

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07548

Priority: July 3, 1983

Maximum Diversion Rate:

1.44 CFS

This is to certify, that WILLIAM D MC MANUS
JANINE B MC MANUS

RT 1 BOX 306

RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 1, 1983; and has submitted Proof of Beneficial Use on January 3, 1992. An examination indicates that the works have a diversion capacity of 1.440 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	06/01 to 10/31	1.44 CFS	
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NESE , Sec. 17, Township 09S, Range 25E CASSIA 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>
09S	25E	16	SWSW 19.4			19.4
		17	SENE 12.0	NESE 39	SESE 32.9	84.4

Total number of acres irrigated: 103.8

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variations from this license must be made within the limits of Section 12-1, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full amount of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
5. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 415.2 af for the lands above.

APR 25 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07548

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 2ND
day of FEBRUARY, 1995.

Acting for


R. Keith Higginson, Director



45-07548

RECEIVED

JAN 03 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 125.00
Date 1-3-92
Receipt No. 5014039
Received by JF. [signature]

\$25.00

1-15-92

5014065

JF. [signature]

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

1. Permit No. 45-07548 Telephone No. 436-56702. Name(s) of Permit Holder(s): William D. o/or Janine McManus3. Post Office Address: Rt. 1 Box 306, Rupert, ID 833504. Source of Water: Groundwatera. If ground water, well driller's name: Harry King Date drilled: 3/2/82b. Pump horsepower: 50 Pressure (psi): 75 Dynamic pumping level (ft.): 40

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 1/3 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted ~~\$2.26~~ 2.26 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No8. Fee Enclosed: \$ ~~125.00~~ 150.00 (See License Examination Fee Schedule)

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

Permittee

Name

Telephone No.

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

1/3/92
DateWilliam D. McManus
Signature (and title if on behalf of a company or organization)

FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR)
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.)
45-07548)

ORDER

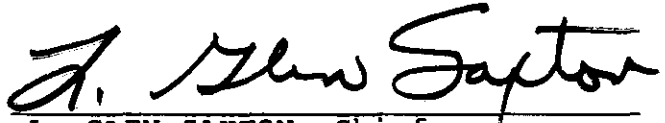
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, hereby ordered that the condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 13th day of January, 1992.


L. GLEN SAXTON, Chief
Water Allocation Bureau

PHOTOFILMED

FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-07548)
IN THE NAME OF WILLIAM D. OR JANINE MCMANUS)

ORDER OF
REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

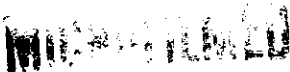
WHEREAS, on January 1, 1992, the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

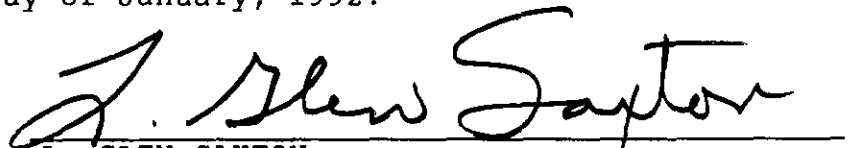
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 3, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 45-07548 be REINSTATED with an advance in priority to July 3, 1983.

Dated this 23rd day of January, 1992.



FEB 10 1992


L. GLEN SAXTON
Chief, Water Allocation Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	45-07548	Daniel C. Walton	2.30
Full Assignment	45-07548	William D. McManus Janine B. McManus	2.30

RECEIVED
FEB 10 1992

212895

WARRANTY DEED

Indexed

For Value Received

DANIEL C. WALTON and MARY H. WALTON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

WILLIAM D. McMANUS and JANINE B. McMANUS, husband and wife

Address: Route #1 Box 306

Rupert, Idaho 83350

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 9 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHOSection 16: N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓Section 17: NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ✓EXCEPT part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:Beginning at the Northeast corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said
Section 17;

Thence South 660 feet;

Thence West 461 feet;

Thence North 660 feet;

Thence East 461 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 2.30 C.F.S. State of Idaho Department of Water Resources Permit To Appropriate Water No. 45-07548.

SUBJECT TO:

Taxes for 1991 and subsequent years.

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

Easement For Irrigation Line between Samy Guisasola and Cleo Guisasola, single persons, First Parties, and Frank Guisasola and Fae Dene Guisasola, husband and wife; and Charles Dee Christensen and Patricia J. Christensen, husband and wife, Second Parties, dated March 10, 1978 and recorded May 12, 1978 as Instrument No. 107494 on Film No. 117, records of Cassia County, Idaho.

CORRECTED EASEMENT FOR IRRIGATION LINE, dated March 10, 1978 and recorded June 6, 1978 as Instrument No. 108348 on Film No. 118, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 12, 1991

12-1-91
Notary Public
Cassia County
Idaho

Daniel C. Walton

Mary H. Walton

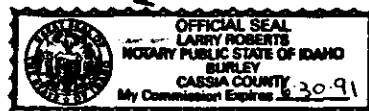
STATE OF IDAHO, COUNTY OF Cassia

On this 12th day of April, 1991
before me, a notary public in and for said State, personally appearedDaniel C. Walton and
Mary H. Waltonknown to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public

Residing at
Commission expires:

FEB 10 1992


 RECORD AT THE NOTARY
 LAND TITLE & ESCROW
 APR 12 3 30 PM '91
 CASSIA COUNTY, IDAHO
 FRANK GUISASOLA
 RECORDED
 300
 NO TITLE & ESCROW

212895

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07548

Proposed Priority: July 1, 1983 Maximum Diversion Rate: 2.30 CFS
This is to certify, that DANIEL C. WALTON
RT. 3 BOX 325
RUPERT, ID 83350
has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	2.30 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE Sec. 17, Township 09S, Range 25E
CASSIA County

<u>PLACE OF USE: IRRIGATION</u>						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	25E	16	SWSW 20			20
		17	SENE 15	NESE 40	SESE 40	95
Total number of acres irrigated:						115

CONDITIONS/REMARKS:

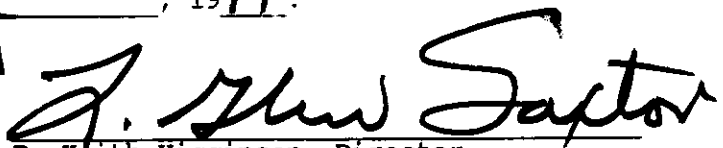
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

11th day of January, 1991.

RECORDED & FILMED

JAN 28 1991

for 
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 3 1992

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Daniel C. Walton Phone 436-6642
Post office address Rt #3 Box 325 Rupert, ID 83350
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 9S
Range 25E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.30 for Irrigation purposes from Mar 15 to Nov 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:

a. 2.30 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & 50 H.P. pump
delivering to 1320' 8" mainline - 100' 6" PVC -
660' 4" Aluminum mainline - delivering to 6 $\frac{1}{4}$ mile hand line
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 200 feet.

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 - maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

REFILMED

JAN 28 1991

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
95	25E	16											20						20
		17				15									40			40	95

Total number of acres to be irrigated 115

c. Describe any other water rights used for the same purposes as described above. Shares In MID

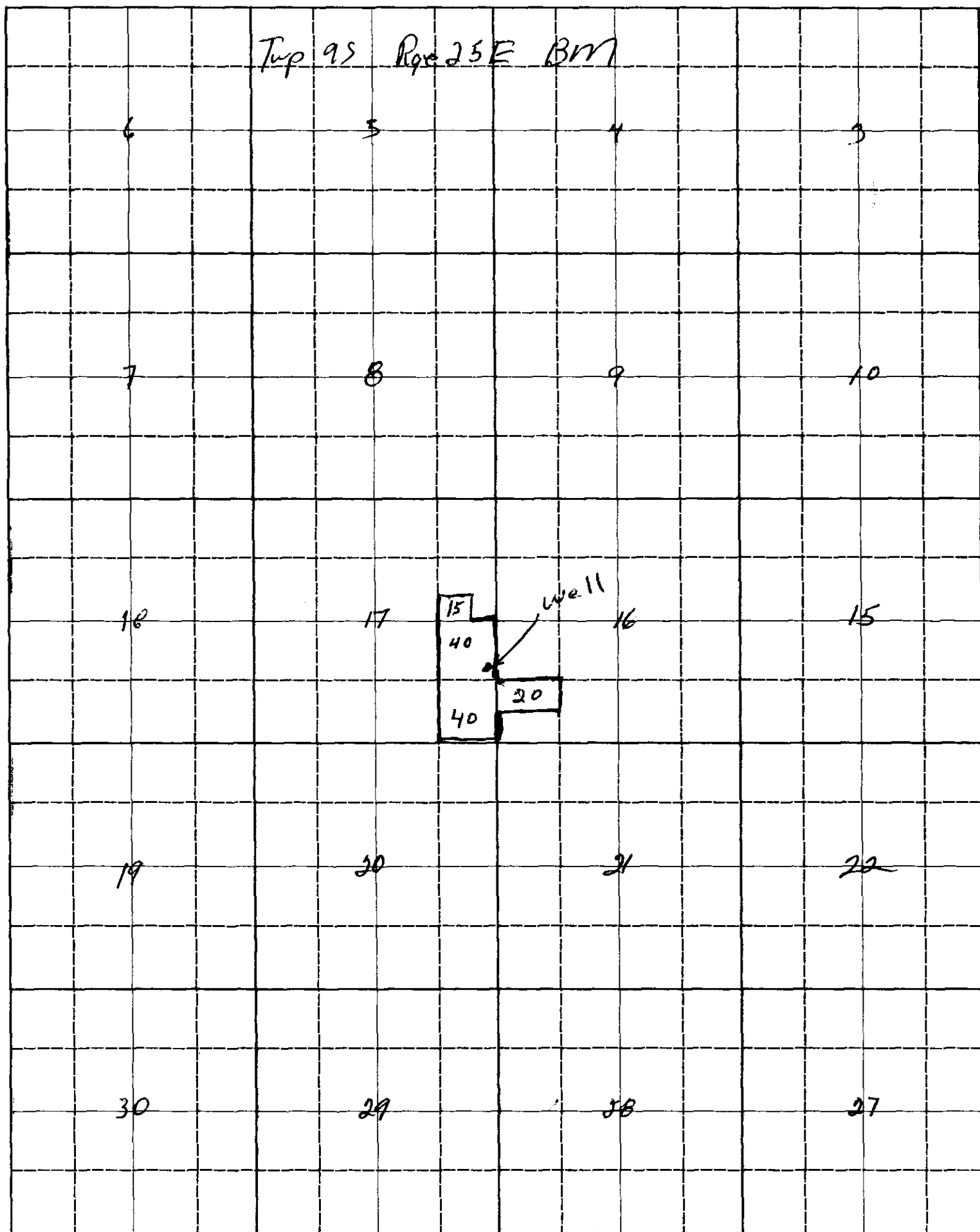
9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant, Robert Newman
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing long term lease, anticipated purchase

10. Remarks Well is being drilled because of difficulty of obtaining steady flow for pump - due to being on the end of ditch with no overflow drain

MICROFILMED

JAN 30 1981

11. 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.

RECORDED

JAN 28 1991

Daniel C. Walton
(Applicant)

Received by mayer Date 7/1/83 Time 11:30 a
Preliminary check by T.G. Blau Fee \$ 85.⁰⁰ # 29170
Receipted by mayer Date 7/5/83
Publication prepared by M.B. Date 4/25/90
Published in So. Id Press
Publication dates 5/3 + 5/10/90
Publication approved M. Seldin Date 7/16/90
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other:

RECORDED

JAN 28 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 16, 1995

William D. Mc Manus
Rt. 1, Box 306
Rupert, ID 83350

RE: Re-examination of Right No. 45-07548

Dear Mr. Mc Manus:

Your request for a re-examination of water right no. 45-07548 will be granted. The re-examination will include a measurement of the diversion rate capacity of your irrigation system. The examination fee for a diversion of more than 0.20 cfs is \$100. When the Department receives the fee, you will be contacted to schedule a time for the re-examination.

If you have any questions or concerns, please contact me at 208-327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK

RECEIVED
APR 25 1995

MEMORANDUM

TO: SHELLEY KEEN THRU JIM JOHNSON *[Signature]*
FROM: NORM *[Signature]*
SUBJECT: LICENSING OF 45-07548
DATE: March 14, 1995
=====

Bill McManus called me last week asking that we give another look at the flow rate on the license. I have looked at the file and do not see any obvious problems with Shelley's analysis. However, Mr. McManus is disturbed, feeling that he has provided sufficient information as to nozzle sizes, numbers and operating pressures to provide a better estimate than we can get using horsepower and assumed pumping depths, pressures and efficiencies. He, whether he formally appeals or not, is not satisfied with our work.

Let's offer a re-exam and make an effort to get a measurement either with the polysonic meter or by measuring sprinkler head pressures.

If this is acceptable to you, please let Mr. McManus know that a re-exam will be done. If not, let's discuss at an early opportunity.

[Handwritten: 4507]
APR 25 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 6, 1995

William D. Mc Manus
Rt. 1, Box 306
Rupert, ID 83350

RE: Licensed Diversion Rate for Right 45-07548

Dear Mr. Mc Manus:

Thank you for sending the additional information about your irrigation system. I have reviewed your data made the following analysis.

The licensed diversion rate of 1.44 cfs for your licensed right, no. 45-07548, was based on a theoretical calculation of the pumping capacity of your system. The equation we use divides an estimate of the horsepower generated by your pumping plant by the head that must be overcome to lift water to the surface and pressurize your sprinkler system. The estimation of your diversion rate involved the following assumptions.

- Depth to water of 40 feet when you are pumping.
- Pressure head at the pump of 75 psi.
- Pumping plant efficiency of 70%.

During our conversation last month, you agreed that our estimates of depth to water and operating pressure are about right. A pumping plant efficiency of 70% is usually generous; very few older systems achieve an efficiency of 70%. Other numbers in the calculation are conversion factors needed to show the answer in cubic feet per second. The calculation was as follows:

$$\frac{8.8 (.70) 50 \text{ h.p.}}{40 \text{ ft.} + (2.31 * 75 \text{ psi})} = 1.44 \text{ cfs}$$

Changing the operating pressure to 80 psi, as your letter suggests, would result in the following calculation:

$$\frac{8.8 (.70) 50 \text{ h.p.}}{40 \text{ ft.} + (2.31 * 80 \text{ psi})} = 1.37 \text{ cfs}$$

To test our calculations, I started with your suggested diversion rate of 2.29 cfs and solved for one variable at a time. My calculations are shown below.

APR 25 1995

Mr. William Mc Manus
Re: License 45-07548
March 6, 1995
Page 2

$\frac{8.8 (1.17) 50 \text{ h.p.}}{40 \text{ ft.} + (2.31 * 80 \text{ psi})} = 2.29 \text{ cfs}$ Pumping plant eff. = 117%

$\frac{8.8 (.70) 83.6 \text{ h.p.}}{40 \text{ ft.} + (2.31 * 80 \text{ psi})} = 2.29 \text{ cfs}$ Horsepower = 83.6

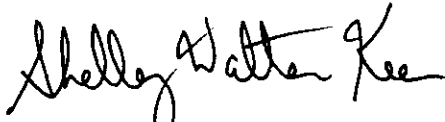
$\frac{8.8 (.70) 50 \text{ h.p.}}{40 \text{ ft.} + (2.31 * 41 \text{ psi})} = 2.29 \text{ cfs}$ Operating press. = 41 psi

$\frac{8.8 (.70) 50 \text{ h.p.}}{-50 \text{ ft.} + (2.31 * 80 \text{ psi})} = 2.29 \text{ cfs}$ Depth = 50' above ground

As you can see, I cannot reconcile what we consider to be a reasonable estimate of your pumping capacity with the diversion figures you provided. Perhaps there is some pertinent information we are overlooking, such as a pump curve, a schematic of your diversion system, the actual dynamic pumping level, and knowledge of your system operations (set times, etc.). Without more information, I am reluctant to recommend a re-examination of your system or an amendment of your license.

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

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK

APR 25 1995

RECEIVED
FEB 27 1995
Department of Water Resources

R-03

2/24/95

To: Mr. Shelley Keen

To follow up on our phone conversation of 2/9 regarding our water right Lic. # 45-07548. Your records as do ours show the issuance of the original permit 7/1/83 and proof of beneficial use letters dated 1/3/92 and 1/15/92.

Our irrigation pump system pressure is 80 psi. The mainlines split at the valve with one line consisting of 1340 ft. of 8" PVC with a line loss of 3 psi. The second portion also beginning at the valve is 750' of 6" PVC and aluminum with a line loss of 5 psi.

A total of 127 sprinklers operate on the larger portion of mainline. Those nozzles are a Nelson F335 5/32" dia. nozzle. The balance of 64 sprinklers operating on the shorter mainline use Nelson #FCN 3/4" x 4.0 flow control nozzles.

RECEIVED

APR 25 1995

Using an operating pressure of 75 psi
I find the following usage to be correct.

$$127 \times 6.11 \text{ gpm} = 775.97 \text{ gal.}$$

$$64 \times 4.0 \text{ gpm} = 256.00 \text{ gal.}$$

$$\begin{array}{r} 1031.97 \\ 1 \text{ cfs } 448.8 \end{array} = 2.29 \text{ cfs}$$

The permit and other documents indicate 115 acre irrigated and when multiplied by your maximum factor of .02 cfs my irrigation system is fully utilizing its original right.

Given the reduced acreage being irrigated (103.8 ac.) I would request the IDWR to reissue water right license #45-07548 priority date July 3, 1983 to a maximum diversion rate of 2.08 cfs.

When this issue is resolved the system in question will be re-nozzled to come into compliance so as not to exceed the 2.08 cfs limitation.

Thank you,

William D. McManus

APR 25 1995

M E M O R A N D U M

DATE: February 8, 1995

TO: File 45-07548

FROM: Shelley W. Keen *SWK*

RE: Conversation with Bill McManus

=====

Today Bill McManus called to discuss the diversion rate of 1.44 cfs on the license issued to him. He believes that the rate, calculated using the theoretical horsepower equation, should be higher. He agreed that our use of 50 h.p., 75 psi, and 40 ft. of lift is correct. But, he thinks his system produces over 2.00 cfs.

I could find nothing in the file that would support a higher diversion rate for this right. Therefore, I asked Mr. McManus to send me as much information as he could about his irrigation system; number of lines, nozzle sizes, a pump curve, line spacing, set times, etc. He said he would reply soon.

Over the phone Mr. McManus told me his system pressurizes six 1/4 mile wheel lines simultaneously. Each line has 32 nozzles. Three of the lines have flow control nozzles that deliver 4.3 gpm, for a total of 412.8 gpm. The three remaining lines have 5/32" nozzles that deliver 6.4 gpm, for a total of 614.4 gpm. Adding the 412.8 and 614.4 cfs results in a total rate of 1027.2 gpm, or 2.29 cfs.

As a quick check, I looked at a chart in the Field Examiner's Handbook that indicates that 5/32" nozzles should deliver about 6.30 gpm at 75 psi. However, if pressure at the pump is 75 psi, friction losses in the pipe would cause much lower pressures at the nozzles. If the pressure readings at the nozzles average 45 psi, each sprinkler would deliver about 4.91 gpm, for a total from the three lines of 471.4 gpm.

APR 25 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 3, 1995

WILLIAM D MC MANUS
JANINE B MC MANUS
RT 1 BOX 306
RUPERT ID 83350

RE: WATER RIGHT NO. 45-07548

Dear Water Right Holder(s):

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 45-07548

1. Owner: Wm. D. McManus

Phone No. 436-5670

Current Address: Rt. 1 Box 306, Rupert, ID 83350

2. Accompanied by: -

EXAM. DATE: 3-22-93

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: M.I.D.

☐ Copies Attached

2. Other water rights with same point of diversion: _____

☐ 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: 1" = _____

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).

APR 25 1995

System Description (continued)

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

Well, motor, pump, buried & portable mainline to wheel lines & handlines.

☐ 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
	Westinghouse	50	1-SVM-14013 S	Layne & Bowler	T80117

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SE	17	9S	25E	Cassia	

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

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	25E	16											19.4						19.4
		17													39			32.9	84.4
																			103.8

Do not use this space

APR 25 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

None.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Allow 1.44 cfs theoretical capacity ($\approx 0.69 \text{ "/math>$

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) $\div$ 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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 103.8 \times 4 = 415.2$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 612.4$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 415.2 \text{ AFA}$

2. Volume Calculations for Other Uses:

APR 25 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

SRBA shows Minidoka Irrigation District shares on property, but only the well appears to be in use. No evidence of connection from canal system to mainline.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	1.44	415.2
Totals:			1.44	415.2

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 J. E. Stanton
Signature J. E. Stanton
Certification Date _____
Field Report Preparation Date 6-9-93

CONSULTANT SEAL

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

APR 2 5 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 45-7548
DATE: 10-7-72
BY: _____

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) (50) (0.70)}{[(40) + (15 \times 2.31)]} = 1.44 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner (X)	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		

REMARKS _____

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = $\frac{(\dots 214 \dots) \times (1.98) \times (.144 \dots)}{(\dots 103.8 \dots)}$

POTENTIAL = 5.9

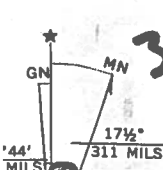
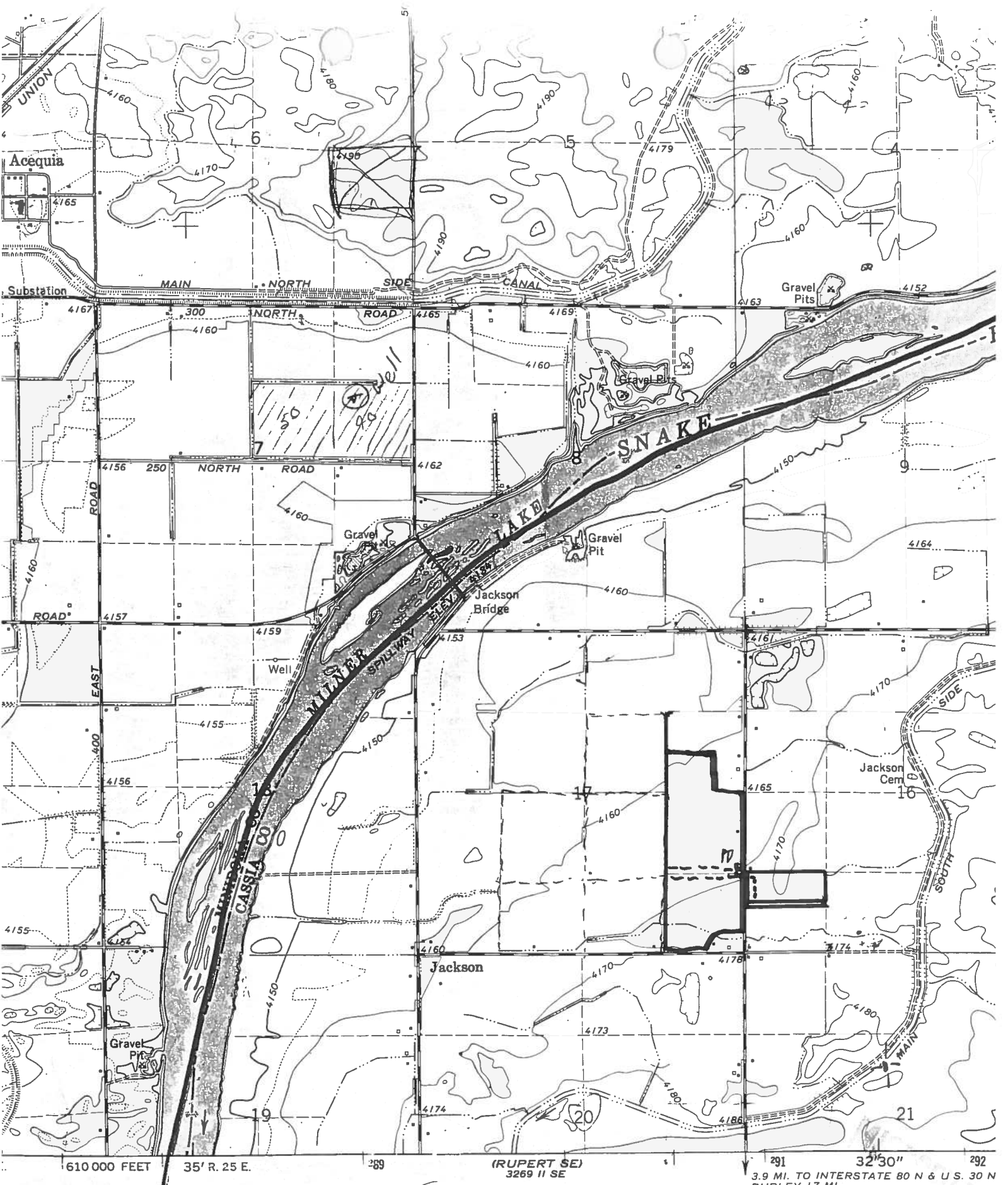
REQUIRED Acre Feet/Acre/Annum = 4.0
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

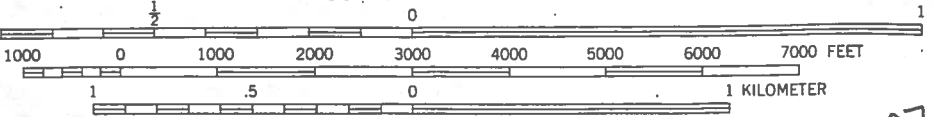
IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (X)

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

APR 25 1995



36
45



CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS

3.9 MI. TO INTERSTATE 80 N & U.S. 30 N
BURLEY 17 MI.

45-07548

30

20
T20

237/
T1358

R 25

45-07548

1
51.0

237/
T449

1
32.9

237/
T46

1
19.4

1700
T8512

1
7.7

2
43

NW
HEL

NW
HEL

1
3.1

5
2.7

2
26.4

20
2 NW
4.6 HEL

21
T1361

4
25 HA

NW
HEL

7 NW
16.5 HEL

34.1

NW
HEL

1537
T1366

665
T1368

5 1995

T 1366

48.1 HEL

2
17.6

NW
HEL

2
35.7

10 HEL

45-7548



Diversion Works

Stmc 9 P/U Sec, 17

P/U Sec, 16



APR 25 1995

January 24, 1992

WILLIAM D MC MANUS
JANINE B MC MANUS
RT 1 BOX 306
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07548

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED
FEB 10 1992

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.

RECEIVED

APR 20 1982

1. WELL OWNER

Name SCLAR FARMS
Address 411 RUPERT IDAHO 83450
Owner's Permit No. _____

7. WATER LEVEL

Static water level 46 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ OF. Quality _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

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

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
12	0	7	GRASSY SAND		X
	7	25	GRAY BASALT		X
	25	37	BROWN BASALT		X
	37	52	RED BASALT		X
	52	60	GRAY BASALT		X
	60		BLACK SAND		X

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
2.50 inches	12 inches	1 foot	18 feet

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

Number	From	To

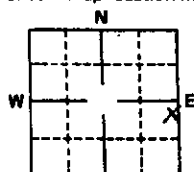
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 18 Material used in seal: ☐ Cement grout
☒ Puddling clay ☒ Well cuttings
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 1" PIPE ON SIDE OF CASING

10.

Work started 2-2-82 finished 3-6-82

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County CASSIA

NE 1/4 SE 1/4 Sec. 17 T. 4 N/S. R. 25 E/W.

11. DRILLERS CERTIFICATION

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

Firm Name HARRY HILL DRILLING Firm No. 85

Address RUPERT IDAHO Date 4-16-82

Signed by (Firm Official) Harry Hill

and

(Operator) Harry Hill

FEB 10 1992

MEMORANDUM

TO: File

FROM: Karen Gustafson

DATE: January 13, 1992

Re: DISCREPANCIES AND ERRORS ON THE PROOF OF BENEFICIAL USE AND MY RETURN LETTER TO MR. MCMANUS

After I returned the proof of beneficial use to Mr. McManus, I received a call from Jim Stanton of the Southern Regional Office. He has taken exception to all of the items of my letter.

After a discussion with Glen, I have made an error on the assignment. Since the deed has indicated the water right number, it is sufficient for the department to change the ownership into Mr. McManus's name. I will pass the file to Pam to do so.

I explained to Mr. Stanton that I did indeed need the well drilling info. If the well was drilled before July 1987, that is sufficient info to process the proof. However, if it was drilled after that date, I need to have a copy of the drilling permit and well log in the file to process the proof. Mr. Stanton stated he thought that was ridiculous. I suggested that he take the matter up with someone who had decision making authority, which I do not.

He also called to our attention (Glen and myself) memo #51 which has a flow chart for determining if flow measurement devices are required. Although the memo is dated May 7, 1991, until today, neither Glen or I have seen the memo. Therefore, as a rule of thumb, if permit holders have not complied with this particular condition of the permit at the time they file their proof of beneficial use; and if they meet the requirements set forth in the above mentioned memo, we will automatically remove the condition.

After my discussion with Mr. Stanton, Mr. McManus called. He has already discussed, with Keith Higginson, Director, some other concerns he had when filing the proof. He did not think it had been properly completed. Mr. Higginson suggested he return to the Southern Regional Office. If he was not completely satisfied with the results, Mr. Higginson would assist him. Mr. McManus and I discussed the proof of beneficial use in detail. His only concern at this time is the total cfs that he can apply for. He will discuss this matter with Mr. Stanton and return the proof to me as soon as possible.

RECEIVED
FEB 10 1992

FEB 10 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 7, 1992

William D. and Janine McManus
Route 1 Box 306
Rupert, ID 83350

Re: Permit No. 45-07548

Dear Permit Holder:

Returned is your proof of beneficial use that you submitted to our Southern Regional Office on January 3, 1992. During my review of your proof, several discrepancies were found that need some clarification before I can process your proof of beneficial use.

While I can accept the Warranty Deed as proof of ownership, it will not allow the permit to be placed in your names. The permit will continue to be in the name of Daniel C. Walton. If you want the permit to be placed in your name, it will be necessary to have an assignment completed and signed by Mr. Walton. I have enclosed an assignment form, should you wish to pursue this avenue. If it is not possible to obtain a signature from Mr. Walton, I will accept the Warranty Deed as proof of ownership and continue to process the permit in Mr. Walton's name.

Secondly, a drilling permit is required for all wells drilled or deepened after July 1, 1987. You have indicated neither the well driller or the date drilled. It is necessary for you to provide me with this information in order to continue the licensing process.

Lastly, one of the conditions of your permit states that a flow measurement port or other device must be installed. You have indicated that it has not yet been installed. You will need to install this device prior to our field examination.

I realize that this can be confusing, so if you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

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

C: J. Stanton - Southern Regional Office

RECEIVED

FEB 10 1992

January 6, 1992

DANIEL C. WALTON
RT. 3 BOX 325
RUPERT ID 83350

LAPSE NOTICE

RE: PERMIT NO. 45-07548

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/6/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

K. S. Saxton
FEB 10 1992

138164
October 31, 1991

DANIEL C. WALTON
RT. 3 BOX 325
RUPERT ID 83350

PROOF DUE NOTICE
RE: PERMIT NO. 45-07548

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 January 1, 1992. (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,

Nina Shields
Secretary/Records Manager

Enclosures

RECEIVED

FEB 10 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 16, 1991

DANIEL C. WALTON
RT. 3 BOX 325
RUPERT, ID 83350

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07548

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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

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

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

MICROFILMED

JAN 28 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

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JAN 28 1991

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 16 1990

Department of Water Resources
Southern Region Office

County of Cassia, }
STATE OF IDAHO } ss.

Gady Johnson being first
duly sworn, deposes and says that she
is the clerk of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated May 3 1990, and
ending with the issue dated May 10,
1990. Gady Johnson

STATE OF IDAHO
COUNTY OF Cassia }

On this 10 day of July in the year of 1990, before me,
a Notary Public, personally appeared Gady Johnson,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Robert Mabe
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 2/4/93

Cost of Publication: 25.92
Notary Fee: .50
Total Cost: 26.42

MICROFILMED

JAN 28 1991

OK
MB
7/16/90

90-174

NOTICE OF APPLICATION FOR WATER RIGHT

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

45-07548

WALTON, DANIEL C.

RT. 3 BOX 325

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt. NESE Sec 17 T09S R25E

Use: IRRIGATION (2.300 CFS)

Total Diversion: (2.300 CFS)

Date Filed: 7/1/1993

In: T09S R25E S16 SWSW

S17 SENE NESE SESE

115.0 ACRES TOTAL

The permit(s) will be subject to all prior rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street east, Twin Falls, Idaho 83303 on or before MAY 21, 1990.

/s/ R. KEITH HIGGINSON, Director
Published in the South Idaho Press on May 3, and 10, 1990

SOUTH IDAHO PRESS**BURLEY, IDAHO****AFFIDAVIT OF PUBLICATION**

County of Cassia, } ss.
STATE OF IDAHO }

_____ being first duly sworn, deposes and says that _____ is the _____ of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for _____ consecutive weeks, commencing with the issue dated _____ 19 ___, and ending with the issue dated _____, 19 ____.

STATE OF IDAHO }
COUNTY OF _____ }

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

Notary Public for Idaho
Residing at _____
My commission expires: _____

Cost of Publication: _____

Notary Fee: _____

Total Cost: _____

REGISTERED

JUL 10 1990

Department of Water Resources
Southern Region Office

OK
MB
7/16/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

APRIL 24, 1990

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 21, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

APR 25 1990

45-07548

WALTON, DANIEL C.
RT. 3 BOX 325
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NESE Sec 17 T 09S R 25E

```

Use: IRRIGATION          ( 2.300 CFS)
      Total Diversion: ( 2.300 CFS)

```

Date Filed: 7/ 1/ 1983

In:	T09S R25E S16	SWSW		
	S17	SENE	NESE	SESE

115.0 ACRES TOTAL

MICROFILMED

JAN 20 1951

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before MAY 21, 1990.

R. Keith Higginson, Director

Published 5/ 3/1990 & 5/10/1990

RECEIVED

JAN 28 1990

25-Apr-1990

DANIEL C. WALTON
RT 3 BOX 325
RUPERT ID 83350

Re: Application for Permit No. 45-07548

Dear Applicant(s):

On March 25, 1988 the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application.

This office will be advertising the application in the South Idaho Press on 5/3 & 5/10/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

244271450
LH:MB

INTER-DEPARTMENT MEMO — 1

FROM *Tim Luke*

DATE *3-5-90*

TO *Wray/Southern*

SUBJECT *App No. 45-7548*

*App is exempt from Swann Falls processing/return & is being
returned to you for routine advertising/processing.*

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JAN 28 1991

RECEIVED

MAR 7 1990

Department of Water Resources
Southern Region Office

TJL
SIGNATURE

MEMORANDUM

TO: FILE/APPLICATION NO. ~~47-7007~~ 45-7548

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 3-5-90

=====

The permittee has returned the department's trust water questionnaire. Review of the application and attached place of use overlap report indicates that this is a supplemental filing. Review of the department's 1976 7.5 minute orthophoto confirms that the land was irrigated at that time and that the groundwater source under this application represents a supplemental source. The questionnaire indicates that the supplemental groundwater source under the application was developed prior to October of 1984.

Based on review of the file, questionnaire and supporting information, I recommend that this application be exempt from the review requirements of section 42-203A. The application is being returned to the region for routine advertising. Trust conditions are not applicable.

FILED

JAN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
FEB 27 1990

Application No. 45-7548

Department of Water Resources

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

- 1a. Are you the current owner of the land or place of use described under this application? Yes X No
b. If you are not the propoerty owner, please describe the arrangement enabling you to develop the proposed project.

- 2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No
b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

3. Please state the number of acres you have irrigated under this application since October 1, 1984. 115

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Daniel C. Walton

Date 2-24-90

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JAN 28 1991

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM				
4507548																											
0100008	MINIDOKA IRRIGATION DI	D	SNAKE RIVER	09S	25E	16					:				:				:								
0100219	U.S. DEPT. OF INTERIOR	D	SNAKE RIVER	09S	25E	16					:				:				:								
4507160	DUNCAN	L	GROUNDWATER	09S	25E	16	24	9	30	39	:				:				:	39		27	39	207			
4507187	MC GILL	L	GROUNDWATER	09S	25E	16					:				:				:		30			30			
4507548	WALTON	A	GROUNDWATER	09S	25E	16					:				:			20	:					20			
	1986 MAPPING DATA	—	COUNTY 31 QUAD BB	30	09S	25E	16	35	35	36	37	:	38	27	40	36	:	37	32	40	37	:	37	39	31	39	576
	1986 MAPPING DATA	—	COUNTY 67 QUAD BB	30	09S	25E	16	33	36	36	32	:	36	28	39	34	:	37	40	39	37	:	36	39	29	34	565
4507548																											
0100008	MINIDOKA IRRIGATION DI	D	SNAKE RIVER	09S	25E	17					:				:				:								
0100219	U.S. DEPT. OF INTERIOR	D	SNAKE RIVER	09S	25E	17					:				:				:								
4507264	MORGAN SHILLINGTON FAR	L	GROUNDWATER	09S	25E	17				34	:				:	40			40	:		40	35		189		
4507547	PATERSON FARMS OF IDA	A	GROUNDWATER	09S	25E	17				4	:	11			:				:			5			20		
4507548	WALTON	A	GROUNDWATER	09S	25E	17					15	:				:				:	40			40	95		
	1986 MAPPING DATA	—	COUNTY 31 QUAD BB	30	09S	25E	17	35	41	41	37	:	44		43	40	:	39	42	42	39	:	40	42	42	40	607
	1986 MAPPING DATA	—	COUNTY 67 QUAD BB	30	09S	25E	17	28	41	40	41	:	45		43	41	:	39	43	42	40	:	40	42	43	41	609

JAN 28 1991

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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 20, 1990

RE: APPLICATION FOR PERMIT NO. 45-7548

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

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JAN 28 1991

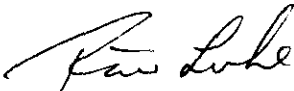
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If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

cc: Region

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JAN 28 1992

