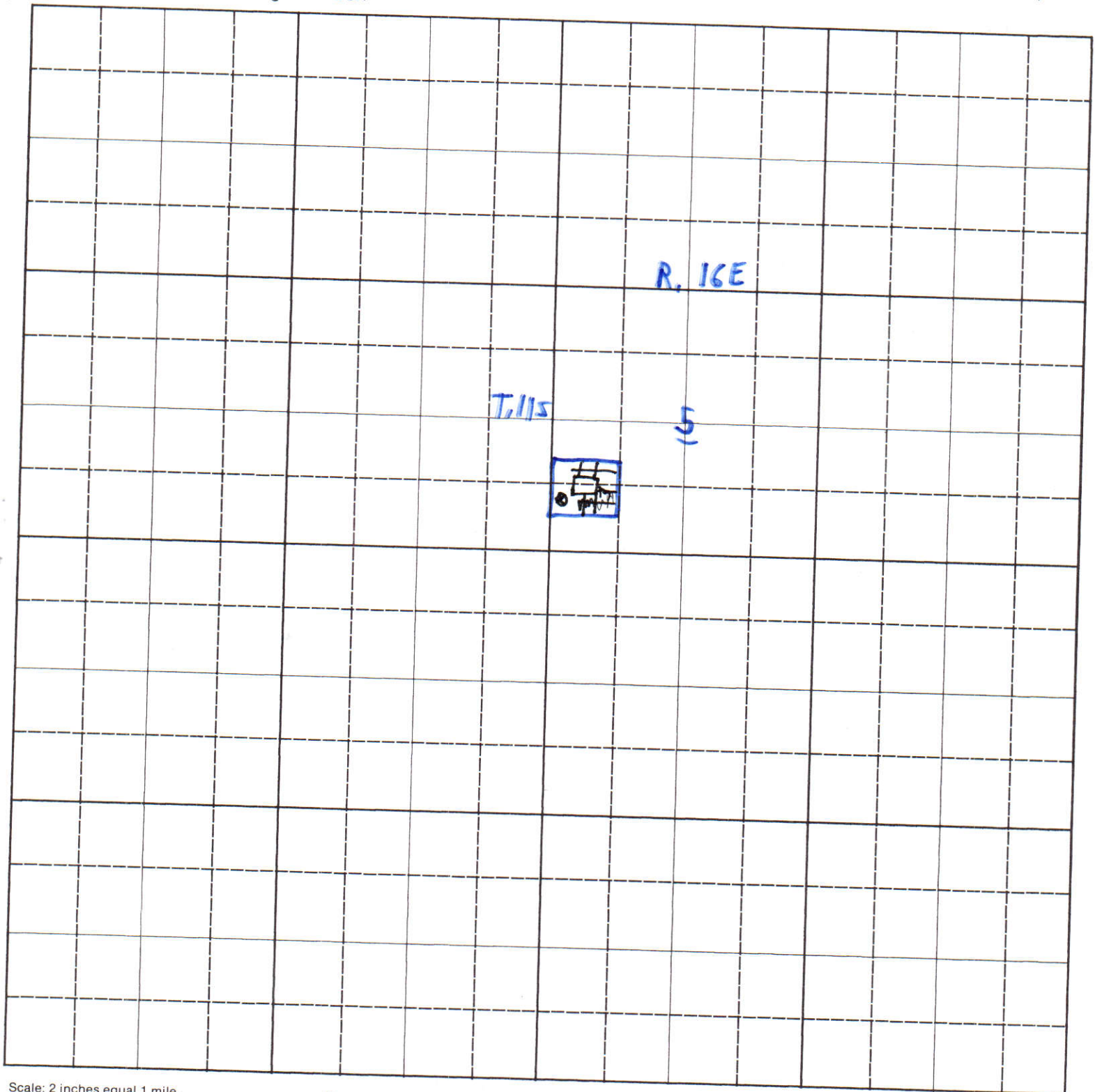


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

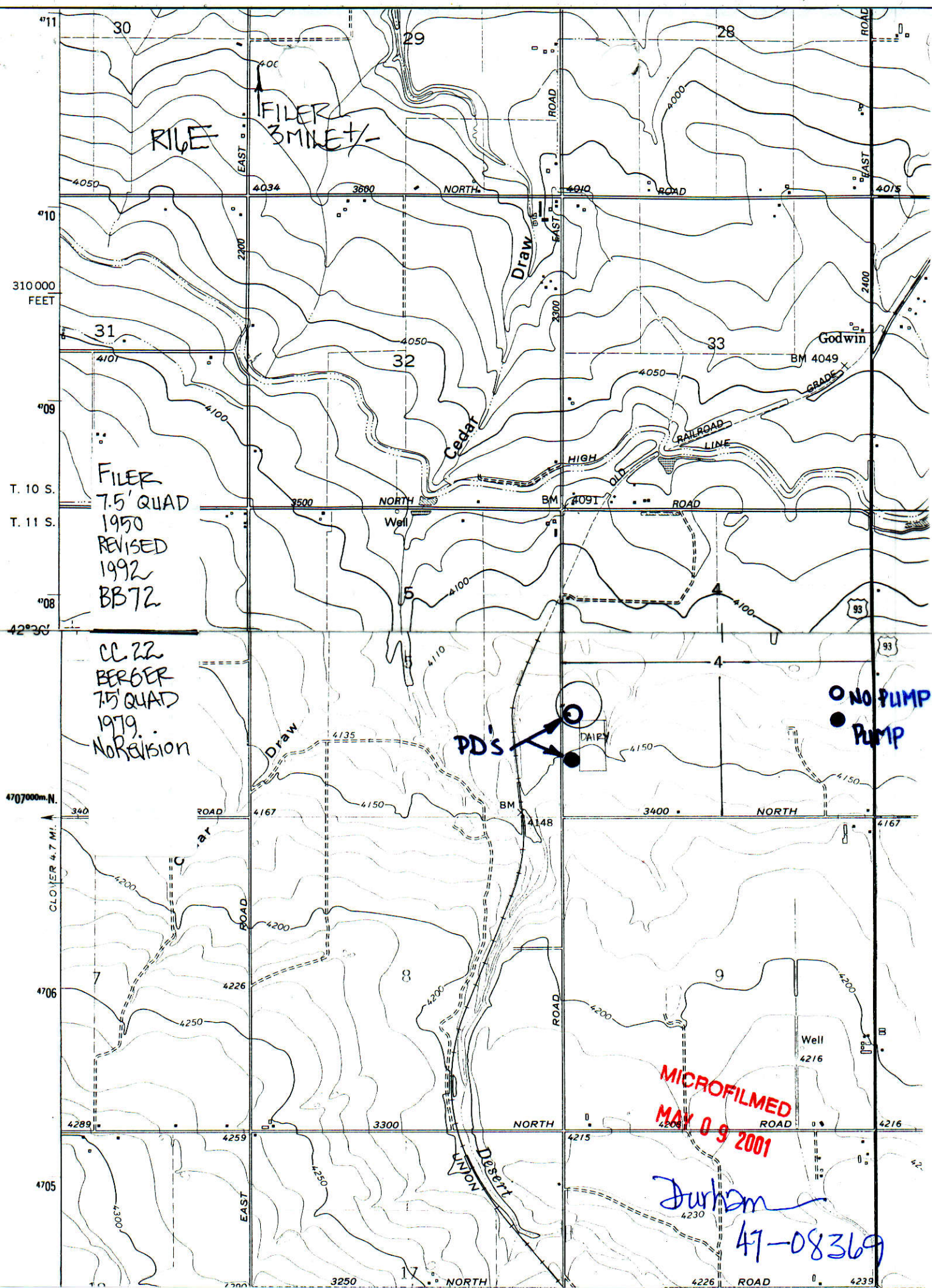


Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

OCT 21 1994

Randle H. [Signature]
(Applicant)







milking parlor, first floor
apartment/office, second floor

photo looking at place of use
Sec 4, T11S, R16E SW $\frac{1}{4}$

photo looking South from second p/d
at the trailer

MICROFILMED
MAY 09 2001

Examiner: Satterlee, G.

Durham, Randy
21 Jan 1999 1430 hrs.

47-08369

2/3

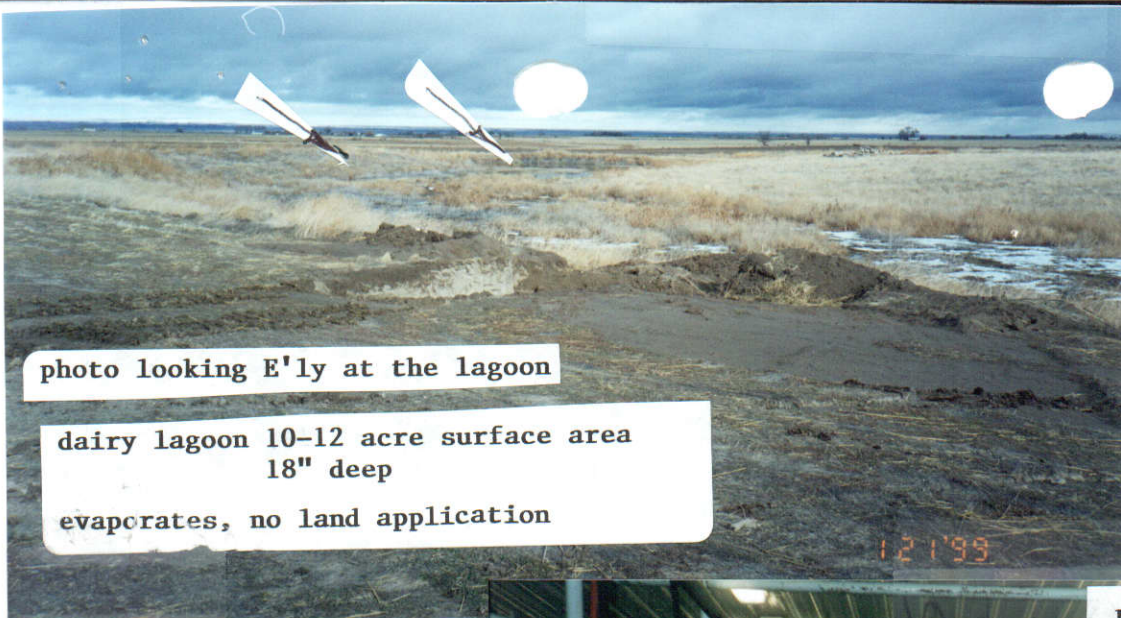
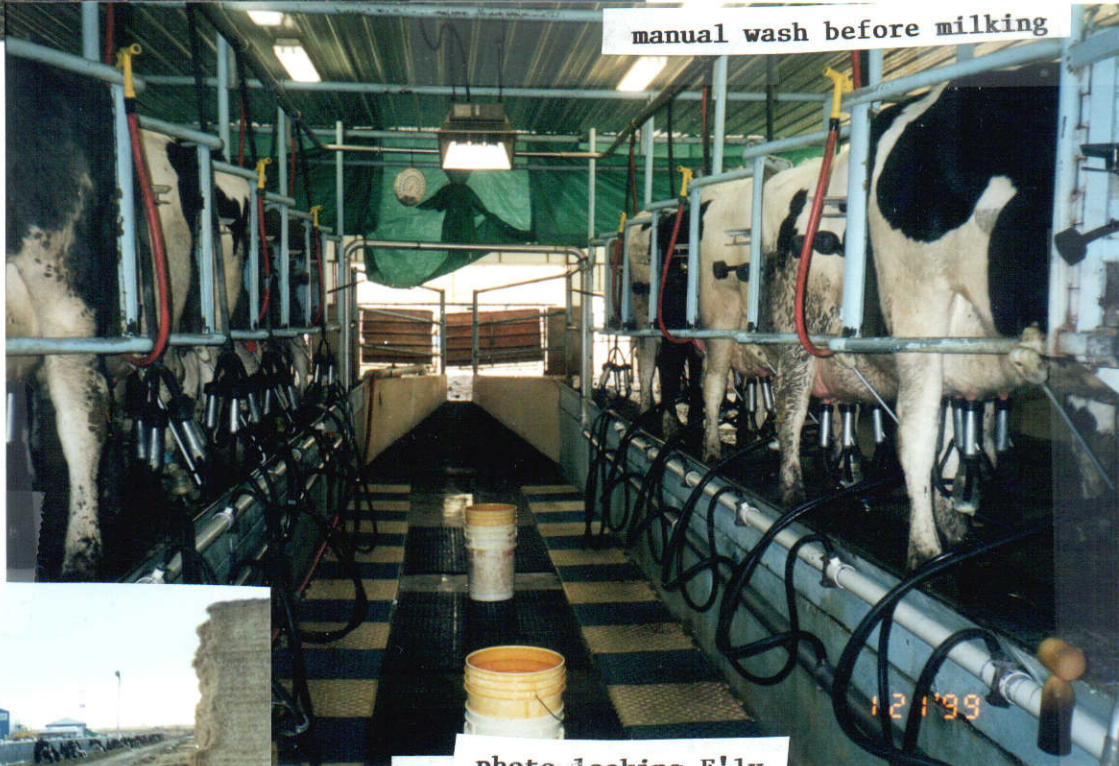


photo looking E'ly at the lagoon

dairy lagoon 10-12 acre surface area
18" deep
evaporates, no land application



manual wash before milking

photo looking E'ly
Double 6 Herring Bone
Milking Parlor



the building

photo looking SE'ly

Driller's Tag
D0002881

P/D 35' S of trailer

MICROFILMED
MAY 09 2001

Examiner: Satterlee, G.
2 Jan 1999
1400 hrs

SW NW SW 1/4
Sec 4, T11S, R16E

Durham, Randle

47-08369



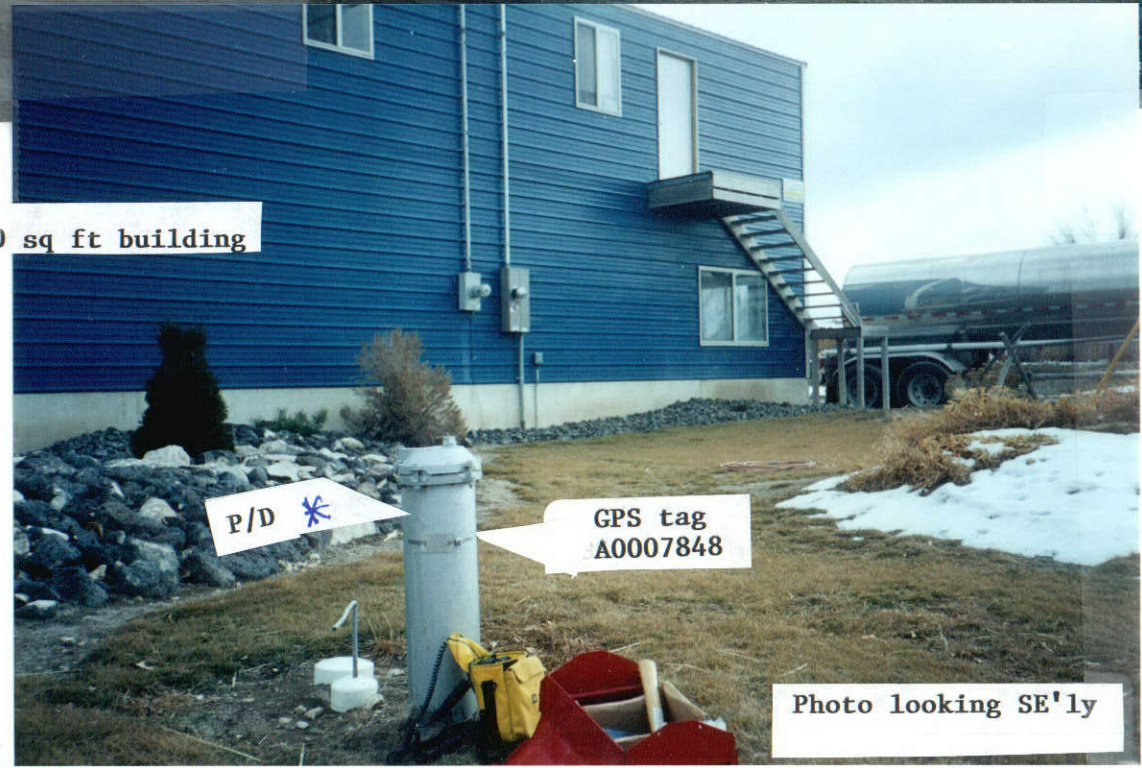
photo looking N'ly

UPSTAIRS:
domestic kitchen/laundry/bathroom
single residence
office

DOWNSTAIRS: milking parlar, double 6
herring bone/garage/storage area

P/D *

1200 sq ft building



P/D *

GPS tag
A0007848

Photo looking SE'ly

Examiner: Satterlee, G.
2/2/2001 1400 hrs
MICROFILMED
MAY 09 2001
Durham, Bandle
47-08369
* NWSNWSW 1/4 Sec 4

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-08369

Priority: June 24, 1994

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 13.5 AF

It is hereby certified that RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 24, 1994; and has
submitted Proof of Beneficial Use on September 03, 1996. An examination indicates that the works
have a diversion capacity of 0.04 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.8 AF
STOCKWATER	01/01 to 12/31	0.04 CFS	12.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SW¼SW¼ Sec. 4, Twp 11S, Rge 16E, B.M., TWIN FALLS County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	16E	4										X	X						

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	16E	4										X	X						

CONDITIONS OF APPROVAL

1. The use authorized under this right shall not exceed 13,000 gallons per day in accordance with Section 42-111, Idaho Code.
2. Domestic use is for a dairy barn.

MICROFILMED

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-08369

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 12TH day of April, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 47-08369

Date of Priority: June 24, 1994

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 13.5 AF

Comes now **RANDLE A DURHAM**
3420 N 2300 E

FILER ID 83328 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. 47-08369, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
~~DOMESTIC~~ STOCKWATER	01/01 to 12/31	0.04 CFS	~~-13.5 AF~~ 12.7 AF
DOMESTIC	01/01 TO 12/31	0.04 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION:

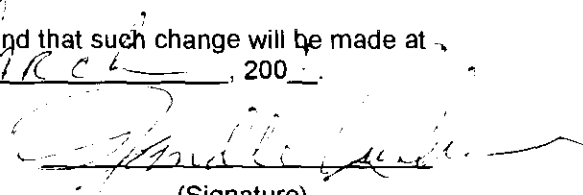
GROUND WATER NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, Twp 11S, Rge 16E, B.M., TWIN FALLS County

PLACE OF USE: ~~DOMESTIC~~ STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4										X	X						

PLACE OF USE: DOMESTIC - Same as Stockwater

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 27 day of MARCH, 2000.


(Signature)

MICROFILMED

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-08369

FOR DEPARTMENT USE ONLY

Preliminary check by Y Fee = 50 Received by Jim # 2032994 Date 4/25/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 47-08369 with the following:

CONDITIONS OF APPROVAL

1. The use authorized under this right shall not exceed 13,000 gallons per day in accordance with Section 42-111, Idaho Code.
2. Domestic use is for a dairy barn.

Witness my hand this 12TH day of April, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED

RECEIVED

SEP 04 1996

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

RECEIVED BY
COREY SKINNER
SOUTHERN REGION
09/03/96

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 47-08369 Telephone No. 326-5805
2. Name(s) of Permit Holder(s): Randle A Durham
3. Mailing Address: 3420 N 2300 E Plover ID 83328
4. Source of Water: Groundwater GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
a. Well Driller: Weeks Drilling Drilling Permit Number: _____
b. OPTIONAL:
Pump Horsepower: 3hp Pressure (psi): 60psi Dynamic pumping level (ft): 285
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 250 milking
30 Dairy
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes _____ or No X

Has the measurement port been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 0 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Randle Durham Telephone Number: 326-5805

Address: 3420 N 2300 E Plover ID 83328

10. The information given on this form 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.

Signature of permit holder: Randle Durham
(include your title, if on behalf of company or organization)

Date: 9/3/96

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08369

Proposed Priority: June 24, 1994

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **RANDLE A DURHAM**

077 HWY 74

TWIN FALLS ID 83301

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSWSW , Sec. 5, Township 11S, Range 16E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

11S 16E 5

NWSW

SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1996.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Domestic use is for 250 dairy cattle and 30 range cattle.
5. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per in accordance with Section 42-111, Idaho Code.

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

5th day of October, 1994

[Signature]
for R. Keith Higginson, Director

RECEIVED

Form 202
10/92

JUN 27 1994

Ident. No. 47-08369

Department of Water Resources

STATE OF IDAHO

RECEIVED

Region Office

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

SEP 08 1994

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant

Randle A. Durham

Phone

734-1476

Post office address

077 Hwy. 74, Twin Falls, ID 83301

2. Source of water supply

Groundwater

which is a tributary of

3. Location of point of diversion is

NW

1/4 of

SW

1/4 of

SW

1/4, Govt. Lot

Sec.

5

Township

11S

Range

16E

B.M.

Twin Falls

County; additional

points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a)

0.04

and/or (b)

cubic feet per second

acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

Existing well & pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total

reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

_____ to _____ inclusive.

c. ~~Proposed~~ well diameter is 6 inches; ~~proposed~~ depth of well is 380 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 1993; Drilling firm M. West River Drilling & Pump;

Well was drilled for (well owner) Applicant

OCT 21 1994

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

Two

years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. Domestic use in 250-head dairy. no home
- Other; describe fully. on property

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	16E	5										D	D						

Total number of acres to be irrigated _____

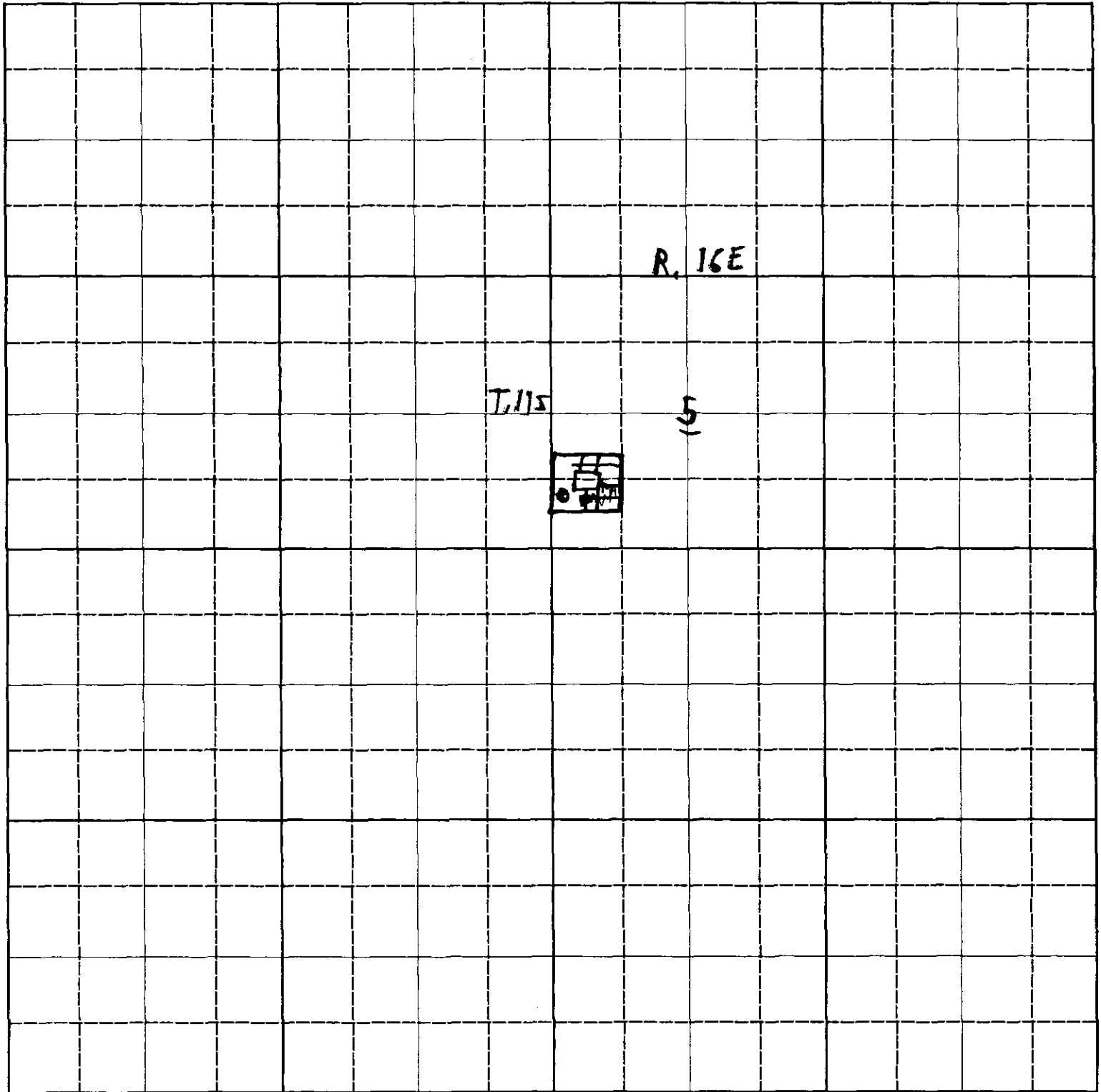
10. Describe any other water rights used for the same purposes as described above. _____

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

12. Remarks: There is now a 90-head dairy here, but this is being expanded to 250 milkers & about 30 dry stock.

OCT 21 1994

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

OCT 21 1994

Candice A. [Signature]
(Applicant)

Received by J F. Stutz Date 6-24-94 Time 4:35 pm Preliminary check by MTS
Fee \$ 30.00 Receipted by JS # 5017040 Date 6-24-94
Publication prepared by MB Date 7/22/94 Published in Times News
Publication approved MBaldwin Date 9/5/94

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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OCT 21 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 13, 2001

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

RE: License No. 47-8369 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also enclosed is a copy of your approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

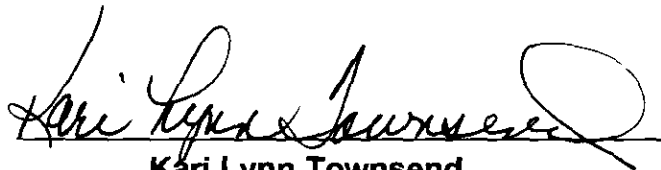
MAY 09 2001

CERTIFICATE OF MAILING

I hereby certify that on April 13, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 47-8369

**RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328**


**Kari Lynn Townsend
Secretary**

MICROFILMED

MAY 09 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
MAY 9 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
MAY 23 2006

Memorandum

To: File 47-08369

From: Kay Walker *KW*

RE: Use of Water

Date: April 5, 2001

.....

We are recommending this permit be licensed as a stockwater right rather than a domestic right since the permit has always been intended for stockwater use. The application for permit stated "Domestic use in a 250-head dairy. No home on property." The examiner recommended we issue the license for domestic use for 250 dairy cattle and 30 range cattle as permitted. Since use was always intended as a stockwater right, no amendment to change the nature of use was required.

MICROFILMED

MAY 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

APR - 2 2001

RECEIVED

APR - 11 2001

RE: Water Right Permit No. 47-08369

Department of Water Resources

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion *these items have not changed*
☒ Place(s) of Use *from the original location?*

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

MAY 09 2001

what does all this mean?

Perhaps the examiner (Georgia?) was confused. I did not move the hole or change user.

Kay:

RECEIVED

APR - 2 2001

Department of Water Resources

APR 27, 01

At this point I will sign this application, Although I am not sure what this applies to as I believe I paid a \$50.⁰⁰ license fee maybe 4 yrs ago and assumed that it was resolved??

How many times do I have to pay this fee??

Copies have been made this time - Perhaps there has been some book keeping error?

At any rate here is another Ch. and will try again.

I am sure this has been done, as the bank required it prior to the loan transaction that transpired yrs ago.

Thank You for your time
MICROFILMED
MAY 09 2001
Randy



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 22, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

RE: Water Right Permit 47-08369

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED
MAY 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

RE: Water Right Permit No. 47-08369

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

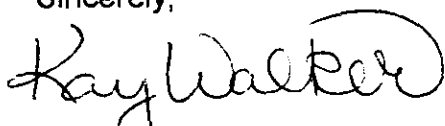
Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Point(s) of Diversion
- ☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
MAY 09 2001

MEMORANDUM

TO: File 47-08369

FROM: KAY WALKER *KW*

RE: License Recommendations

Date: March 1, 2001

.....

The examiner had recommended that we include two domestic uses under this right during license process. In a review of the file and exam, I find that we cannot include the domestic uses because they would cause an expansion of the right. We have prepared the license for domestic use, as permitted, for 250 dairy cattle and 30 range cattle. Since this is all that was permitted, I do not agree with the recommendation to include the domestic uses.

Examiner also recommends we include the use of an additional well under this right. Report states there is no pump in the 2nd well and the two wells are not inter-connected. 2nd well was drilled because there was not enough water for use in a trailer during summer when all the cattle are drinking more water. I have not included this well in proposed license since we have not included the two homes as part of this right.

MICROFILMED
MAY 09 2001

LICENSE REVIEW CHECKLIST

Permit No. 47-08369

Date: 2/28/01

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change section

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change section

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): none
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit _____ cfs
Measured _____ cfs
Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.04 cfs 13.5 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.04 cfs 13.5 af

*see 4/13/99
daily
work sheet*

~~Irrigation - overlap (R58-R61, R62-R65, R66-R69)~~
~~supp. Gw (WB7/065/104)~~
~~overlap spec combined rts (W35)~~
~~< 1 acre (W31)~~
~~Domestic (W01/wb5/070/071/075)~~
~~Power (W42 or W43/025/027/R22 or R23)~~
~~Fish (042)~~
~~Fire (077)~~
~~Water Quality (081/R07)~~
~~Payette - (W22/047/27A)~~
~~Stockwater for US (R37)~~

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions NO Watermaster Control
NO GW Measurement/Measuring Device
NO Other
Trust (052/R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? no If yes, explain why below.

SRBA Claim? not req'd

Adjust memo YES

Amend Letters ~~P87~~ P87, S06

Second Amendment Notice P49 S06

02/28/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 47-10355

Owner Type
Current Owner
Current Owner

Name and Address
PATRICIA C DURHAM
RANDLE A DURHAM
RT 1 BOX 4142
TWIN FALLS, ID 83301
(208)734-1476

Priority Date: 08/01/1983
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.03 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		

Total Diversion 0.04 CFS

Location of Point(s) of Diversion:

GROUND WATER SENW Sec. 34 Township 10S Range 16E TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	16E	34		SENW										

Place of Use Legal Description: DOMESTIC TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	16E	34		SENW										

Conditions of Approval:

- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

- Explanatory PARCEL NO. RP10S16E344200 STOCKWATER,60 CATTLE

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
CORR2	8/20/97	COPIED FROM REMARKS	PARCEL NO. RP10S16E344200 PROPERTY ALSO KNOWN AS 77 HWY 74

Dates:

Licensed Date:
Decreed Date: 05/21/1999
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 13 1999

K
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08369

1. Owner: Randle Durham Phone No. (208) 326-5805

Current Address: 3420 N. 2300 E, Filer, ID. 83328

2. Accompanied by: Same as above EXAM DATE: 21 Jan 1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Salmon Canal Shares for irrigation

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	SW	04	11S	16E	TWIN	GPS ACCT 7848
		SW	NW	SW	"	"	"	FALLS	" " D0002881

2. Place(s) of Use:

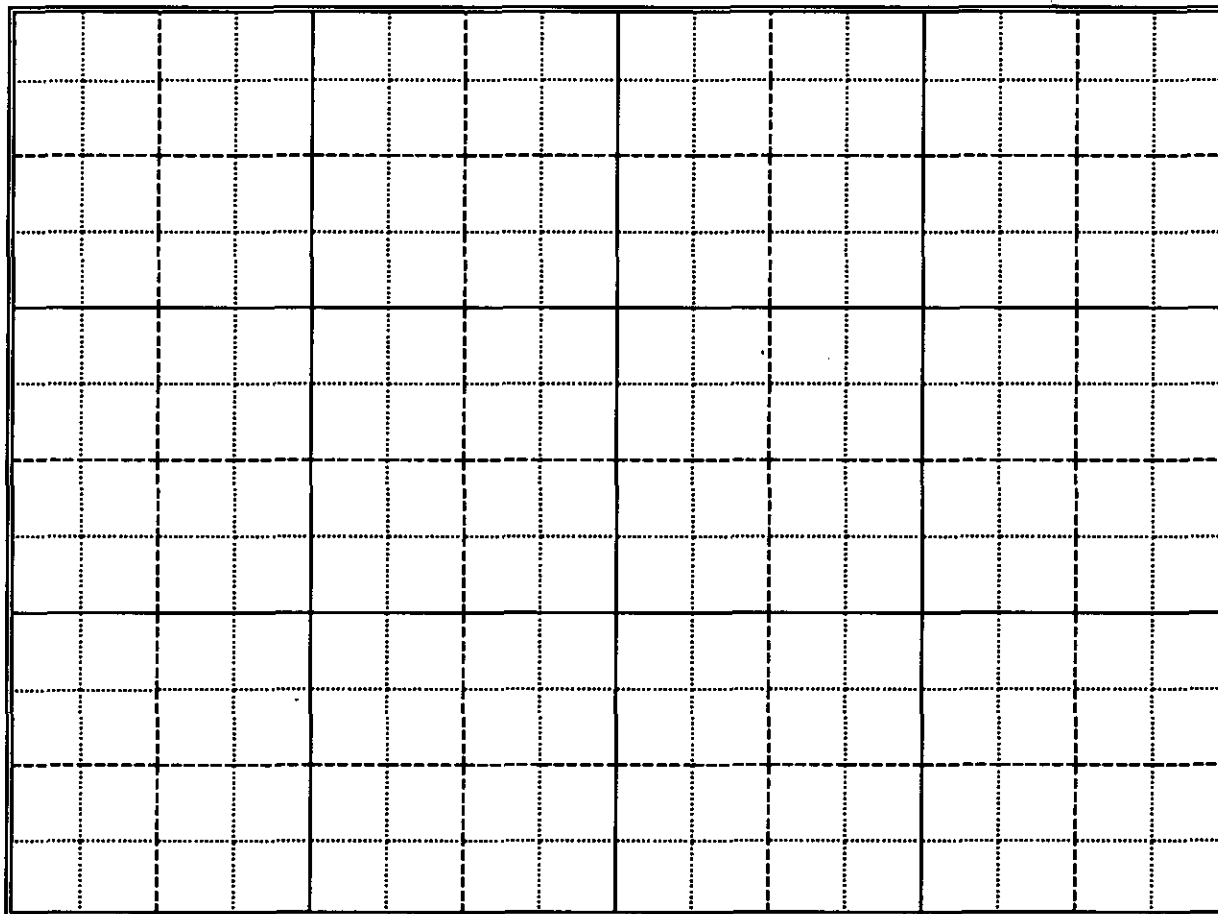
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	16E	04																	

* Includes dairy operation

MICROFILMED
May 9 2001

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
GPS A0007848		3		Gould's Submersible	
GPS D0002881	No pump	yet			

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Theoretical Calculation

MICROFILMED

MAY 13 2001

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 04 February 1999
RE: 47-08369

On 13 January 1999, Randy Durham came into the office with the letter I sent him in December 1998. He adamantly said, "...he was exempt from the field examination process because his use was strictly for domestic...". I explained the situation, i.e. the permit and licensing process.

Before leaving the office, he admitted to another well (drilled 12/1998) and there are more cows than what was on the application.

The field examination was conducted on 21 January 1999. The first of two wells was drilled in 1993 in conjunction with the permit. The first well is located in the NWSWSW $\frac{1}{4}$ of Section 4, T11S, R16E, and is approximately 20 feet west of the building. The second well is north of the first well approximately 700 feet and is located in the SWNWSW $\frac{1}{4}$ of Section 4, T11S, R16E, and is approximately 35 feet south of the trailer.

The second well (no pump, yet) was drilled 12/1998. Durham said the second well was needed because, in the summer, the trailer residents do not have enough water, due to the cows drinking more than usual. According to Durham, the two wells are not tied together.

In June 1996, Twin Falls County Planning and Zoning sent a letter to Durham. The letter is in relation to a Livestock Confinement Operation Permit recognizing the Durham property has the ability to hold 1100 cows. I asked Durham about this letter, and he says that the P&Z misunderstood his request.

He says, as of 13 January 1999, he has 275 milkers and 30 dry cows. However, by the summer of 1999, he will have 350 milkers and 40 dry cows. He also has 30-40 goats, which he raises to make goat cheese. He stated this will be the extent of the herd increase.

The dairy programs for 1994 and 13 January 1999 shows a use under the 13,000 gallons per day. If Durham expands anymore the use will be over 13K.

The maximum animal units per acre required in Twin Falls County is 5 A.U. per acre. Lincoln County the density is 7 A.U. per acre, and in Jerome County the maximum is 10 A.U. per acre. Durham's dairy covers 9 acres excluding the lagoon.

Proof of Beneficial Use was filed in September 1996. No fee was collected because of domestic use is exempt.

One of the permit conditions is the domestic use shall not exceed 13K gal/day. Perhaps a licensing condition would require a measuring device and annual reporting for Mr. Durham?

Have conditions of permit approval been met? ☒ yes ☐ no

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MAY 8 8 2001

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

Perm 1.8 af
Stock 13.5 (see dairy worksheets)
15.3

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

One home & lawn 0.6
" " & lawn 1.2
1.8 af

Exam Fee Limit & domestic
Permit 0.04
Theoretical 3.04
Recommend 0.04

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Period of Use

Rate of Diversion

Annual Volume

Domestic (2 homes)

From 1/1 To 12/31

Q (cfs) 0.04 cfs

V (afa) 15.3 af

Totals: 0.04 cfs

15.3 af

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

Limit to 14.6 af

I. AUTHENTICATION

Field Examiner's Name

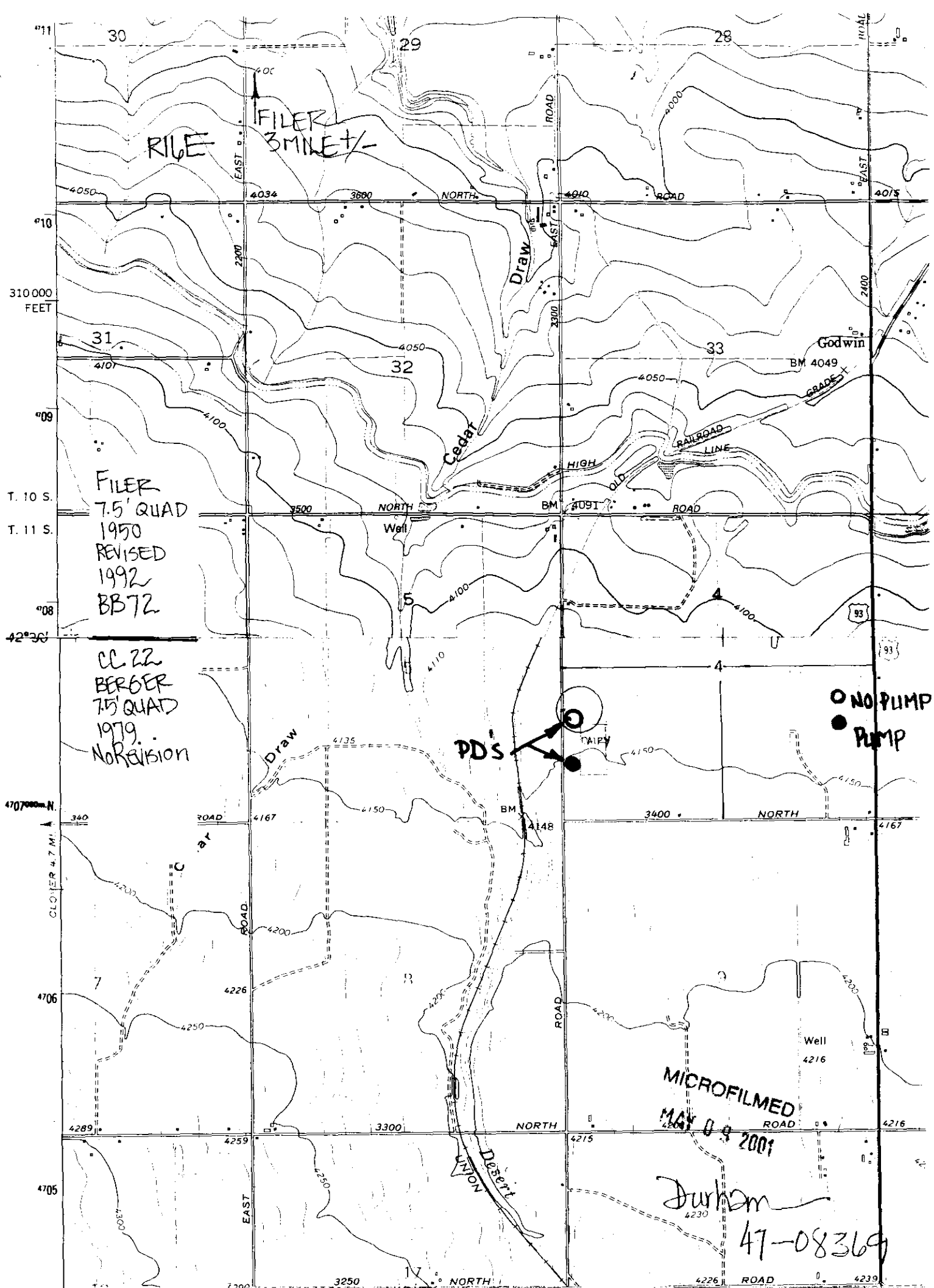
Janice Satterlee Date 4 Feb 1999

Reviewer

Date

MICROFILMED

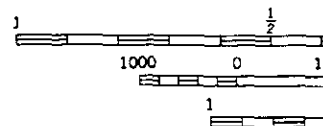
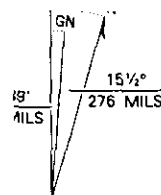
MAY 03 2001



DERGENT
3000 1 1

Compiled from aerial photographs taken 1946. Information shown in purple has been updated from aerial photographs taken 1987 and field checked. Map edited 1992. Conflicts may exist between some updated features and previously mapped contours.

North American Datum of 1927 (NAD 27). Projection and 10,000-foot grid ticks: Idaho Coordinate System, central zone (Transverse Mercator). 1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue.



CC

15

+

+

33

T3
20

1
18

RIVE

T3328 HET
3758

10K

1
7

FL

"

h2

47L

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 47-08369
DATE: 21 January 1999
BY: Satterlee, G.

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

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])

$$Q = \frac{(8.8) (3) (0.70)}{[(.280) + (.60) \times 2.31]} = \frac{18.5}{418.0} = 0.044 \text{ cfs}$$

LIFT FROM:
measurement ()
owner (X)
area estimate (X)
well logs (X)

PSI FROM:
measurement ()
owner (X)
estimate (X)
owner gage ()

NOTES ON PUMP:
Motor Make, Serial or ID
Goulds Submersible
Pump Make, Serial or ID, rating

Booster (Y) (N)

REMARKS

21 JAN 1999 DATE AUSTIN INSTALLED PUMP WHICH IS 3 HP HE HAS NO PUMP CURVE ON RECORD

ANNUAL VOLUME ANALYSIS

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

(season)	(days)	POTENTIAL
3/15 - 11/15	246	= $(\dots) \times (1.98) \times (\dots)$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annun =
(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 ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

MICROFILMED
JAN 29 2001

milking parlor, first floor
apartment/office, second floor



photo looking at place of use
Sec 4, T11S, R16E SW¼

photo looking South from second p/d
at the trailer

MICROFILMED
MAY 09 2001

Examiner: Satterlee, G.

Durham, Randy
21 Jan 1999 1430 hrs.

47-08369

2/3

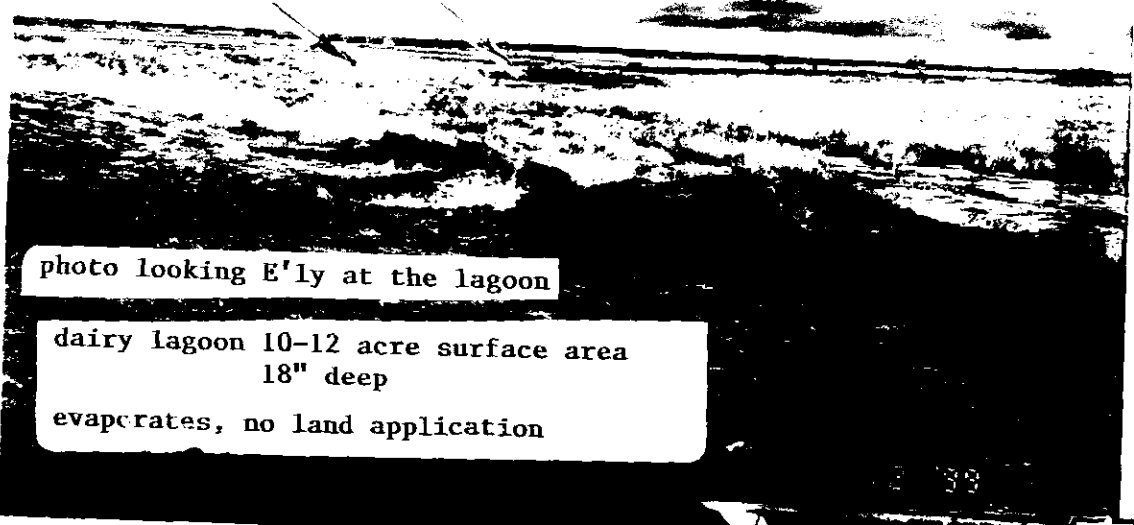
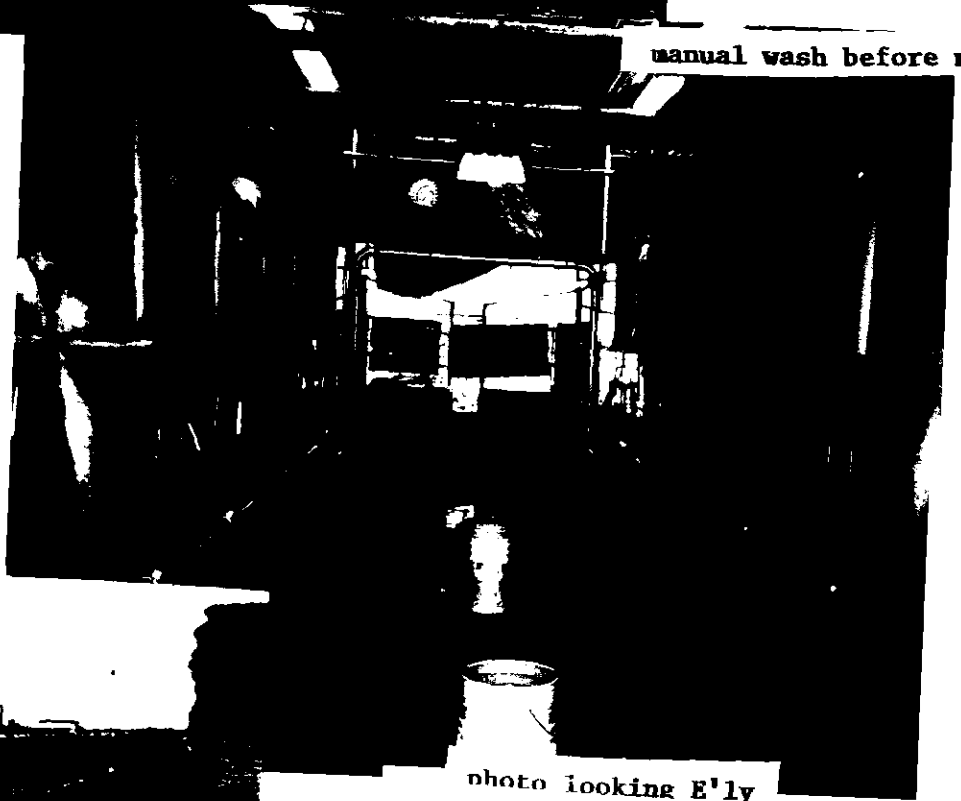


photo looking E'ly at the lagoon

dairy lagoon 10-12 acre surface area
18" deep
evaporates, no land application



manual wash before milking

the building



photo looking SE'ly

photo looking E'ly
Double 6 Herring Bone
Milking Parlor

VIDEOFILMED
JAN 10 S 2001

Driller's Tag
D0002881



P/D 35' S of trailer

Examined: Satterlee, G.
J. H. May
K. H. H.

Durham, Randle

SW NW SW 1/4
Sec 4, T11S, R16E

47-08369



1200 sq ft building



Examiner: Sattler, G.
 11 Jan 1999 1400 hrs
 MICROFILMED
 MAY 03 2001
 Durham, Randi
 41-08369

* NWSNWS 1/4 Sec 4

FILE NUMBER _____ Durham
REVIEWER _____ GLS

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 250
NUMBER OF NONMILKING CATTLE _____ 30
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES; _____
IF ANAEROBIC, ENTER ZERO _____ 0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 2
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS _____ 1
NUMBER OF MILKINGS PER DAY _____ 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD _____ 0.16
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.19
NONMILKING CATTLE @12 GPD/HD _____ 0.01
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.02
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 0.22

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD _____ 9.8
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 12.0
NONMILKING CATTLE @12 GPD/HD _____ 0.4
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.7
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 12.7

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR _____ 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING _____ 0.3
TOTAL _____ 0.8

TOTAL DIVERSION VOLUME _____ 13.5

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING _____ 1.7
NONMILKING _____ 0.0
TOTAL _____ 1.7

COMMERCIAL _____ 0.0

TOTAL CONSUMPTIVE USE _____ 1.7

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) _____	3.00	1.00	3.00
LIFT (FT) _____	280	280	75
DISCHARGE PRESSURE (PSI) _____	50	50	50
FRICTION LOSSES (FT) _____	10.0	10.0	10.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * _____	0.05	0.02	0.10
DIVERSION VOLUME (AFA) ** _____	33.8	11.0	70.2

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

* DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
DAY OF THE YEAR.

$$= 13.5 \text{ ac ft} (325,850) =$$

$$\frac{4,398,975}{365 \text{ days}} = 12,052 \text{ gpd}$$

MICROFILMED
MAY 09 2001

FILE NUMBER _____ Durham
REVIEWER _____ GLS

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 275
NUMBER OF NONMILKING CATTLE _____ 40
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO _____ 0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 0
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS _____ 1
NUMBER OF MILKINGS PER DAY _____ 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD _____ 0.18
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 0.19
NONMILKING CATTLE @12 GPD/HD _____ 0.01
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 0.02
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 0.22

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD _____ 10.8
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 12.0
NONMILKING CATTLE @12 GPD/HD _____ 0.5
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * _____ 0.7
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 12.7

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR _____ 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING _____ 0.3
TOTAL _____ 0.8

TOTAL DIVERSION VOLUME _____ 13.5

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING _____ 1.7
NONMILKING _____ 0.0
TOTAL _____ 1.7

COMMERCIAL _____ 0.0
TOTAL CONSUMPTIVE USE _____ 1.7

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) _____	0.00	0.00	0.00
LIFT (FT) _____	0	0	0
DISCHARGE PRESSURE (PSI) _____	0	0	0
FRICTION LOSSES (FT) _____	0.0	0.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * _____	0.00	0.00	0.00
DIVERSION VOLUME (AFA) ** _____	0.0	0.0	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

* DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
DAY OF THE YEAR.

MICROFILMED
MAY 03 2001

FILE NUMBER _____ Durham
REVIEWER _____ GLS

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 350
NUMBER OF NONMILKING CATTLE _____ 40
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES, _____ 0.0
IF ANAEROBIC, ENTER ZERO _____ 2
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 1
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF _____ 2
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS
NUMBER OF MILKINGS PER DAY _____

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD _____ 0.23
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.26
NONMILKING CATTLE @12 GPD/HD _____ 0.01
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.02
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 0.28

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD _____ 13.7
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 16.0
NONMILKING CATTLE @12 GPD/HD _____ 0.5
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.7
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 16.7

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR _____ 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING _____ 0.4
TOTAL _____ 0.9

TOTAL DIVERSION VOLUME _____ 17.6

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING _____ 2.3
NONMILKING _____ 0.0
TOTAL _____ 2.3

COMMERCIAL _____ 0.0
TOTAL CONSUMPTIVE USE _____ 2.3

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) _____	3.00	1.00	3.00
LIFT (FT) _____	280	280	75
DISCHARGE PRESSURE (PSI) _____	50	50	50
FRICTION LOSSES (FT) _____	10.0	10.0	10.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * _____	0.05	0.02	0.10
DIVERSION VOLUME (AFA) ** _____	33.8	11.0	70.2

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY DAY OF THE YEAR.

$$17.6 \text{ ac ft} \times 325,850 \frac{\text{gal}}{\text{ac ft}} = 5,734,960 \text{ gal}$$
$$\frac{5,734,960 \text{ gal}}{365 \text{ days}} = 15,712 \text{ gpd}$$

MICROFILMED

3 9 2001

TWIN FALLS COUNTY
PLANNING AND ZONING ADMINISTRATION
246 THIRD AVENUE EAST
TWIN FALLS, IDAHO 83401
TELEPHONE (208) 734-2400

June 18, 1996

Randy Durham
3240 North 2300 East
Filer, ID 83328

RECEIVED
JAN 21 1999
Department of Water Resources
Southern Region

RE: Livestock Confinement Operation Permit

Dear Mr. Durham:

In regards to the application for a Livestock Confinement Operation Permit, please be advised, Twin Falls County Planning and Zoning Administration will recognize your LCO for a capacity of 600 milking and dry cows, and 500 replacement heifers, for a total of 1100 cows on the property consisting of 80 acres, located in Section 4, Township 11 South, Range 16 East, B.M. Also known as being located 4 3/4 miles south of Asgrow Research Center on Hwy. 30 Filer, and addressed as 3420 North 2300 East, Filer, Idaho, in the Agricultural Zone.

This permission is granted in conformance with Twin Falls County Zoning Ordinance #21; Article 5-1.10. If you plan to modify or expand your facility in the future any increase in structures or change in the location of structures must conform to the restrictions as outlined in Article 5-1.10.A. A Livestock Confinement Operation can be transferred or sold upon application to the Zoning Administrator and filing of a LCO Permit by the new owner or operator.

Permits are required for any buildings to be constructed or placed on the property, and the permit can be obtained through this office. If you should desire further information, please feel free to contact this administration at your convenience.

Very truly yours,


Lee Taylor, Administrator
and Acting Secretary

cc: County Commission
Zoning Chairman

MICROFILMED
MAY 05 2001

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____	Long: _____		

1. WELL TAG NO. D 0002881
 DRILLING PERMIT NO. 47-98-S-0192-000
 Other IDWR No. _____

2. OWNER:
 Name Randy Durham
 Address 3420 North 2300 East
 City Filer State ID Zip 83328

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N			
S			

Twp. 11 North ☐ or South ☒
 Rge. 16 East ☐ or West ☐
 Sec. 4 1/4 NW 1/4 SW 1/4
 Gov't Lot _____ County Twin Falls
 Lat: _____ Long: _____
 Address of Well Site 3435 North 2300 East City Filer
(Give at least name of road - Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

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

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
Bentonite	0	42	7 S		Poured
Overbore to					
seal depth					

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
 Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	42	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Method _____
 Screens Screen Type _____

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

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

234 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

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
8"	0	13	Topsoil		X
	13	26	Gray basalt		X
	26	40	Brown cinders		X
	40	42	Gray basalt		X
6"	42	92	Gray basalt		X
	92	94	Brown Basalt		X
	94	96	Crevice, lost circulation		X
	96	123	Brown basalt		X
	123	127	Broken basalt		X
	127	140	Soft cinders		X
	140	233	Fractured basalt		X
	233	237	Broken		X
	237	290	Fractured basalt	X	
	290	325	Basalt		X
	325	337	Cinders	X	
	337	430	Fractured basalt	X	

RECEIVED

DEC 10 1998

Department of Water Resources
Southern Region

RECEIVED

AUG 13 1999

Department of Water Resources

Completed Depth 430 ft. (Measurable)
 Date: Started 12-8-98 Completed 12-8-98

13. DRILLER'S CERTIFICATION

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

Company Name Elsing Drilling Firm No. 31

Firm Official Arnold Elsing Date 12-9-98

and Driller or Operator CRAIG EGAN Date 12-9-98
(Sign once as Firm Official & Operator)

WELL DRILLER'S REPORT

State law requires the
within .Report be filed with the Director, Department of Water
Resources after the completion or abandonment of the well

sources

1. WELL OWNER

Name RANDY DURHAM
 Address 077 Hwy 74 Twin Falls Ft.
 Drilling Permit No. 47-92-S-0150
 Water Right Permit No. _____

7. WATER LEVEL

Static water level 247 feet below land surface.
 Flowing? ☐ Yes ☒ No G.P.M. flow _____
 Artesian closed-in pressure _____ p.s.i.
 Controlled by: ☐ Valve ☐ Cap ☐ Plug
 Temperature _____ °F. Quality _____
 Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures
 such as liners, screen, materials, plug depths, etc. in lithologic
 log, section 9.)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>30</u>		<u>1</u>

3. PROPOSED USE

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

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
8	0	12	TOP SOIL		☒
8	12	16	WHITE ROCK		☒
8	16	17	LAUA		☒
8	17	64	LAUA		☒
8	64	360	NO RETURNS		☒

4. METHOD DRILLED

- ☒ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____
 (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness _____ Diameter _____ From _____ To _____
250 inches 6 inches + 2 feet 44 feet
 _____ inches _____ inches _____ feet _____ feet
 _____ inches _____ inches _____ feet _____ feet

Was casing drive shoe used? ☐ Yes ☒ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation? _____ inches by _____ inches

Number _____ From _____ To _____

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer _____ Type _____

Top Packer or Headpipe _____

Bottom of Tailpipe _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 4 Material used in seal: ☐ Cement grout

☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit

☒ Temp. surface casing ☒ Overbore to seal depth

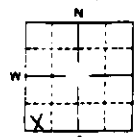
Method of joining casing: ☐ Threaded ☒ Welded

☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision Name _____

Lot No. _____ Block No. _____

County TWIN FALLS

Address of Well Site _____

(give at least name of road)

Sw. Sec. 4 T. 16 N. or S. E
 R. 16 E. or W. _____

11. DRILLER'S CERTIFICATION

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

Firm Name _____ Firm No. 265

Address WOOD RIVER DRILLING & PUMP

BOX 837 2-5-93

Signed by BELLEVIEW, ID 83313 Ron Smith

and _____

(Operator) DAVE AUSTIN

(If different than the Drilling Supervisor)

Dave Austin Pump Installed 733 2442

RECEIVED

FEB 11 1993

Department of Water Resources
Southern Region Office

RECEIVED

AUG 13 1999

Department of Water Resources

10.

Work started 1-15-93 finished 1-21-93

MICROFILMED

MAY 0 8 2007

SW/SW
T115-R16E-S04

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 47-08369 Reviewed by [Signature] Date 10-9-96

GENERAL CONSIDERATIONS

Yes Name same as permit?
no Address same as permit?

Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom.

Correct Uses? Yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

Yes Drilling permit required?

no Copy in the file? Drilling Permit No. 47-92-5-0150-000

35.00 Amount paid for permit Yes Correct?

no Well log in the file?

LICENSE EXAMINATION FEE

no Required?

/ Amount Submitted

/ Correct?

MEASURING DEVICE

no Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address 3420 N 2300 E Proof Made 9-4-96
File # 83328



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

KARL J. DREHER
DIRECTOR

October 9, 1996

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 47-08369

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **SOUTHERN** Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECORDED
OCT 10 1996

July 31, 1996

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

PROOF DUE NOTICE

RE: PERMIT NO. 47-08369

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 October 1, 1996.

(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.

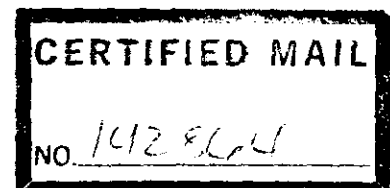
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

OCT 1 0 1996



RECEIVED

JUN 3 - 1996

Department of Water Resources

TO: File

DATE: May 31, 1996

FROM: Jim Stanton

SUBJECT: Change of Address, Permit 47-08369

The permit holder was in yesterday, at which time he informed me of his new address. He has moved onto the permitted place of use. His new address is: 3420 N 2300 E, Filer, ID, 83328. His new phone is 326-5805. Please change the record to reflect this.

2000-06-03



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

October 5, 1994

RANDLE A DURHAM
077 HWY 74
TWIN FALLS ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08369

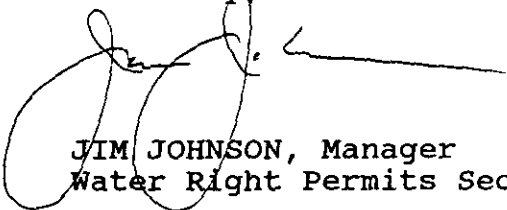
Dear Permit Holder:

Enclosed is a copy of your approved application for permit.
Please be sure to thoroughly review the "CONDITIONS/REMARKS:"
listing on the permit.

As a permit owner you must commence the excavation or
construction of the diverting works within one year of the date
the permit was issued, and you must proceed diligently until the
project is completed. The date shown under condition no. 1
is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately
60 days prior to the above referenced date requesting you to file
either a Proof of Beneficial Use form or a Request for Extension
of Time form.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

OCT 21 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 47-8369 Name: Durham Date: 9/28/94 Correct Fee? ✓

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/Non-trust
SYSTEM COMPLETED:

No - 26A-P17
Complete in 1 year - P16

Yes
Proof not submitted - P16
Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - T17 (new), 01K (existing), No MD
- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - ? Permit No. 47-92-S-0150-000, P99
Existing well - NA (pre 7/1/87)
No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dom~~) - WD No.
*Surface water - 005 (req) 01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <FLOW CHART>; No MD
Groundwater - P05 (new irrigation well)
In stream channel - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (-85° GW temp only)
Swan Falls Flag - C <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA
Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA
Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)
Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA
Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Mining - 054 (req) & 06A/010/09E-P10
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R + L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

- 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

① wq (29 dairy cattle & 30 range cattle)
② wq4(modified)

BENEFICIAL USE DUE:

COMMENTS:

- 10-1-1996

WR0749NP
No. P47-08369

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/28/94
PAGE: 1

OWNER		PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE		FROM	TO	RATE	VOLUME
C	RANDLE A DURHAM 077 HWY 74 TWIN FALLS ID 83301 (208) 734-1476	06/24/1994	DOMESTIC	01-01	12-31	0.04 CFS	
TOTAL DIVERSION:						0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T11S R16E S05 NWSWSW TWIN FALLS County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
---	---	---	:	---	---	---	---	:	---	---	---	:	---	---	---
11S	16E	5	:	:	:	:	:	:	D	D	:	:	:	:	:

Pou County: TWIN FALLS

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.

Remarks: Domestic use is for 250 dairy cattle and 30 range cattle.
The domestic use authorized under this permit shall not exceed
13,000 gallons per day per in accordance with Section 42-111,
Idaho Code.

Dates: App. Received: 06/24/1994 Priority Date: 06/24/1994
Proof Due Date: 10/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/25/1994 User-ID: CURTIS Subject: WELL & PUMP
Well and pump filed for use under this application for permit
are existing.

Audit: 09/28/94 CZIMMERM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY MTS DATE 6-28, 1994
APPLICATION NO. 47-08369

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume. *Process*)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

++++PROPOSED PRIORITY DATE
6-24-94 1994

ADDITIONAL INFORMATION

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

RECEIVED
SEP 08 1994

Department of Water Resources

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 1994

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

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

N/A Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest _____
N/A Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 6/29, 19 99
By AD Date 9/6, 19 99

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

Maximum Volume @ 0.04 cfs

$$0.04 \text{ cfs} = 1.8 \text{ gpm} \times 1440 \text{ min/day} = 25,920 \text{ gpd}$$

$$250 \times 35 = 8750 \text{ gal/day}$$

LOCAL PUBLIC INTERESTS

Comments recieved from:

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & welfare	_____ Canal Company
_____ Reservations	_____ Div. of Enviromental Quality	_____ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

No overlaps



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

September 6, 1994

R. KEITH HIGGINSON
Director

JAMES C TUCKER ESQUIRE
PO BOX 1906
TWIN FALLS ID 83301

RE: Application for Permit No. 47-08369 (Durham)

Dear Mr. Tucker:

Hopefully this letter will serve as a clarification to the questions you posed in your correspondence of August 22, 1994.

This application proposes domestic use which may include use for stockwater and related purposes up to 13,000 gallons per day. Whether the drinking water is for range cattle or dairy cattle does not concern the department. Small dairies with up to about 250-300 milking cows usually fit into this criteria.

As to your question regarding the trustwater boundaries, since the Snake River Moratorium Basin declaration of 1992, the Department has not segregated applications for special review according to those previous trustwater boundaries.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

OCT 21 1994

NOTICE OF APPLICATION
FOR WATER PERMIT

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

47-08368

STAN HAYE, 111
2980 N 3800 E
HANSEN ID 83334

Source: Coulee "A"
tributary to Rock
Creek

Diversion Pt:
NWENW, S33, T11S,
R18E; Twin Falls
County.

Use: fish propagation
(4.00 cfs) 4/1-11/15

Date Filed:
06/09/1994

In: MENW, S33, T11S,
R18E; Twin Falls
County

47-08369

RANDLE A. DURHAM
077 HWY 74
TWIN FALLS ID 83301

Source: groundwater

Diversion Pt:
NWSWSW, S05, T11S,
R16E; Twin Falls
County.

Use: Domestic
(0.04 cfs) 1/1-12/31

Date Filed: 06/24/94

In: W1/2SW, S05,
T11S, R16E; Twin
Falls County

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 22, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson,
Director

County of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

Sherr L. Martin being first duly sworn upon oath, depose that I am Print Clerk of the TIMES-NEWS, published daily, at Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per ing attached, was published in the regular and entire issue of said newspaper, and not in supplement thereof, for Two consecutive Weeks,

beginning with the issue dated August 4, 1994,
ending with the issue dated August 11, 1994.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, published weekly, will be published; and that at the head of the editorial column of said combined newspapers, in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

is 23 day of August in the year of 1994, before me,
Notary Public, personally appeared Sherr L. Martin
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first 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:

OK
MB
9/5/94

Sherr L. Martin
Twin Falls
01-22-98

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS

132 3RD ST W.

P. O. BOX 543

TWIN FALLS

ID 83303

Forwarding & address correction requested

INVOICE NO.		CLASS	BILLING DATE	
26219		343	08/23/94	
INDEXING TERM				
47-08368, 47-8369				
START DATE		TELEPHONE NO.		
8/04/94		736-3033		
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
80	2		57.60	57.60
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT			59.60	59.60

GROSS AMT DUE AFTER 09/07

No 26219

Department of Water Resources
Southern Region Office

SEP 1 1994

RETURN THIS PORTION WITH YOUR REMITTANCE

26219

5260

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E
TWIN FALLS

ID
83301

ROSHOLT, ROBERTSON & TUCKER

**Chartered
ATTORNEYS AT LAW**

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

FILED BY FACSIMILE

August 22, 1994

RECEIVED

Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

AUG 23 1994
Department of Water Resource
Southern Region Office

APPLICATION FOR PERMIT #47-08369/RANDLE A. DURHAM

To Whom It May Concern:

We have reviewed the above-referenced application and we note that the proposed use appears to be far in excess of the amount of water designated on the application. If this is truly a stockwater application for 250 dairy cattle, the IDWR's guidelines indicate a need for 0.20 c/f/s, rather than the 0.04 indicated on the application. Such a diversion of 0.20 c/f/s for stockwater use may subject this application to the moratorium now in place. Since this diversion is located within the trustwater boundaries, it should also be noted and accounted for as a trustwater diversion.

Your reply would be appreciated.

Sincerely,

James C. Tucker
JAMES C. TUCKER

cc: Randle A. Durham

08229404.shs.94

0078

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

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J. EVAN ROBERTSON
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BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-0034

FILED BY FACSIMILE

August 22, 1994

Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

JUL 26 1994

AUG 22 1994

Idaho Department of Water Resources
Southern Region Office

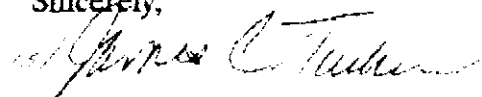
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Sincerely,


JAMES C. TUCKER

cc: Randle A. Durham

08229404.cps.94

OCT 21 1994

NOTICE OF APPLICATION
FOR WATER PERMIT

R. Keith Higginson,
Director

The following
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Published in Times
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8/11/94.

47-08368

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tributary to Rock
Creek

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R18E; Twin Falls
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Use: Fish propagation
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Date Filed:
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In: NENW, S33, T11S,
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47-08369

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077 HWY 74
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Source: groundwater

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Use: Domestic
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The permit will be
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Dept. of Water
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Region, 222 Shoshone
Street East, Twin
Falls, ID 83301
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on or before August
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protest to the
applicant.

MAILED

OCT 21 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

25-Jul-1994

R. KEITH HIGGINSON
Director

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

OCT 7 1994

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47-08368

STAN HAYE, III
2980 N 3800 E
HANSEN ID 83334

Source: Coulee "A" tributary to Rock Creek

Diversion Pt: NWNENW, S33, T11S, R18E; Twin Falls County.

Use: Fish propagation (4.00 cfs) from 04/01 to 11/15

Date Filed: 06/09/1994

In: NENW, S33, T11S, R18E; Twin Falls County

47-08369

RANDLE A. DURHAM
077 HWY 74
TWIN FALLS ID 83301

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Use: Domestic (0.04 cfs) from 01/01 to 12/31

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R. Keith Higginson, Director

Published in Times News on 8/4 & 8/11/94.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

22-Jul-1994

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

RANDLE A DURHAM
077 HWY 74
TWIN FALLS ID 83301

Re: Application for Permit No. 47-08369

Dear Mr. Durham:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the Times News for 8/4 & 8/11/94. 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,

Mel Schulte
Water Right Agent

MS:MB