

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

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 5466 IN THE)	PRELIMINARY ORDER
NAME OF ARDEL WICKEL)	
_____)	

This matter having come before the Idaho Department of Water Resources (the "Department") as an application for transfer and the Department having held a conference and a hearing in a similar matter involving part of the same water right sought for transfer, the hearing officer enters the following Findings of Fact, Conclusions of Law and Preliminary Order:

FINDINGS OF FACT

1. On May 10, 1995, the Department issued License No. 35-08606 in the name of Roy E. Hincks as follows:

Source:	Groundwater
Priority:	July 1, 1985
Rate of diversion:	6.07 cubic feet per second ("cfs")
Volume:	1214 acre feet per year ("afy")
Point of diversion:	NE1/4NW1/4, Section 16, T4S, R31E, B.M. ("Hincks" well)
Use:	Irrigation
Season of use:	April 1 to October 31
Place of use:	303.5 acres within parts of Section 16, T4S, R31E, B.M.

(Note: The "1/4" designations will be omitted from subsequent legal descriptions in this order).

2. On March 22, 1999, Roy Hincks agreed to sell 2.27 cfs and 454 afa of water from License No. 35-08606 to Ardel Wickel ("applicant").

3. On April 21, 1999, the applicant filed Application for Transfer No. 5466 ("application") with the Department seeking to change the point of diversion, place of use, season of use and nature of use of a portion of License No. 35-08606. The applicant proposes to cease the diversion of 2.27 cfs and 454 afy of ground water from the Hincks well and to divert the water from one or two wells located in Section 20, T10S, R25E, B.M. in Cassia County, Idaho. The applicant proposes to use the water for irrigation diverting the water from wells which are located down gradient a distance of approximately 50 miles in a southwesterly direction from the Hincks well.

4. The Department published notice of the Application which was not protested.

5. On July 27 and 28, 1999, the Department conducted a hearing in the matter of Application for Transfer No. 5436 in the name of Jerome Cheese Company. The application of Jerome Cheese Company involved a portion of water right 35-08606 in a proposed transfer which is factually similar to the application of the applicant. As a result of the hearing, the Department denied Application for Transfer No. 5436 as not being in the local public interest.

6. The majority of water not pumped at the Hincks well is tributary to springs which enter the Snake River in the Blackfoot to Neeley reach or below Neeley and will not again be available to pump as groundwater. Pumping of the well(s) as proposed in the application will deplete surface water flow in the Snake River in the Kimberly to King Hill reach by an estimated 0.77 cfs.

7. On May 15, 1992, the Director issued a moratorium order curtailing the use of surface and ground water within the Snake River Basin upstream from the USGS gauge on the Snake River near Weiser, Idaho ("Snake Plain Aquifer"). The moratorium was issued to prevent further development of water resources in the Snake Plain Aquifer to ensure compliance with provisions of chapter 2, title 42, Idaho Code. The Director subsequently amended the moratorium order on January 6, 1993 and April 30, 1993.

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code;

2. Section 42-1805(7), Idaho Code, and IDAPA 37.03.08055 (Water Appropriation Rule 55) provide for the establishment of a moratorium preventing further development of a water resource in a designated area to ensure compliance with provisions of chapter 2, title 42, Idaho Code.

3. The moratorium designated by the Department on May 15, 1992 for the Snake Plain Aquifer was issued to prevent further development of water sources on the plain in order to protect prior water rights and to ensure compliance with provisions of chapter 2, title 42, Idaho Code.

4. The proposed point of diversion by the applicant is within the Snake Plain Aquifer area. The diversion of 2.27 cfs or the majority thereof at the proposed new well(s) would have the same physical effect as a new appropriation of ground water and would cause injury to senior surface water users because it would have a senior priority over validly established water rights held by junior appropriators and would deplete the available flow in the Snake River in the Kimberly to King Hill reach.

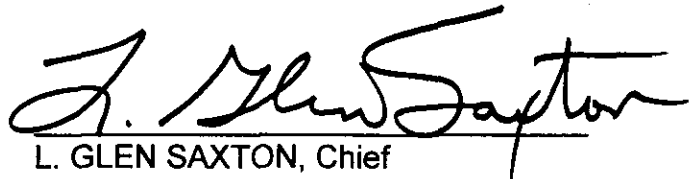
5. It is not in the local public interest to approve a transfer that would deplete surface water and would essentially be a new appropriation of water which would otherwise be prevented by the moratorium.

6. The Department should deny the application.

ORDER

IT IS THEREFORE, hereby ORDERED that Application for Transfer No. 5466 in the name of Ardel Wickel is **DENIED**.

Signed this 28th day of December, 1999.


L. GLEN SAXTON, Chief
Water Allocation Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 45-7336 Priority January 24, 1978 Amount 4.38 cfs

THIS IS TO CERTIFY, that Declo Land Co.
of Jerome, Idaho, has complied with the terms and conditions of Permit
No. 45-7336 issued pursuant to Application for Permit dated January 24, 1978,
and has submitted proof to the Department of Water Resources on August 17, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.38 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u> at <u>4.38</u> cfs and <u>1600.0</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than 4.38 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1600.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Twp.
10S, Rge. 25E in the County of Cassia

Description and location of place of use:

Twp.	Range	Section															Totals	
		NEW				NWA				SWW				SEW				
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	20	37	19	38	36	33	33	35	10			8	6	40	30	20	400

Total number of acres irrigated 400

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
January _____, 19 83.

Director

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT FEB 29 1982

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Declo Land Co. Phone _____
of (address) Box 288, Jerome, ID 83338, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 45-7336, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NE 1/4, Section 20, Township 10S, Range 25E, B.M.,
County of Cassia. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.38 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)

3. Place of use or land to be irrigated:

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	
10S	25E	20	37	22	19	38	36	33	33	35	10			8	39	40	30	20	400

Total number of acres to be irrigated = 400

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

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Jerome, Id, this 28th day of Dec., 1982.

DECLO LAND COMPANY
W. J. Marshall / Partner
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by *Jmi* Fee = \$20.00 Received by *ag* Date 12-30-82 # 25371
Publication prepared by N/A Date _____ Published in _____
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above Application for Amendment of Permit No. 45-7336.

Witness my hand this 31 day of January, 19 83.

A. Kenneth Dunn
Director

DWT

Identification No. _____

Application No. 45-7336

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Declo Land Company Phone: 324-4315
post office address Box 288, Jerome, ID 83338
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 10S
Range 25E., B.M. Cassia County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 12.4cfs for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 12.4 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and pivot and hand line
sprinkler systems.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 250,000.00.
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: _____ hp 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: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	25E	20	40	40	40	40	40	40	40	40	40	40	38	36	40	40	34	32	620

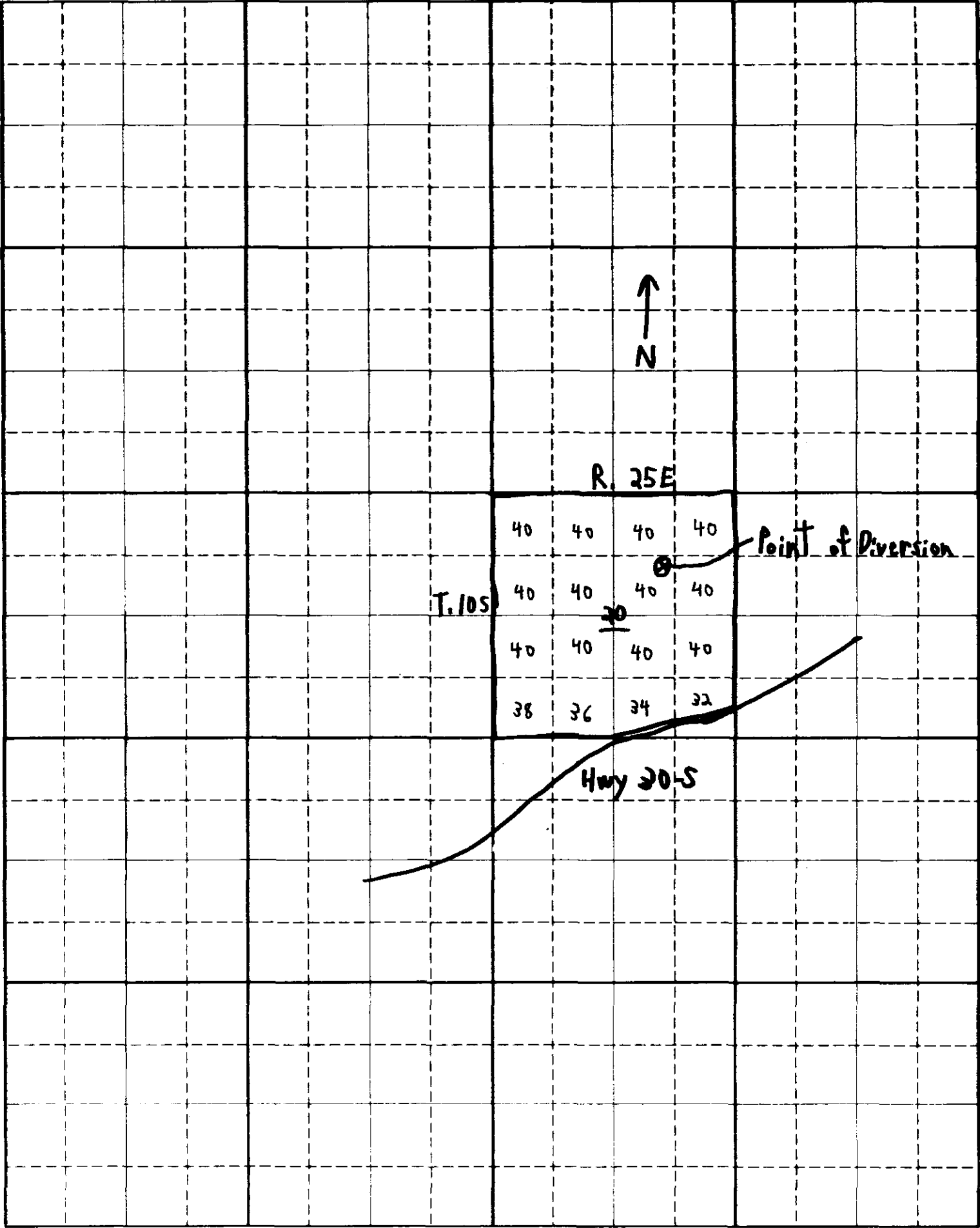
Total number of acres to be irrigated 620

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

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
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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.

Wash. State Co.
(Applicant) Patron: C. J. Marshall

01/24/78
Proposed Priority _____
Received by JA Date 1-24-78 Time 4pm
Preliminary check by AS Fee \$ 145.00 # 7497
Received by TGB Date 1-24-78
Publication prepared by SM Date 1/25/78
Published in South Idaho Press
Publication dates 1/31 & 2/7/78
Publication approved Kj Date 2/10/78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval Denial by mls jp

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. 45-7336, 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 April 1, 1983.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

2. Denial of said application is for the following reasons: _____

Witness my hand this 25TH day of April, 19 78.

Norman C Young
Administrator

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Cindy Duffen, 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 2 times consecutive weeks, commencing with the issue

dated Jan 31 1978, and ending

with the issue dated Feb 7 1978.

Cindy Duffen

Subscribed and sworn to before me

this 8th day of Feb

1978.

Norma M. Peterson Notary Public

Cost of Publication 9.45

Notary Fee

Total Cost 9.45

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

RECORDED

FEB 9 1978

Department of Water Resources
Southern District Office

Of 016
2/10/78

78-26

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dade Land Company, Jerome, Idaho 83338, has on 1/24/78 submitted Application No. 25-7335 for a permit to appropriate 12.4 cubic feet per second of water from ground water by means of well, pump & pipe & land the sprinkler systems within the SW 1/4, NE 1/4, Sec. 20, T4N, R6E, S25 E., B.M., Cassia County to be used from Mar. 15 to May 15 for irrigation purposes of 420 acres within all of Section 20, Twp. 10S, Rge. 25 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before February 17, 1978.

C. Stephen Alford
Director

Published in the South Idaho Press on
1/31/78 and 2/7/78.

MICROFILMED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Cindy Duffen, being first
duly sworn, deposes and says that she is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2 times
consecutive weeks, commencing with the issue
dated Jan 31 19 78, and ending
with the issue dated Feb 7 19 78.

Cindy Duffen
Subscribed and sworn to before me
this 8th day of Feb
19 78.

James M. Peterson Notary Public

Cost of Publication 9.45

Notary Fee

Total Cost 9.45

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

Department of Water
Southern District Office

2/10/78

78-26

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Decla
Land Company, Jerome, Idaho 83338,
has on 1/24/78 submitted Application
No. 45-7336 for a permit to ap-
propriate 12.4 cubic feet per second of
water from ground water by means of
well, pump & pivot & hand line sprinkler
systems within the SW 1/4 NE 1/4, Sec. 20,
Twp. 10S, Rge. 29 E., B.M., Cassia
County to be used from Mar. 15 to Nov.
15 for irrigation purposes of 620 acres
within all of Section 20, Twp. 10S, Rge.
29 E., B.M.

If issued, this permit will be subject
to all prior water rights. Protests again-
st the granting of the permit must be
filed with the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho, 83301
on or before February 17, 1978.

C. Stephen Allred
Director

Published in the South Idaho Press on
1/31/78 and 2/7/78.

MEMORANDUM

TO: FILE 45-07336

FROM: PAM SKAGGS

RE: TRANSFER # 5466

DATE: 6/16/99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 35-08006.

MICROFILMED

AUG 22 2000

February 16, 1983

RE: Permit No. 45-7336

Declo Land Co.
Box 288
Jerome, ID 83338

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit, along with a copy of the approved application for amendment.

Also enclosed is Departmental Receipt No. 25371 in the amount of \$40.00 for the fees received for licensing amendments of Permits 45-7336 and 45-7441.

Should you have any questions, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

1-1-83



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 20, 1982

RE: Permit No. 45-7336

Declo Land Co.
Box 288
Jerome, ID 83338

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 45-7336 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 4.38 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1600.0 acre feet per year.

Point of diversion: NW 1/4, Sec. 20, Twp. 10S, Rge. 25E, Cassia County

Beneficial use: Irrigation of 400 acres within the NE 1/4, NW 1/4, E 1/4 SW 1/4, SE 1/4, Sec. 20, Twp. 10S, Rge. 25E

Priority date established: January 24, 1978

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

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State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

45-7336

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)	7/7/81	ADM	Phone conversation with Dick Marshall. Proof Card signed on 7/7/81 by Dick Marshall have this card was blown into pond by wind. Replacement card was sent to Marshalls and received back 8/17/81

EXAMINATION

Date 7/7/81 Accompanied by Dick Marshall & other owners Total Q measured 4.38 cfs
 If source is surface water, estimate total flow of source _____
 Methods of measurement Annubar Meets Permit requirements? Yes

Measurement calculations: See Attached Supplemental Sheet

Meas. Q = 4.38 cfs

Allow Q = 4.38 cfs

Vol. = $400 \text{ Ac.} \times 4.0 \frac{\text{A.F.}}{\text{Ann./Ac.}}$
 $= 1600.0 \text{ A.F./Ann.}$

$4.38 \times 1.9835 \times 245 = 2128.5$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
Well	200	G.E.	FNJ615108	Layne & Dowler	T78/84			Good Meas.
Booster #1	75	G.E.	DJJ425570	Layne & Dowler	No Plate			
Booster #2	?	U.S.	1354904		No Plate			

System Description Well & Pump delivers to pond. Two boosters divert from pond to mainlines which supply 2 pivot and 10 headlines.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation

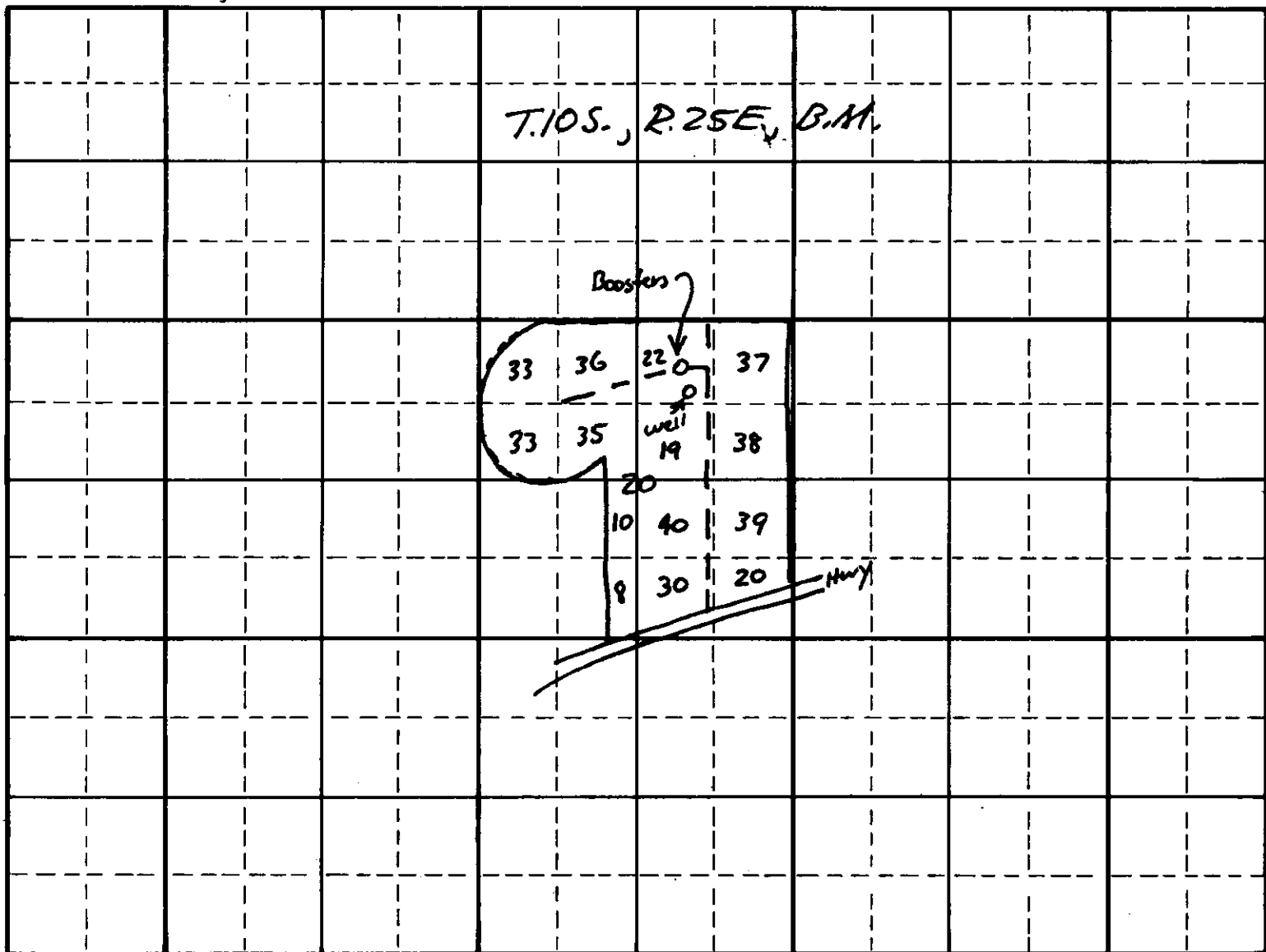
Irrigation requirement = 4.0 AFA/Acre

Q (cfs)	V (afa)	FROM	TO
<u>4.38 cfs</u>	<u>1600.0</u>	<u>3/15</u>	<u>11/15</u>
Total	<u>4.38 cfs</u>	<u>1600.0</u>	

Remarks

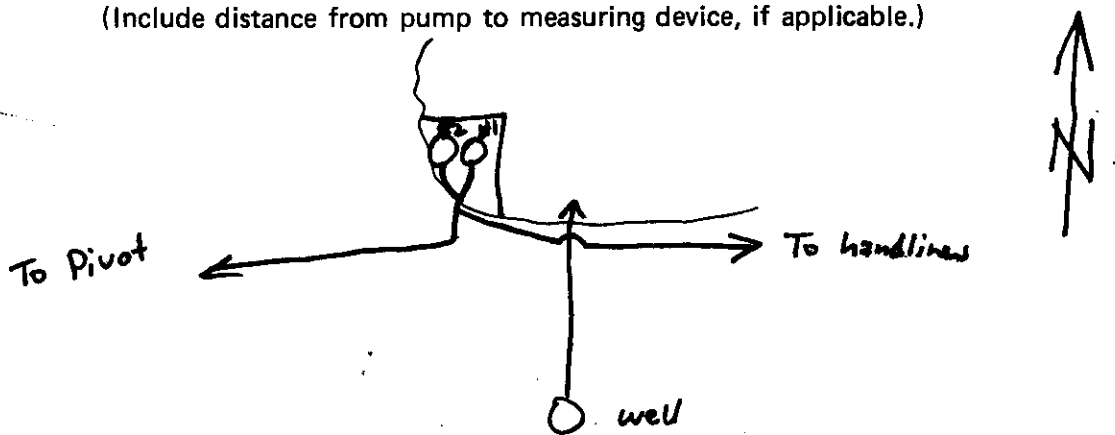
No Overlapping rights

Ami
12-20-82



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW 1/4 NE 1/4 Sec 20, T.10S., R.25E., B.M.

Place(s) of Use

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	
10S.	25E	20	37	22	19	38	36	33	33	35	10			8	39	40	30	20	400

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

Examiner's Signature: [Signature]

Checked by: [Signature]

Approved by: [Signature]

Date: 8/4/81

Date: 8-20-81

Date: 11-18-82

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: ADM

Date: 7/7/81

Owner: Deelo Land Co.

Permit #: 45-7336

Description of well &/or measuring site (give distance to restrictions upstream and downstream): 200 H.P. pump which delivers to pond
Access port approx. 30' downstream from pump.
No obstruction of pipe.

Measured inside diameter of pipe in inches

10.0" A

Size of Annubar used in test

10.02"

State ID# of Meter used

Size Eagle Eye Meter used

091475 10"-80"

State ID# of Meter used

091475

Date of Last Calibration of Meter

Spring 81

Observed inches of H₂O read on Meter

28.0"

Adjusted inches of H₂O from Last Calibration

26.04" H₂O B

CALCULATION:

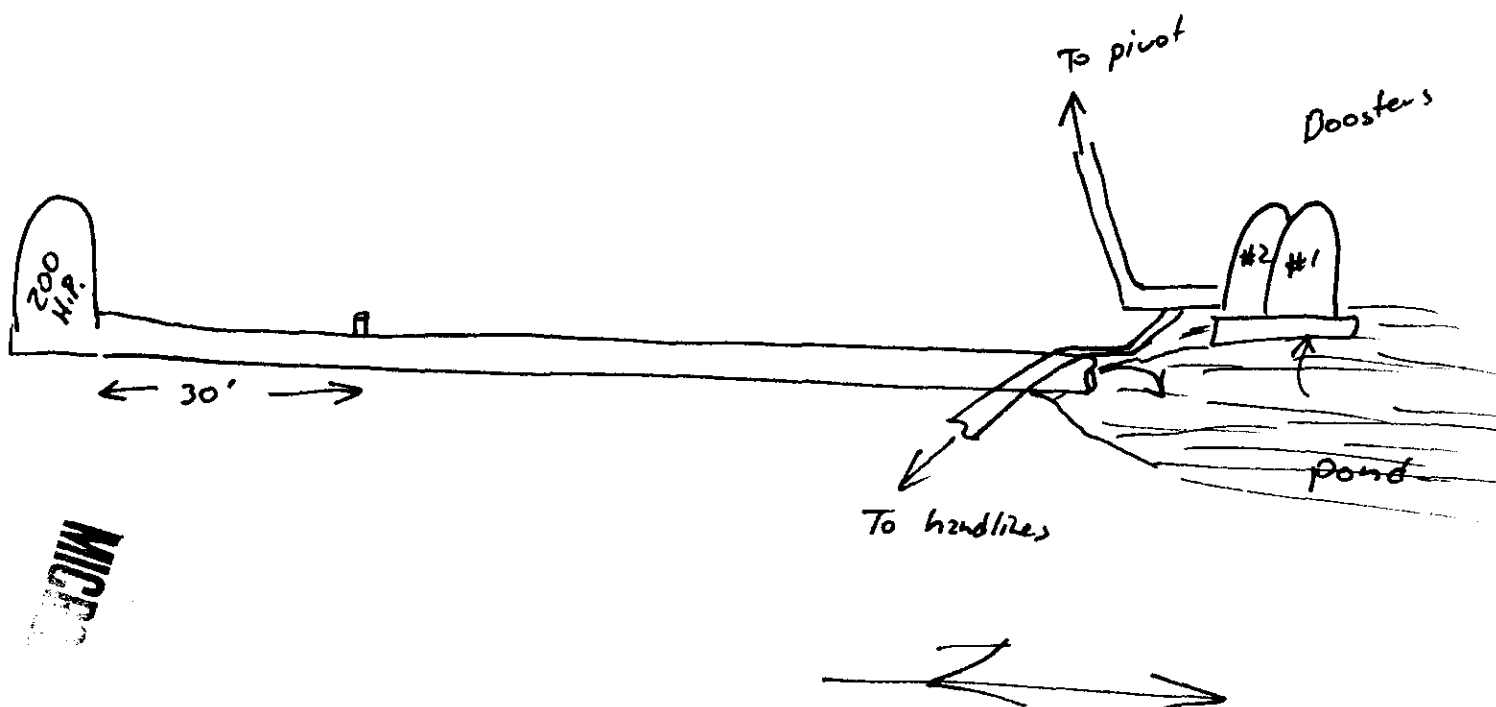
$$\frac{(3.85) \times (A)^2 \times \sqrt{(B)}}{448.8}$$

= 4.38

cfs measured

Where A and B are measured in inches
and 3.85 is a constant for the model
75 Annubar

SKETCH:



C

September 18, 1981

O

Declo Land Company
Box 288
Jerome, ID 83338

Gentlemen:

P

Re: Permit No. 45-7336

This office acknowledges receipt of the statement of beneficial use submitted for the above-referenced permit.

The field examination has been completed by our Southern Regional office. Based upon the field examiner's recommendation, a water right license will be issued.

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

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclos

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit 45-7336

Name(s) of Permit Holder: Declo Land Company

Post Office Address: Box 288, Jerome, ID 83338

Tel. No. 324-4315

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 400 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

8/13/81
Date

Declo Land Co
by John H. Morrison
Signature of Permit Holder

RECEIVED

RECEIVED
AUG 10 1981
AUG 17 1981

Department of Water Resources

Department of Water Resources
Southern District Office



PLACE
TEN CENT
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 26, 1978

Re: Permit No. 45-7336

Declo Land Company
Box 288
Jerome, ID 83338

Gentlemen:

Your approved copy of Application for Permit No. 45-7336 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

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However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Declo Land Company
Jerome, ID 83338
has on 1/24/78 submitted Application No. 45-7336
for a permit to appropriate 12.4 cubic feet per second ~~acre feet per annum~~
of water from ground water
by means of well, pump & pivot & hand line sprinkler systems
within the SE 1/4, Sec. 20, Twp. 10S, Rge. 25E., B.M., Cassia County

to be used from Mar. 15 to Nov. 15
for irrigation purposes of 620 acres

within: all of Section 20, Twp. 10S, Rge. 25E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before February 17, 1978.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press
on 1/31 and 2/7/78

MICROFILMED

78 26

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Decle
Land Company, Jerome, Idaho 83338,
has on 1/24/78 submitted Application
No. 45-733A for a permit to ap-
propriate 12.4 cubic feet per second of
water from ground water by means of
well, pump & pivot & hand line sprinkler
systems within the SW 1/4 NE 1/4, Sec. 20,
Twp. 10S, Rge. 25 E., B.M., Cassia
County to be used from Mar. 15 to Nov.
for irrigation purposes of 620 acres
all of Section 20, Twp. 10S, Rge.
25 E., B.M.

If issued, this permit will be subject
to all prior water rights. Protests against
the granting of the permit must be
filed with the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd., Nampa, Twin Falls, Idaho, 83301
on or before February 17, 1978.

By *dy 1/31/78* Stephen Allred
Director

Published in the South Idaho Press on
1/31/78 and 2/7/78



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 25, 1978

South Idaho Press
Box 190
Burley, ID 83318

Re: Application for Permit No. 45-7336 - Declo Land Company
" " Transfer No. 43-2508 - Valley Center Farms, Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Encs.

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