

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07331

Priority: October 12, 1978 Maximum Diversion Rate: 4.70 CFS
Maximum Diversion Volume:¹ 940.0 AF

This is to certify, that THAIN FARMS
RT. 3 BOX 177
RUPERT, ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 10, 1978; and has submitted Proof of Beneficial Use on December 30, 1982. An examination indicates that the works have a diversion capacity of 4.750 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	4.70 CFS	940.0 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 2(NWSE), Sec. 2, 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	2	LOT 3(NESW) 44	LOT 4(SWSW) 69	SESW 40	
			LOT 1(NESE) 25	LOT 2(NWSE) 57		235

Total number of acres irrigated: 235

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 right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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.

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 14TH day of June, 1989.

NOT FILMED

JUL 10 1989

Acting for

R. Keith Higginson
R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 45-7331 IN THE NAME)
OF THAIN FARMS)

ORDER ADVANCING
DATE OF PRIORITY

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 45-7331 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. The Department approved Application for Permit No. 45-7331 to appropriate the public waters of the State of Idaho with a proposed priority of JANUARY 10, 1978.
2. On AUGUST 12, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.
3. The license examination fee was received on JULY 13, 1987, 275 day(s) late.

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CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 45-7331 should be advanced 275 day(s).

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 45-7331 is advanced to OCTOBER 12, 1978.

Dated this 3rd day of March, 1988.

[Signature]

Chief, Water Allocation Bureau

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 45-7331

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. 45-7331

**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 Thain Farms Phone: 532-4219
post office address Route # 3, Rupert, Idaho 83350
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is Lot 2 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 2 Township 9S
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 4.7 cfs 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. 4.7 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 sprinkler system
(hand lines and solid set)

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 100 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 \$50,000.00.
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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MAY 11 1965

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

TWP.	RANGE	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	2									Lt 3 44		Lt 4 69	40	Lt 1 25	Lt 2 57			235

Total number of acres to be irrigated 235

c. Describe any other water rights used for the same purposes as described above. 480 AF/ ANN
of water from the Minidoka District

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 The acreages shown on the Govt. Lot plats for Lots 1,2,3,4 do not agree with the acreages measured from the aerial photo submitted with application. Check for possible resurvey by Bureau of Reclamation.
acreages measured from aerial photo were used on application.
Checked re-survey & the difference between aerial photo & govt. lot plat is small. So will leave application as is. SG 3-23-78



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.

John Shinn, Apt. Partner
 (Applicant) for
 Thain Farms

Proposed Priority 1-10-78

Received by TGB Date 1-10-78 Time 3:00
Preliminary check by gj Fee \$ 65 %/100
Received by VB Date 1-10-78
Publication prepared by gj Date 1/12/78
Published in South Idaho Press
Publication dates 1/24 + 1/24/78
Publication approved gj Date 2/7/78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MLS jg

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. 45-7331, 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.

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.

Witness my hand this 11TH day of April 1978.

Norman C Young
Administrator

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Cindy Duffen being first
duly sworn, deposes and says that ~~she~~ he 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 24 1978, and ending
with the issue dated Jan 31, 1978.

Cindy Duffen

Subscribed and sworn to before me
this 1st day of Feb.

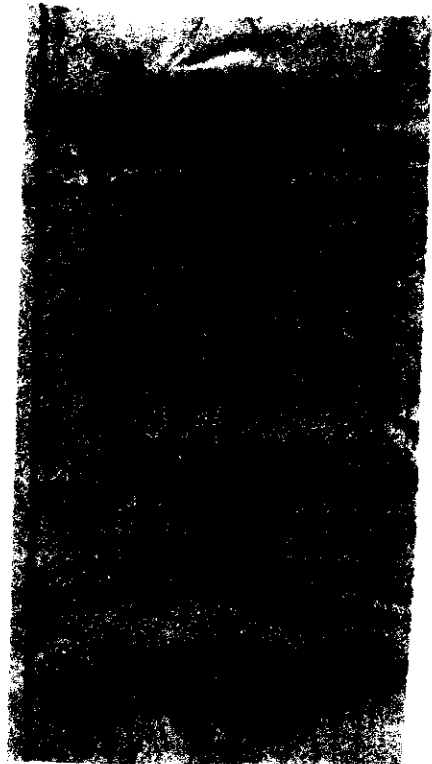
1978.
Norma M. Peterson Notary Public

Cost of Publication 9.45

Notary Fee

Total Cost 9.45

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



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Department of Water Resources
Southern District Office

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*12/6/78
OK*

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Curly Duffin being first
duly sworn, deposes and says that he is the
owner 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 24 1978 and ending
with the issue dated Jan 31 1978

Curly Duffin
Subscribed and sworn to before me
this 1st day of Feb

1978.
J. W. Matteson 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

76-10

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Thain Far-
ms Rupert, Idaho 83350 has on 1-10-
78 submitted Application No. 45-7331
for a permit to appropriate 4.7 cubic
feet per second of water from ground
water by means of well, pump, &
sprinkler system within the Lot 2, Sec.
2, Twp. 9s, Rge. 25E, B.M., Cassia
County to be used from Mar. 15 to
Nov. 15 for irrigation purposes of 235
acres within the Lots 3, 4, Se 1/4 SW 1/4,
Lots 1, 2, Sec. 2, Twp. 9S, Rge. 25E,
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 10, 1978.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on
January 24, 1978 and January 31, 1978

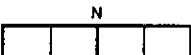
1. DRILLING PERMIT NO. 45-95-S-0024-001
Other IDWR No. 45-07331

2. OWNER:

Name DON & Carol McFarland
Address Box 268
City Elmer State Id Zip 83325

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.


 Twp. 9 North ☐ or South ☒
 Rge. 25 East ☒ or West ☐
 Sec. 2 1/4 SE 1/4 SW 1/4
 Gov't Lot _____ County Cass, Ia

Address of Well Site 350 W 850 E
City Rupert

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK *Lesson*

☐ New Well ☒ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	

Was drive shoe used? Y ☐ N ☐

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

54 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
No test Made			

Water Temp. Cold Bottom hole temp. Cold
Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth 182 (Measurable)
Date: Started 26 April Completed 16 May 1995

13. DRILLER'S CERTIFICATION

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

Firm Name Baley & Henry Firm No. 86

Firm Official Blaine Bailey Date 12 May 1985

and
Supervisor or Operator Russell Boley Date 12 May, 1985
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

July 17, 1989

THAIN FARMS
RT. 3 BOX 177
RUPERT, ID 83350

RE: PERMIT NO. 45-07331

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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March 15, 1989

THAIN FARMS
RT. 3 BOX 177
RUPERT, ID 83350

RE: PERMIT NO. 45-07331

Dear Permit 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.

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

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,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUL 19 1989

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 45-7331

FROM: ROXANNE MCCARTHY

RE: PRIORITY ADVANCE REVIEW

DATE: 22-DEC-1988

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	JANUARY 10 1978	10
EXAM FEE NOTICE		
Exam Fee Notice Date:	AUGUST 12 1986	224
Exam Fee/Info Sheet Received Date:	JULY 13 1987	559
Exam Fee or Info Due Date:	OCTOBER 11 1986	284
Days Late:		275 DAY(S)
NEW PRIORITY DATE		
Orginial Priority Date:	JANUARY 10 1978	10
Total Days Late:		275 DAY(S)
New Priority Date:	OCTOBER 12 1978	285

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POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
4507331	09S	25E	2	NW SE	2	GROUNDWATER	THAIN FARMS

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

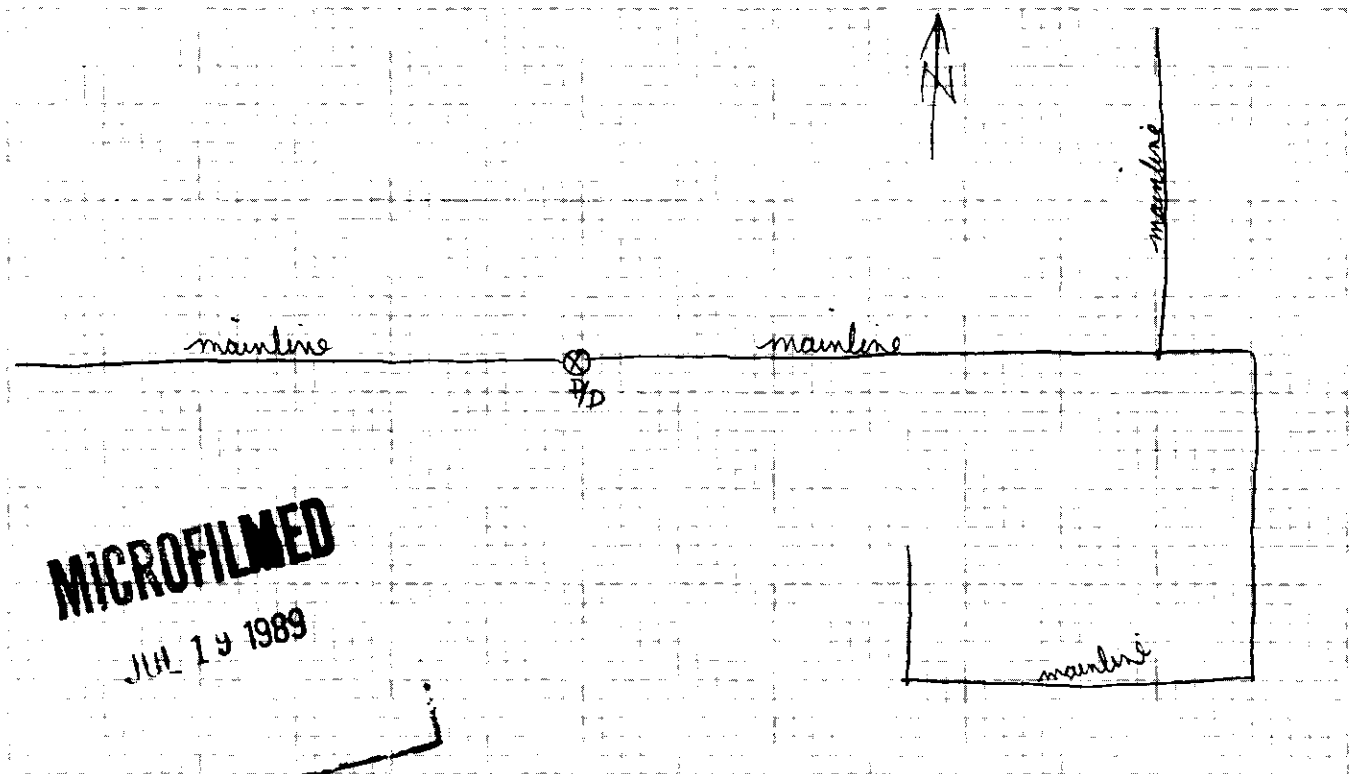
1. Owner: Greg Thain Permit No. 45-7331
Current Address: Rt 3 Box 177 Rupert Idaho 83350 Phone No. 532-4107
2. Accompanied by: John Thain EXAM. DATE: 9-2-87
Address: Rt 4 Box 253 Rupert Idaho 83350 Phone No. 531-4557
Relationship to Permit Holder: brother
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: no overlap ☐ Copies Attached
2. Other water rights with same point of diversion: no overlap ☐ 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). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.

System Description (continued)

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

System consists of well, pump, mainlines, and a series of handlines 540- $\frac{1}{8}$ " nozzles and 100- $\frac{9}{16}$ " nozzles. Handlines are moved anywhere on the farm as needed

All 640 buds were running at the time exam was done

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	150	CPT322131	Aurora	37870173

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2				2	9S	25E	Cassia	Aerial Photo/Visual

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	25E	2									Lt 3 44		Lt 4 69	40	Lt 1 25	Lt 2 57			235

235

1989

Do not use this space

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D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Anemometer					10"	

2. Measurements:

9 pressure readings were taken 3 far side, 3 middle, and 3 close to P.D. $P = 51 \frac{1}{8} \Rightarrow Q = 3.2$
 $47 \quad 46 \quad 54 \quad 9/16 \quad Q = 4.05$
 $48 \quad 49 \quad 56 \quad (100)(4.05) = 405 = 4.75 \text{ cfs}$
 $50 \quad 52 \quad 57 \quad (540)(3.20) = 1728$

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached 2133

1. Measured Method:

$$Q = 4.72 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$Q = 4.75 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 76 psi x 2.31 = 175.6 ft (1); Dynamic pumping level: 40 ft (2)
 Total Head: (1) + (2) = 215.6 (3) ; Flow rate: 4.72 cfs (4)

$$\text{Water HP: } (3) \times (4) \div 8.8 = \underline{115.6} \text{ (5)}$$

$$\text{Meter Input KW: } 3.6 \times 4.8 \text{ KH} \times \text{CTR or } \underline{40} \text{ MULT} \times \text{PTR} \times \underline{5} \text{ N/} \underline{26.2} \text{ T} = \text{ (6)}$$

$$\text{Meter Input HP: } (6) \times 1.34 = \text{ (7)}$$

$$\text{Panel Input KW: } \text{Ave PF} \times \text{Ave Volts} \times \text{Ave Amps} \times .001732 = \text{ (6)}$$

$$\text{Panel Input HP: } (6) \times 1.34 = \text{ (7)} \quad \text{Efficiency: } (5)/(7) \times 100 = \text{ \%}$$

Rural Electric #60 688 446

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{(235)(4)} = \underline{940 \text{ Afa}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{(4.72)(246)(1.9835)} = \underline{2303 \text{ Afa}}$$

$$V = \text{Smaller of } \underline{940 \text{ Afa}}$$

2. Volume Calculations for Other Uses:

JUL 1 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Some water goes onto brother's ground, that is not under permit S/2 SE 1/4 Sec. 2 T9S, R25E.

Allow 0.01 cfs (35 cfs) or 4.70 cfs.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
irrigation	3-15	11-15	4.70	940
Totals:			4.70	940

2. Recommended Amendments

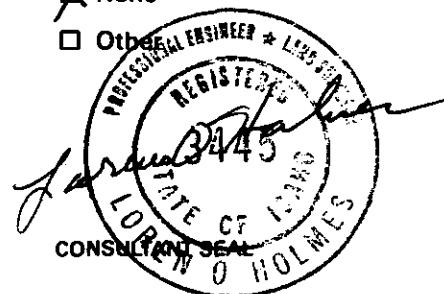
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name Darren Knuteson
Signature Darren Knuteson
Certification Date 5/15/87
Field Report Preparation Date 9/22/87



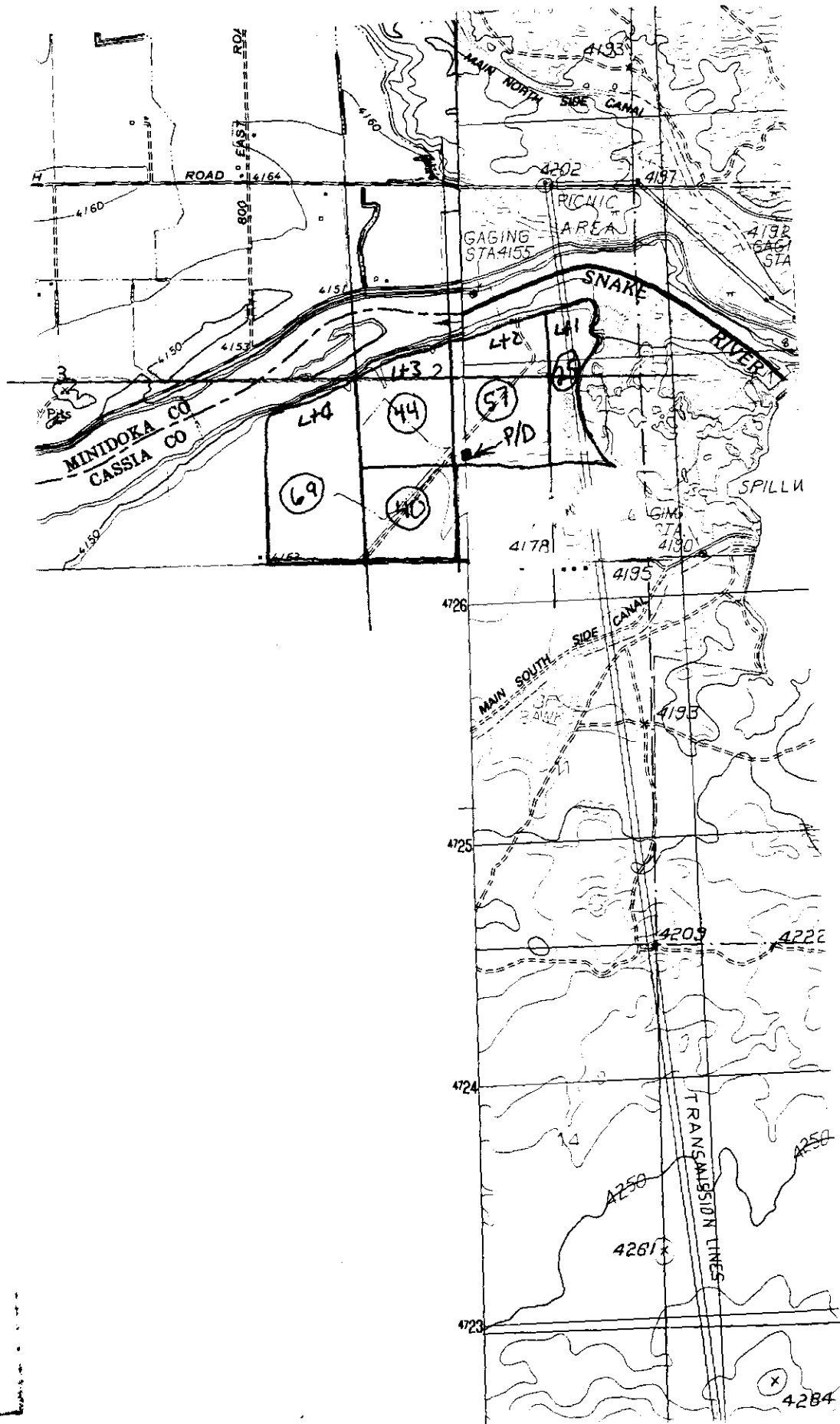
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Kyanna McElroy

12/19/88

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45-7331



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JUL 20 1989

Range 25E

Top 45

C 388

C 17

24.1

6.4

G
13.8

Lot 2

P.D.

Lot 4

M
120

K
2.8

C 102

B/C 2

41

brother's ground

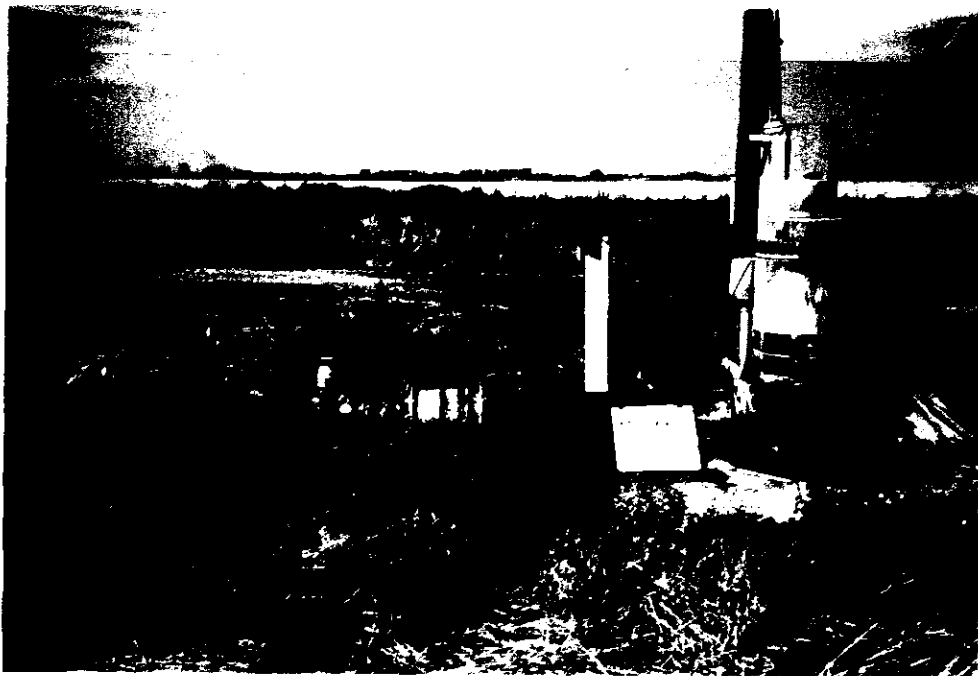
27

48

MICROFILMED

1989

540
100
9/64



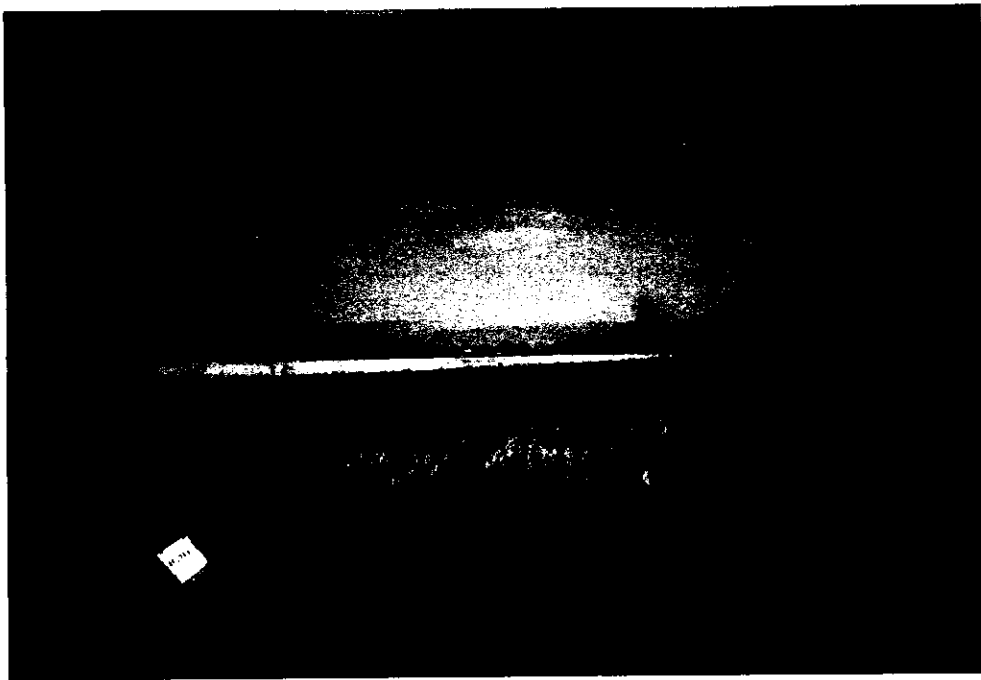
Point of diversion



Photo showing how water is distributed



Place of use



Place of use



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

September 24, 1987

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

R. KEITH HIGGINSON
Director
Thain Farms
Rt. 3, Box 177
Rupert, ID 83350

Gentlemen:

On September 2, 1987 a field agent from this office examined the irrigation system under your Permit No. 45-7331 in preparation for licensing of the water right.

The field report documents the irrigation of the 235 acres under the permit from groundwater.

The examiner also noted that the irrigations system covers approximately 75 acres of land in the S1/2SE1/4, Sec. 2, T9S, R25E, just southeast of the lands under the permit. Our records indicate that there are no groundwater rights on this land.

Under Idaho Code Sections 42-351-352, the Director, upon finding that a person is diverting water without a valid water right, may issue an Order to Cease & Desist the unauthorized diversion. Violation of the Order may result in legal action and civil penalties.

An application for permit form with instructions is enclosed. If you plan to continue irrigation of this land, you should file an application for permit as soon as possible.

In order to be considered for a permit to irrigate in 1988, you will also need to request interim approval of your application and rent stored water from the Water District No. 1 Rental Pool to replace depletions at Swan Falls.

We will be glad to assist you in the details of completing the necessary applications if you wish to contact us.

Very truly yours,

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

MICROFILMED

LH:mb

Enclosures

JUL 20 1989

RECEIVED
SEP 30 1987

CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

Department of Water Resources
Department of Water Resources

FOR PERMIT NO. 45-7331

BY:

	<u>DATE</u>	<u>NUMBER OF DAYS</u> <u>(From Table of Days</u> <u>Between Two Dates)</u>
A. EXAMINATION FEE NOTICE SENT	<u>8-12-86</u>	<u>224</u>
B. DATE FEE DUE (60 days)	<u>10-11-86</u>	<u>284</u>
C. DATE FEE RECEIVED	<u>7-13-87</u>	<u>559</u>
D. NUMBER OF DAYS LATE (C - B)		<u>275</u>
E. ORIGINAL PRIORITY DATE (Check Reinstatement, etc.)	<u>1-10-78</u>	<u>10</u>
F. NEW PRIORITY DATE (D + E)	<u>10-12-78</u>	<u>285</u>

REMARKS:

MICROFILMED
JUL 20 1989

✓
A

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Danen Kruteas Date 9-2-87
Owner: Greg Chain Permit No. 45-7331

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 33.96
T = Pipe Thickness in Inches = 1/4
ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots 10.31$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 10"
State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.94

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 41.1
Low Reading = 15.5
High - Low = H = 25.6

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$
$$Q = \frac{(10.31)^2 \cdot (\sqrt{25.6}) \cdot (3.94)}{448.8} = 4.72 \text{ CFS}$$

SKETCH (If not shown on Field Report)

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JUL 20 1989

Adm

INTER-DEPARTMENT MEMO — 1

FROM

Allen

DATE

9/19/87

TO

Loren

SUBJECT

In reviewing Darven's F.E. Report for 45-7331 it shows that the well also supplies water to the S $\frac{1}{2}$ SE Sec. 2 T.9S. R25E. These lands are in addition to those under 45-7331 and according to the P/U Report do not have a water right.

MICROFILMED

JUL 20 1988



SIGNATURE

FROM Loren Holmes - Southern

TO Water Alloc -

SUBJECT

RECEIVED

SEP 30 1987

Department of Water Resources

The Field agent noted lands irrigated that are not under Permit.

A letter (copy attached) has been sent to Permit holder.

MICROFILMED

JUL 19 1989

SIGNATURE

4/86

RECEIVED

JUL 23 1987

Department of Water Resources
Southern Region Office

RECEIVED

JUL 15 1987

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 200
Date 7/13/87
Receipt # 45082
Receipt by LG
Sent to S.O. 7/14/87

1. Permit No. 45-7331

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Thain Farms

3. Post Office Address: ~~Box 785~~ Rupert, ID 83350

Telephone No. 531-4557

4. Source of Water: Ground water

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 235 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 4.7 cfs _____ acre-feet

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

1978

8. Person to contact to accompany the department representative during the field examination:

Permit Holder

(Name)

(Address)

(Telephone Number)

☐ I choose to have field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date 7/8/87

John Thain for Thain Farms
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

RECEIVED

JUL 19 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

45-7331
THAIN FARMS
P.O. BOX 785
RUPERT, ID 83350

138085

August 12, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

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JUL 24 1986

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department office.

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Sincerely,

Loren Holmes
LOREN HOLMES
Southern Regional Manager

Enclosures

RECEIVED

JUL 20 1989

November 20, 1985

Thain Farms
Box 785
Rupert, ID 83350

Gentlemen:

Re: Permit No. 45-7331

Returned is the Proof of Beneficial Use form submitted to this office on July 29, 1985.

Please be advised that proof was previously submitted on December 30, 1982 for this permit and it is not necessary to submit a second time.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

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JUL 20 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

February 2, 1983

Thain Farms
Box 785
Rupert, Idaho 83350

Re: Permit 45-7331

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GLF:marya

JUL 20 1989
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RECEIVED

DEC 30 1982

Department of Water Resources
Southern District Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

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 No. 45-7331

Name(s) of Permit Holder: Thain Farms

Post Office Address: Box 785

rupert, ID 83350

Tel. No. 532-4219 or
531-4557

Source of Water: Groundwater

Extent of Use:

- | | |
|---|----------------------------|
| ☐ Domestic | (number of households) |
| ☐ Stockwater | (number and type of stock) |
| ☒ Irrigation <u>235</u> | (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.

Dec. 30, 1982

Date

John Thain

Signature of Permit Holder



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 13, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

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DEC 15 1982
WATER RESOURCES
STATE OF IDAHO



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 13, 1978

Re: Permit No. 45-7331

Thain Farms
Route #3
Rupert, ID 83350

Gentlemen:

Your approved copy of Application for Permit No. 45-7331 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.

RECORDED

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,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

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NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that

~~Thain Farms~~

~~Rupert, Idaho 83350~~

has on 1/10/78 submitted Application No. 45-7331

for a permit to appropriate 4.7 cubic feet per second ~~XXXXXX~~
of water from ground water

by means of well, pump, & sprinkler system

within the Lot 2, Sec. 2, Twp. 9S, Rge. 25E, B.M., Cassia County

to be used from Mar. 15 to Nov. 15 for irrigation purposes of 235 acres
~~XXX~~

within the Lots 3,4, SE 1/4, Lots 1,2 Sec. 2, Twp. 9S, 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 ¹⁰February 3, 1978.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press

on 1/17 1/24 and 1/24/78 1/31/78

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78 10

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Thain Farms Rupert, Idaho 83351, has on 1-16-78 submitted Application No. 45-7331 for a permit to appropriate 4.7 cubic feet per second of water from ground water by means of well, pump & sprinkler system within Lot 2, Sec. 2, Twp. 9N, Rge. 20E, B.M., Cassia County, to be used from March 15 to Nov. 15 for irrigation purposes of 235 acres within the Lots 3 & 4, Sec. 2, SW 1/4, Lots 1, 2, Sec. 2, Twp. 9S, Rge. 20E, 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 State Department of Water Resources, 604 Blue Lake Blvd., N. rt. Twin Falls, Idaho, 83301 on or before February 15, 1978.

STEPHEN A. LEE

Printed in the South Idaho Press on January 24, 1978 and January 31, 1978

January 12, 1978

Southern Idaho Press
Box 190
Burley, Idaho 83318

Re: Application for Permit No. 43-7114 - Marvin Cazier
45-7331- Thain Farms

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:dj

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Bill submitted: _____