below

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Enclose article. Return Receipt Requested adjacent to number.

RECEIVED



PENALTY FOR PRIVATE
USE \$300

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

RETURN

DEPARTMENT OF WATER RESOURCES

(Name of Sender)

735 AIRPORT WAY
BOISE, IDAHO

(No. and Street, Apt., Suite, P.O. Box, R.D. No.)

(City, State, and ZIP Code)

DEPARTMENT OF WATER RESOURCES

735 AIRPORT WAY

BOISE, IDAHO 83705

RECEIVED
DEC 18 1987

Department of Water Resources
Boise Regional Office

Contents of Envelope
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FEB 22 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-10483 IN THE NAME OF) NOTICE OF HEARING
C. W. &/AND CAROL J. YOUNG)

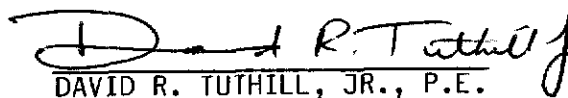
On October 15, 1987, a conference was held regarding the above-referenced application for permit. As a result of the conference, the applicants considered a proposed "agreement and withdrawal of protest". The applicants have determined that the proposed document is not a satisfactory resolution to this matter and have requested that a water right hearing be held.

The Department has set the matter of protest for hearing on Wednesday, January 13, 1988, at 1:30 p.m., in the East End General Conference Room, First Floor, Canyon County Courthouse, 1115 Albany St., Caldwell, Idaho, 83605. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involving

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FEB 24 1988

Dated this 15th day of December, 1987.


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

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

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

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

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

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

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

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

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

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FEB 22 1990

CERTIFIED MAIL

December 16, 1987

No. 63-10483 -

C. W. &/Or Carol J. Young(Applicant)
Box 13, Star Rt.
Melba, ID 83641

Reynolds Irrigation District
c/o David Daniel, Sec. & Treas.
HC 79 Box 127
Melba, ID 83641

NON-CERTIFIED MAIL

Sherl L. Chapman
Idaho Water Users
921 S. Orchard, Suite N
Boise, ID 83705

NON-CERTIFIED MAIL

Jerry Hoagland
HC 79 Box 44
Melba, ID 83641

December 17, 1987

Sam Pitman
HC 79 Box 55
Melba, ID 83641

cc. Bobby F.

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FEB 22 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

November 18, 1987

Reynolds Creek Irrigation District
c/o David Daniel, Secretary & Treasurer
HC 79 Box 127
Melba, ID 83641

C. W. &/or Carol J. Young
Box 13, Star Rt.
Melba, ID 83641

Re: Application for Permit No. 63-10483

Dear Mr. Daniel:

Now that a few weeks have passed since our conference October 15, 1987, it is time to review the results of any discussions regarding the proposed Agreement and Withdrawal of Protests, which was prepared at the conference.

In order to insure that this filing is kept current, please notify this office no later than December 10, 1987, regarding the results of your review of this matter.

Sincerely,

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

DRT:jp

cc: Bob Fleenor

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FEB 22 1990

C.W. & Carol Young

Notes by D. Tutthill

App for Permit No. 63-10483

Hearing Officers Bob Fleener & Dave Tutthill

Protestant: Reynolds Creek Irr Dist, Represented by
Jerry Hoagland, Sam Pittman & Sherl Chapman

Applicant: 1 well is 78'^{deep}; the other is 60' deep
Water levels are 43' & 32' deep, respectively

Pumps provide up to 45" to 50" from each well
West well & east well are both drilled. Pump is installed
on the west well - is being used now.

Conductance East - 568.0

West - 771.0

Reynolds Irr Dist - 653.0

Tests Run by ALCHEM Lab
Boise

based on samples collected on
10/06/1988

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FEB 24 1990

Protestant: Concerned about the cumulative impact of upstream
groundwater diversions.

Sherl Chapman: Water in this area moves toward the southwest
under a clay confining layer. Study showed a
piezometric water surface level at $\approx$ 2390 ft msl

Chapman Court: Has conducted 3 studies in the area.

The water table is sensitive & does not have much pressure head.

The area should be conjunctively managed. Has copies of 3 reports for the hearing record.

Any significant development will result in reduced production from artesian wells.

Diversion of 2.52 cfs ^{as proposed} would have a measurable impact on the flow from the artesian wells in the area.

Concerned about the cumulative impacts.

Additional diversions ^{from wells} deplete recharge of streams.

Sometimes the 1500 miners inch decreed it is not available

Cost for power is \$6.00/mo/acre

Applicant & Protestants are reviewing^a proposed withdrawal agreement (attached).

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FEB 22 1990

In the Matter of Application
for Permit No. 63-10483
in the Name of C.W. Young and/or
Carol J. Young

Agreement and
Withdrawal of Protest

We, the undersigned, agree to withdraw our protest against the approval of Application for Permit No. 63-10483 based on the Director adding a condition of approval as which states as follows:

" The permit holder shall divert water under this permit only during periods when Reynolds Irrigation District is receiving a sufficient supply of irrigation water. Reynolds Irrigation District is considered to be receiving a sufficient supply of irrigation water during periods when excess water from their wells is being spilled into Warm Springs Creek, and during additional periods when representatives from the district confirm that their supply is being

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Additionally, the undersigned agree to make a good faith effort to work toward approval of a water exchange, whereby the Youngs will apply for a permit to divert water from the Snake River, to be exchanged by diversion from the wells identified in application no. 63-10483. This exchange will contain an agreement where the Youngs compensate Reynolds Irrigation District for pumping costs from the Snake River, to enable diversion from the Youngs wells during periods when the district's irrigation water rights are not satisfied.

Agreement and
Withdrawal of Protest
Page 2 of 2

Signed this 15th day of October, 1987 at Caldwell, Id.

Representatives of Reynolds Irrigation District

I hereby agree to use of the above condition on
the permit no. 63-10483

Applicant

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FEB 22 1990

10-15-87

Bill & Carol Young →

63-10483

Protestant

Reynolds Irrigation Dist -

Conference -

Wells 78 ft & 60 feet -

W/L 43 ft & 32 feet -

On the end of the project

Concerned about obtaining water for
pump capacity max 50 inches each -

One pump installed on the west well - both wells drilled

Protest -

- Concerned about precedence that would be set -

> - Chapman has done three studies -

- Weak artesian zone -

- Mr. Young's well is drilled into the same water system -

- Some of the flow of the artesian aquifer continues to
the Southwest with some discharging into Warm Springs Creek

- 2.52 cfs would reduce the flow of Irr Dist wells -

~~SA~~

Jerry - Water available July, Aug, Sept.

New land →

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FEB 22 1990

Re: No. 63-10483 in the Name of C. W. &/or Carol Young, Jr.

Place: Canyon County Courthouse, Caldwell, ID

Date: 1:30 p.m., Thursday, October 15, 1987

Hearing conducted by: Bob Fleenor & Dave Tutthill

ROSTER OF ATTENDANCE

[illegible]

REYBURN, WILLIAM B.	C	21-0162	D/	10-05-1912	JESSE CREEK	HENRYS FORK SNAKE RIVER
REYBURN, WILLIAM B.	C	21-2042	L/	09-24-1910	JESSE CREEK	SNAKE R. HENRY'S FORK
REYBURN, WILLIAM B.	C	21-2053	L/	10-05-1912	JESSE CREEK	SNAKE RIVER, HENRYS FORK
REYES, HERACLIO	C	65-0279	D/	04-01-1935	GROUNDWATER	
REYES, JOAN M.	C	65-0279	D/	04-01-1935	GROUNDWATER	
REYNEARSON, EMMETT E.	C	81-7010	L/	03-16-1971	BULLOCK CREEK	CLEARWATER RIVER, MIDDLE FO
REYNOLDS IRR. DIST.	C	63-2420	L/	03-08-1929	WARM SPRINGS CREEK	SNAKE RIVER
REYNOLDS IRRIGATION DIST.	C	57-2193	/R			
REYNOLDS IRRIGATION DIST.	C	63-9909	A/	03-31-1982	WARM SPRINGS CREEK	SNAKE RIVER

■■■■ N15 ■■■■

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FEB 24 1990

PAGE 2914
06/28/1987

WRR152

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT NAME INDEX

NAME	OWNER CODE	WATER RIGHT NUMBER	STAGE/ PRIORITY STATUS	DATE	SOURCE OF WATER	TRIBUTARY TO
(NAME CONTINUED FROM PREVIOUS PAGE)						
REYNOLDS IRRIGATION DIST.	C	63-9909			GROUCH DRAIN	WARM SPRINGS CREEK
REYNOLDS IRRIGATION DISTRICT	C	63-0306	D/	04-01-1934	WARM SPRINGS CREEK	SNAKE RIVER
REYNOLDS IRRIGATION DISTRICT	C	63-0359	D/	04-01-1950	DRAINS GROUNDWATER	WARM SPRINGS CREEK
REYNOLDS IRRIGATION DISTRICT	D	63-9368	P/	04-17-1980	GROUNDWATER	WARM SPRINGS CREEK
REYNOLDS, ALBERT L.	D	34-0005	D/	04-22-1884	BIG LOST RIVER	SINKS
REYNOLDS, ARTHUR H.	C	34-2408	L/	04-05-1961	GROUNDWATER	
REYNOLDS, BEA	C	63-4056	S/	09-01-1946	GROUNDWATER	
REYNOLDS, BERNARD J.	C	96-7112	/L			
REYNOLDS, BERNARD J.	C	96-7515	P/	03-21-1977	GROUNDWATER	
REYNOLDS, CHARLES D.	C	65-6866	/I			
REYNOLDS, CLARENCE	C	37-2174	/C			
REYNOLDS, DALE S.	D	36-2529	L/	11-10-1961	GROUNDWATER	
REYNOLDS, DAN	C	21-7105	/L			
REYNOLDS, DAVID W.	C	47-7303	A/	07-28-1975	SALMON FALLS CREEK	SNAKE RIVER

WRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 2670
06/28/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	REFL	SOURCE OF WATER	LAST NAME	OWNER CODE
015	01W	32	NWSE	13		02-7402	P		04-25-1984 SNAKE RIVER	WILHITE WILHITE	C
		35	SWNE	04 01		02-2341	L		12-28-1964 SNAKE RIVER	INITIAL BUTTE FARMS	C
			SWNE	04 01		02-2358	L		07-28-1964 SNAKE RIVER	INITIAL BUTTE FARMS INC.	C
			SWNE	04 01		02-2420	L		12-31-1963 SNAKE RIVER	INITIAL BUTTE FARMS	C
			NESE	05 34		02-0201	D		12-29-1976 SNAKE RIVER	STATE OF IDAHO	C
015	02W	01	NENE	01,43		63-9694	P		03-19-1981 GROUNDWATER	JOHNSON JOHNSON	C
		02	NENE	40		63-9324	L		12-13-1979 GROUNDWATER	CITY OF MELBA	C
			SESW	01		63-10406	A		04-13-1987 GROUNDWATER	MILLER LAND CO. INC.	C
		03	NWSH	01		63-10483	A		05-08-1987 GROUNDWATER	YOUNG YOUNG	C
			NESE	01		63-10483	A		05-08-1987 GROUNDWATER	YOUNG YOUNG	C
			SWSE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			SWSE	01,04,43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			SWSE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	C
			SWSE	01		63-2699	L		03-02-1948 GROUNDWATER	NICHOLSON & ISAACS CO. PARTNERSHIP NICHOLSON	C
			SWSE	28		63-9368	P		04-17-1980 GROUNDWATER	REYNOLDS IRRIGATION DISTRICT SPOKANE BANK FOR COOPERATIVES	C
			SESE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			SESE	01,04,43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			SESE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	C
			SESE	28		63-9368	P		04-17-1980 GROUNDWATER	REYNOLDS IRRIGATION DISTRICT SPOKANE BANK FOR COOPERATIVES	C

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FEB 22 1990

IDAHO DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS BY POINT OF DIVERSION

THM	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	05	SESW	01		63-8389	P		11-24-1976 GROUCH DRAIN	MC DONOUGH	C
										MC DONOUGH	C
06			NWNE			02-2246	L		11-29-1963 SNAKE RIVER	KONDO FARMS INC.	O
										KONDO BROTHERS	O
										KONDO FARMS INC.	O
										KONDO BROTHERS	O
										THE TRAVELERS INSURANCE CO.	D
			NWNE	01		02-2246	L		03-25-1964 SNAKE RIVER	KONDO FARMS INC.	O
										KONDO BROTHERS	O
										THE TRAVELERS INSURANCE CO.	C
			NWNE	04 01		02-2257A	P		12-05-1963 SNAKE RIVER	KONDO	C
			NWNE	04 01		02-2257B	P		12-05-1963 SNAKE RIVER	KONDO	C
			SENE	01		63-9807	P		18-06-1981 WASTE WATER	MC DONOUGH	C
										MC DONOUGH	C
			NWNE	07 01.04		02-7054	L		12-22-1969 SNAKE RIVER	CEREDA	C
			NWNE	07 01		02-7234	P		10-22-1976 SNAKE RIVER	CEREDA	C
			NESE	02 01		02-2240	L		10-25-1963 SNAKE RIVER	JENSEN	C
			NWSE	02 01		02-2431	L		12-05-1958 SNAKE RIVER	VARBER	O
										EL DORADO LAND & LIVESTOCK CORP.	C
			SWSE	09 01		02-2399	L		12-15-1966 SNAKE RIVER	MULLER	C
										MULLER	C
			SWSE	09 01		02-2439	L		11-12-1946 SNAKE RIVER	MUSSER	C
										MUSSER	C
			SWSE	09 01		02-7091	P		01-07-1972 SNAKE RIVER	MULLER BROTHERS FARM	C
										FOOTE	C
										FOOTE	C
07	SWSW	01				57-2169	L		12-20-1939 GROUNDWATER	MUSSER	C
										MUSSER	C
08	SENE	01				63-2663	L		05-12-1966 WASTE WATER	NICHOLSON & ISAACS	O
										NICHOLSON	C
			NENW	01		63-8389	P		11-24-1976 GROUCH DRAIN	MC DONOUGH	C
										MC DONOUGH	C
			NESE	01.43		63-0360	D		04-01-1917 WARM SPRINGS CREEK	KEITH	C

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FEB 22 1990

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	REL G	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	08	NESE	01		63-0361	D		04-01-1917 WARM SPRINGS CREEK	McMILLAN SIMPSON	0 C
			NESE	01		63-0362	D		10-28-1928 WARM SPRINGS CREEK	BACHMAN BACHMAN	C C
			NESE	01		63-0363	D		10-28-1928 WARM SPRINGS CREEK	BACHMAN	C
			NESE	01		63-0364	D		10-28-1928 WARM SPRINGS CREEK	KENNISON	C
			NESE	01.43		63-2311	L		11-08-1917 UNNAMED STREAM	ROBY BACHMAN	C C
			NESE	01.43		63-2378	L		01-30-1923 WARM SPRINGS CREEK	KENNISON BACHMAN	C C
			NESE	01.43		63-2380	L		06-05-1923 WARM SPRINGS CREEK	ROBY BACHMAN	C C
			NESE	01		63-7911	L		01-14-1974 SPRINGS	ENGLE ENGLE	C C
			NESE	01		63-7912	L		01-14-1974 WASTE WATER	ENGLE ENGLE	C C
09			NENE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			NENE	01.04.43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			NENE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	0 C
			NENE	28		63-9909	A		03-31-1982 GROUGH DRAIN WARM SPRINGS CREEK	REYNOLDS IRRIGATION DIST.	C
			NHNE	01.04.43		63-3121	L		02-17-1958 GROUNDWATER	NICHOLSON	C
			SHNE	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			SHNE	01.04.43		63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			SHNE	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	0 C
			SHNE	01.28		63-2592	P		06-01-1939 UNNAMED DRAIN HELBA WASTEWAY	SPROAT	C

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HRR158

 IDAHO DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS BY POINT OF DIVERSION

 PAGE 2673
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TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	024	09	SHNE	28		63-9909	A		03-31-1982 GROUND DRAIN WARM SPRINGS CREEK	REYNOLDS IRRIGATION DIST.	C
			SENE	01.43		63-0360	D		04-01-1917 WARM SPRINGS CREEK	KEITH	C
			SENE	01		63-3590	L		06-16-1967 WARM SPRINGS CREEK	BARGER BARGER ENGLE	C
			SENE	01		63-7911	L		01-14-1974 SPRINGS	ENGLE ENGLE	C
			NESH	01		63-7912	L		01-14-1974 WASTE WATER	ENGLE ENGLE	C
			10	01.04.43		63-0356	D		04-01-1948 DRAINS	NICHOLSON	C
				01.04.43		63-0357	D		04-01-1948 DRAINS	NICHOLSON	C
			NHNE	01.28		63-2592	P		06-01-1939 UNNAMED DRAIN MELBA WASTEWAY	SPROAT	C
			NHNE	01		63-2699	L		03-02-1948 GROUNDWATER	NICHOLSON & ISAACS CO. PARTNERSHIP NICHOLSON	C
			NHNE	01.04.19.43		63-8137	L		06-16-1975 GROUNDWATER	HOLD HOLD RUPPERT RUPPERT	C
			NHNE	19		63-8188	L		08-14-1975 GROUNDWATER	HOLD HOLD RUPPERT RUPPERT	C
			NHNE	01.19		63-8189	L		08-14-1975 GROUNDWATER	HOLD HOLD RUPPERT RUPPERT	C
			SHNE	01		63-8171	L		07-10-1975 GROUNDWATER	BAIRD BAIRD	C
			SHNE	01.47		63-8192	L		08-15-1975 WASTE WATER	BAIRD BAIRD	C
			NENH	01.43		63-2371	L		04-21-1924 UNNAMED STREAM	TOUD	C
			NANH	01		63-0306	D		04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C

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FEB 22 1977

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 2674
06/28/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
01S	02W	10	N4NW		01,04,42	63-0359	D		04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			N4NW	01		63-2420	L		03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	O
			N4NW	28		63-9368	P		04-17-1980 GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	O
			N4NW	28		63-9909	A		03-31-1982 GROUND DRAIN WARM SPRINGS CREEK	SPOKANE BANK FOR COOPERATIVES	O
			S4NW	01		63-3590	L		06-16-1967 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	O
			NESH	01		63-9041	L		09-21-1977 GROUNDWATER	BARGER BARGER ENGLE	O
			S4SW	01		63-3578	L		01-23-1967 GROUNDWATER	BAIRD BAIRD	O
11			S4NE		04,43	63-4912	S		06-01-1913 GROUNDWATER	ELDORADO LAND & LIVESTOCK CORP.	O
			NESH	01		63-5078	S		04-01-1940 WASTE WATER	KNAPP	O
12			S4NW		04,43	63-4902	S		06-01-1947 GROUNDWATER	AYERS AYERS	O
14			SESW		04	63-7539	L		02-27-1972 GROUNDWATER	KNAPP	O
			N4SE		01,43	63-2712	L		06-07-1950 GROUNDWATER	JENSEN	O
15			S4NW	01		63-7814	L		06-19-1973 GROUNDWATER	JENSEN JENSEN	O
			NESH	01		63-2955	L		08-27-1953 GROUNDWATER	VAN DYCK	O
			NESH		01,43	63-3099	L		12-27-1956 GROUNDWATER	JAMES JENSEN	O
17			N4NE	04 01		02-7368	P		12-10-1981 SNAKE RIVER	JUANS EVANS	O
			N4NE	04 04		63-4847	S		07-01-1930 SPRINGS	SHAYNE	O
			N4NE	04 43		63-5060	S		01-01-1945 GROUNDWATER	SHAYNE	O
			S4NE	03 04		63-4847	S		07-01-1930 SPRINGS	SHAYNE	O

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	02W	17	NENW	05 01		63-0306	J	R	04-01-1934 WARM SPRINGS CREEK	REYNOLDS IRRIGATION DISTRICT	C
			NENW	05 01, 04, 43		63-0359	D	R	04-01-1950 DRAINS GROUNDWATER	REYNOLDS IRRIGATION DISTRICT	C
			NENW	05 01		63-2420	L	R	03-08-1929 WARM SPRINGS CREEK	KEITH REYNOLDS IRR. DIST.	C
			NNNW	05 01		02-2399	L		12-15-1966 SNAKE RIVER	MULLER MULLER	C
			NNNW	05 01		02-7091	P		01-07-1972 SNAKE RIVER	MULLER BROTHERS FARM FOOTE FOOTE	C
			SWNW	06 01		57-2339	P		02-24-1941 WASTE WATER	CARLTON	C
		19	NNNE	04, 43		57-7098	L		03-02-1973 GROUNDWATER	SEVEN HIGH RANCH INC.	C
		20	SENE	01 01		02-7189	L		03-11-1975 SNAKE RIVER	TRIPLETT TRIPLETT	C
		21	SWNW	03 01, 04		02-7109	L		03-03-1973 SNAKE RIVER	UAM WYK	C
			SWSW	43		57-4042	S		07-01-1900 GROUNDWATER	NETTLETON NETTLETON	C
		22	SWNE	01, 43		63-2631A	L		06-21-1946 THOMASON LAKE	JENSEN	C
			SWNE	01		63-2631B	L		08-30-1947 THOMASON LAKE	JENSEN	C
			SWNE	01, 43		63-2632A	L		06-21-1946 THOMASON LAKE	JENSEN	C
			SWNE	01		63-2632B	L		08-30-1947 THOMASON LAKE	JENSEN	C
		23	SENE	01		63-10448	A		04-27-1997 GROUNDWATER	JESENKO	C
			NNNW	04		63-7539	L		02-27-1972 GROUNDWATER	JENSEN	C
		24	NESH	01		63-4281	S		04-01-1963 WASTE WATER	THOMAS THOMAS	C
			SWSW	01, 04		63-7898	P		11-13-1973 GROUNDWATER	EVANS	C
			SESW	01, 43		63-2256	L		02-01-1915 ROCK CREEK	PITTENGER	C
			SESW	01		63-3056	L		07-07-1955 UNNAMED DRAIN	MC DONOUGH MC DONOUGH JENSEN JENSEN	C C B B

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FEB 22 1990

LAND DEPARTMENT OF AGRICULTURE
 WATER RIGHTS BY POINT OF DIVERSION

06/28/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
015	024	25	NEMH	01		63-2711	L		07-29-1948 UNNAMED DRAIN	JENSEN	C
			SHNH	01		63-2938	L		04-24-1953 GROUNDWATER	MC DONOUGH JENSEN JENSEN	C C C
		27	SHSH	05 01		02-2114	L		05-18-1954 SNAKE RIVER	WHITNEY	C
			SHSH	05 01.04		02-7026	L		02-13-1969 SNAKE RIVER	FALEN	C
		28	NHNE	02 01.43		63-2573	L		12-19-1941 SPRING	LAUGHLIN	C
			SHNE	03 01.43		02-2440	L		10-15-1948 SNAKE RIVER	LAUGHLIN	C
			NHNV	01.43		02-2441	L		09-16-1951 SNAKE RIVER	GROSS	C
			SENV	01.43		02-2027	L		07-02-1915 SNAKE RIVER	WILSON IRRIGATION CO.	C
			SESE	08 01		02-7282	L		04-02-1979 SNAKE RIVER	LOVELADY LOVELADY	C C
		29	SHNE	01		57-4020	S		04-01-1953 GROUNDWATER	SPARLING SPARLING	C C
			NHSE	01.43		57-2338	L		06-10-1907 GROUNDWATER	GARDNER	C
		31	SHSH	04		57-2394	L		02-16-1949 SPRING	U.S. DEPT. OF INTERIOR	C
		34	NENE	01.04		02-7017	L		08-24-1967 SNAKE RIVER	GIVENS	C
			NENE	01 01.43		02-2011	L		02-13-1911 SNAKE RIVER	WILBUR	C
			SHNH	01.43		57-2044	L		03-06-1912 DRY CREEK	MERCHANT	C
			SENV	43		57-4027	S		09-01-1973 GROUNDWATER	NEAVILL	C
			NESH	01.43		57-4048	S		01-01-1917 GROUNDWATER	TURRITTIN TURRITTIN	C C
		35	NHNE	02 02.03		02-4020	S		06-01-1946 SNAKE RIVER	SMITH	C
015	024	02	NENV	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
			NHNV	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
			SHNH	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
			SENV	01.04.43		57-7263	A		09-11-1980 GROUNDWATER	KERSHNER	C
									09-11-1980 GROUNDWATER	KERSHNER	C

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FEB 22 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
63-10483 IN THE NAME OF C. W. &/OR CAROL YOUNG) NOTICE OF HEARING
AND/OR CONFERENCE

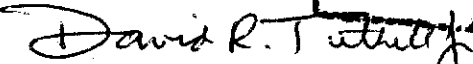
On May 8, 1987, C. W. and/or Carol Young filed with the Department of Water Resources the above application to appropriate the public waters of the State of Idaho. On July 8, 1987, the Department received a protest against approval of the said application from Jerry Hoagland, President, and David Daniel, Secretary-Treasurer, Reynolds Irrigation Dist.

The Department has set the matter of protest for hearing for Thursday, October 15, 1987, at 1:30 p.m., in the Second Floor Conference Room, West Wing, Canyon County Courthouse, 1115 Albony Street, Caldwell, ID 83605. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 28th day of September, 1987

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FEB 22 1990


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

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

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

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

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

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

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

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

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

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FEB 22 1990

P 300-228 052

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO	
C. W. ^{\$} / _{on} Carolyn Young	
STREET AND NO.	
Box 13 Star Route	
P.O., STATE AND ZIP CODE	
Melba ID 23641	

POSTAGE		\$		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢		
	OPTIONAL SERVICES	SPECIAL DELIVERY	¢	
		RESTRICTED DELIVERY	¢	
		RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
			SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
			SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢			

TOTAL POSTAGE AND

POSTMARK OR DATE
FEB 22 1990

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

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P 300 228 051

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				
Savoy Hooagland Ave.				
STREET AND NO.				
Reynolds Jr. Dist.				
P.O., STATE AND ZIP CODE				
Mable 2D 14C-79 Box 127				
POSTAGE		8364	\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		¢	
	OPTIONAL SERVICES	SPECIAL DELIVERY	¢	
		RESTRICTED DELIVERY	¢	
		RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
			SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	¢
			SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢	
TOTAL POSTAGE AND FEES			\$	

POSTMARK OR DATE

FEB 22 1990

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

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (
- check one
-).

☒ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery.. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

*(The restricted delivery fee is charged in addition to the return receipt fee.)***TOTAL** \$

- 3.
- ARTICLE ADDRESSED TO:**

2nd Lt Carol Young
Box 13 Star Rt
Melrose 20 83641

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED☒ CERTIFIED ☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER***8300**228 052***(Always obtain signature of addressee or agent)**

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

- 5.
- DATE OF DELIVERY**

9.30.55

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

28401-39

**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



IDAHO



75 YEARS OF POSTAGE
SEP 20 1987

RECEIVED
RETURN TO
OCT - 1 1987

MICROFILMED

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)
Idaho Department of Water Resources
Western Region

(Street or P.O. Box)
Boise, Idaho

(City, State, and ZIP Code)

● **SENDER:** Complete items 1, 2, 3, and 4.

Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —¢
☐ Show to whom, date, and address of delivery .. —¢

2. ☐ **RESTRICTED DELIVERY** —¢

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**

Harry Haggard
Reynolds Dr. Dist.
HC79 Box 127
Medan 2D 23641

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

9300
228 OSI

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized

5. **DATE OF DELIVERY**

9-30-87

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE INITIALS**

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FEB 22 1990

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
 58701-19

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

MELBA

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$308**



75 YEARS

**RECEIVED
MICROFILMED**

**DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705**

OCT 2 1987

FEB 22 1990

(Name of Sender)
**Idaho Department of Water Resources
Western Region**

Street or P.O. Box)
Boise, Idaho

(City, State, and ZIP Code)

Department of Water Resources
Western Regional Office



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 8, 1987

Jerry Hoagland, President
Reynolds Irrigation District
HC 79, Box 127
Melba, ID 83641

Re: Application for Permit No. 63-10483, Source of Groundwater, in the Name
of C. W. &/or Carol J. Young

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Thursday, October 15, 1987, at 1:30 p.m., in Caldwell.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

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FEB 24 1990



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 8, 1987

C. W. &/or Carol J. Young
Box 13, Star Rt.
Melba, ID 83641

Re: Application for Permit No. 63-10483, Source of Groundwater, in the
name of C. W. &/or Carol J. Young

Dear Water Right Applicant:

As you have previously been notified, the above-referenced water right application has been protested. A hearing for this matter has been tentatively scheduled for: Thursday, October 15, 1987, at 1:30 p.m., in Caldwell.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

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SPECIAL NOTE: _____

Application No. 63-10483

PROTEST INFORMATION SHEET

Protestant - Name(s) _____

Reynolds Irrigation District, Jerry Hoagland, Pres. &/or

David Daniel, Sec. & Treas.

Address HC 79 Box 127, Melba, ID 83641

Attorney - Name & Address _____

Date Filed 7/8/87 Protest Date August 24, 1987

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

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Protest Information submitted in Computer (following hearing): _____

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shute

APPLICATION NUMBER: 63-10483

CHECK:

- ☒ Source.
☒ Point of diversion. NO LOTS
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated. NO LOTS
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☒ U.S. Bureau of Land Management.
☒ U.S. Forest Service.
☒ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. Surface water for Pine Reg.
☒ Yes ☐ No In form for advertising. no g.w. rights
☐ Yes ☐ No Final date for protests: July 6, 1987 August 27, 1987
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: June 26, 1987
☐ Application published correctly. If not, record action taken: error - no advertisement
☒ Fee amount, receipt date & number, recorded on application. 85/44827
☒ Publication dates and paper, recorded on application. PRESS TRIBUNE 6/17 & 6/24/87
☒ Protests, dates, withdrawal, etc., recorded on application. 2/5 & 2/12/87
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended.

Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

☐ See attached sheet for more information.

By: _____ Date: _____

August 17, 1987

Already protested

No response required.

DWR

Department of Water Resources
Mr David R Tuthill
Manager, Western Regional Office
Statehouse
Boise ID 83720

Dear Mr. Tuthill:

This letter is to protest the proposed granting of a water right, application number 63-10483 for C. W. &/or Carol Young published on August 12, 1987.

We feel that if this application is granted the water available under our water rights, numbered 63-2420, 63-0306, 63-0359, and 63-9368 would be reduced. Studies that our irrigation district has had done by Sherl Chapman have indicated that well drilling in the proposed area would probably reduce our water flow.

As we indicated in our letter of June 2 we feel it will be necessary for us to protest the granting of any new rights in Sections 1,2,3,4,9,10,11, or 12 of Township 1 South, Range 2 West to protect our existing rights.

Sincerely,

Jerry L. Hoagland
Jerry Hoagland, President
Reynolds Irrigation District

David Daniel
David Daniel, Secretary-Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, ID 83641

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RECEIVED
AUG 26 1987

Department of Water Resources
Western Regional Office

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 63-10483 in the name of C. W. &/or Carol J. Young was published in error on June 17 & 24, 1987.

The point of diversion for this legal was advertised as being within NSW NESE Sec 03 T 015 R 02W and the place of use within the NSW SWSW NESE SESE Sec 03 T 015 R 02W.

WHEREAS, the actual point of diversion for this legal is within the NSW NESE Sec 03 T 015 R 02W. and the place of use within the NSW SWSW NESE SESE Sec 03 T 015 R 02W.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, Statehouse, 450 W. State St., Boise, Idaho 83720, on or before August 24, 1987

KEN DUNN, Director

PUBLISHED in the Idaho Press-Tribune on August 5 & 12, 1987.

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Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 14, 1987

C. W. &/or Carol J. Young
Box 13 Star Rt.
Melba, ID 83641

Dear Mr. & Mrs. Young::

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application for Permit No. 63-10483. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

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

DRT:jp

Enclosure

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Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 14, 1987

Reynolds Irrigation District
Jerry Hoagland, President &/or
David Daniel, Secretary-Treasure
HC 79 Box 127
Melba, ID 83641

Re: No. 63-10483 in the Name of C. W. &/or Carol J. Young

Gentlemen:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

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FEB 24 1990

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

DRT:jp

State of Idaho
Department of Water Resources
Temporary Approval Analysis Sheet

☒ Yes ☐ No Basin No. Correct?
☒ Yes ☐ No Source is Groundwater?
☒ Yes ☐ No Lands are irrigated with surface water rights?
☒ Yes ☐ No Lands are outside Critical Groundwater Area & Groundwater Management Area boundaries?
☒ Yes ☐ No County has been declared a drought emergency area by the Governor's Office?

Remarks:

Canyon Co. Irrig. Cropland
map does show the land under
this app. as being irrigated under
the Boise-Kuna Irrig. Dist.

Application Initially Received Date 5-8-87 Time 4:00 p.m.
File Prepared By gg Date 5-11-87 Time 9:00 a.m.
Staff Review By Op Date 5-11-87 Time 2:00 PM
Temporary Approval Prepared By HA Date 5-11-87 Time 3:00 p.m.
Temporary Approval Signed By DW Date 5-11-87 Time 3:30 pm
Temporary Approval Mailed By JA Date 5-11-87 Time 3:40 p.m.
Index Updated By DW Date 5-11-87 Time 3:30 pm



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

May 11, 1987

C. W. or Carol J. Young, Jr.
Box 13 Star Rt.
Melba, ID 83641

Re: Water Right No. 63-10483

Dear Water Right Applicant:

Enclosed is a temporary approval for diversion of groundwater during the 1987 irrigation season.

The copy of the application for permit to appropriate water attached to the interim approval defines the various components of your temporary approval. The inclusion of the copy of the application is only for the purpose of definition, and any terms contained therein are limited by the conditions of the temporary approval.

As described in condition of approval (k), this office will continue to process the original application for permit, pursuant to Chapter 2, Title 42, Idaho Code, unless directed otherwise by you. This processing will include advertisement for two weeks in the county where the point of diversion is located, and the result may be issuance of a water right permit.

Sincerely,

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

DRT:jp

Enclosures: Temporary Approval
Copy of Application for Permit

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ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
WITH RESPECT TO TEMPORARY APPROVAL OF
APPLICATION FOR PERMIT NO. 63-10483

This is to certify that I have examined Application for Permit to
Appropriate the public waters of the State of Idaho No. 63-10483 and a
temporary approval to divert groundwater is granted until September 7, 1987,
subject to the following limitations and conditions:

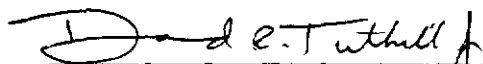
- a. The water use approved herein is subject to all prior water rights.
- b. The water user acknowledges that the temporary approval does not convey a continuing right to divert water and does not convey any right to divert water except as specifically provided in the temporary approval.
- c. The water user assumes all risk that he or she will be successful in obtaining a permanent water right permit when the application is processed under the provisions of Chapter 2, Title 42, Idaho Code and the water Appropriation Rules and Regulations.
- d. Violation of temporary approval conditions, provisions of the Idaho Code, or the Water Appropriation Rules and Regulations is cause for cancellation of the temporary approval and denial of future requests.
- e. By commencing diversion of water under this temporary approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the temporary approval or to take other reasonable steps to insure that water is not diverted during any period the temporary approval is suspended or revoked.
- f. The Director may impose additional conditions not a part of the original temporary approval conditions.
- g. The temporary approval applies only to uses and lands which normally have an adequate supply of water from surface water sources but are temporarily water short because of drought conditions.
- h. The temporary approval granted under the expedited procedure shall not be effective for more than the 1987 irrigation season and will expire at the termination of the declared drought emergency, or on the expiration of the term of the approval set herein, whichever is earlier.
- i. The Director will retain jurisdiction of any temporary approval given.
- j. By acceptance of the temporary approval and diversion of water under the temporary approval, the water user assumes all risk relative to interference with other water rights and acknowledges and agrees that the Director is authorized to take reasonable steps to insure that water is not diverted under the approval at any time the Director determines there is not water available for diversion.

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- k. Temporary approval granted will be of no force nor effect from and after the 1987 irrigation season. The application for permit, however, will be processed by the Department under the provisions of Chapter 2, Title 42, Idaho Code, unless directed otherwise by the applicant.

Witness my hand this 11th day of May, 1987.



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

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FEB 22 1990

63-10483

YOUNG, C. W. &/or CAROL

BOX 13 STAR RT., MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: NWSW NESE Sec 03 T 015 R 02W

Use: IRRIGATION (2.520 CFS)

Date Filed: 05/08/1987

In: NWSW SWSW NESE SESE Sec 03 T 015 R 02W FOR 126 ACRES

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