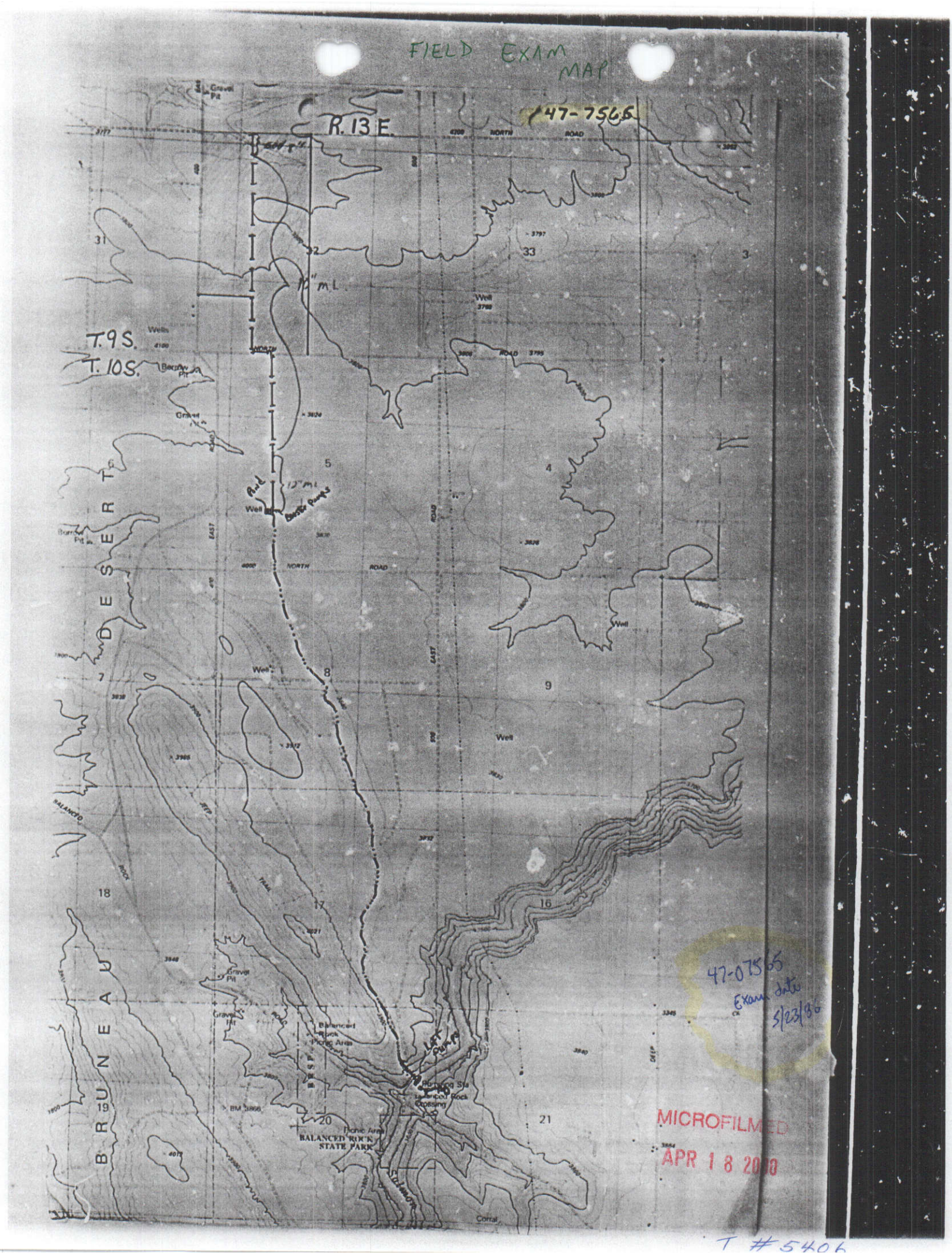

FIELD EXAM MAP
47-7566
R. 13 E.
T. 9 S.
T. 10 S.
DESERT
BRUNEAU
NORTH ROAD
EAST ROAD
Gravel Pit
Well
Barrow Pit
Balanced Rock Picnic Area
Lateral Rock Crossing
Picnic Area
BALANCED ROCK STATE PARK
Corral
47-07566
Exam date 5/23/80
MICROFILMED
APR 18 2000
T #5406

T 9S

RANGE 13 EAST

OLD PLACE OF USE

NEW PLACE OF USE

T 10S

39 40 39 40 39 40 39 40 39 40 39 40 39 40 39 40 39 40 39

TO MAINLINE(S)

PROPOSED DITCH

EXISTING DITCH

POINT OF REDIVERSION (FROM CREEK)

POINT OF DIVERSION (WELL)

N

BALANCED ROCK COUNTY PARK

Gravel Pit

Storage Bins

Well

Picnic Area

Balanced Rock

Corral

Spring

Bluegill Lake

Canyon Falls

Trail

Creek

Road

Ditch

Station

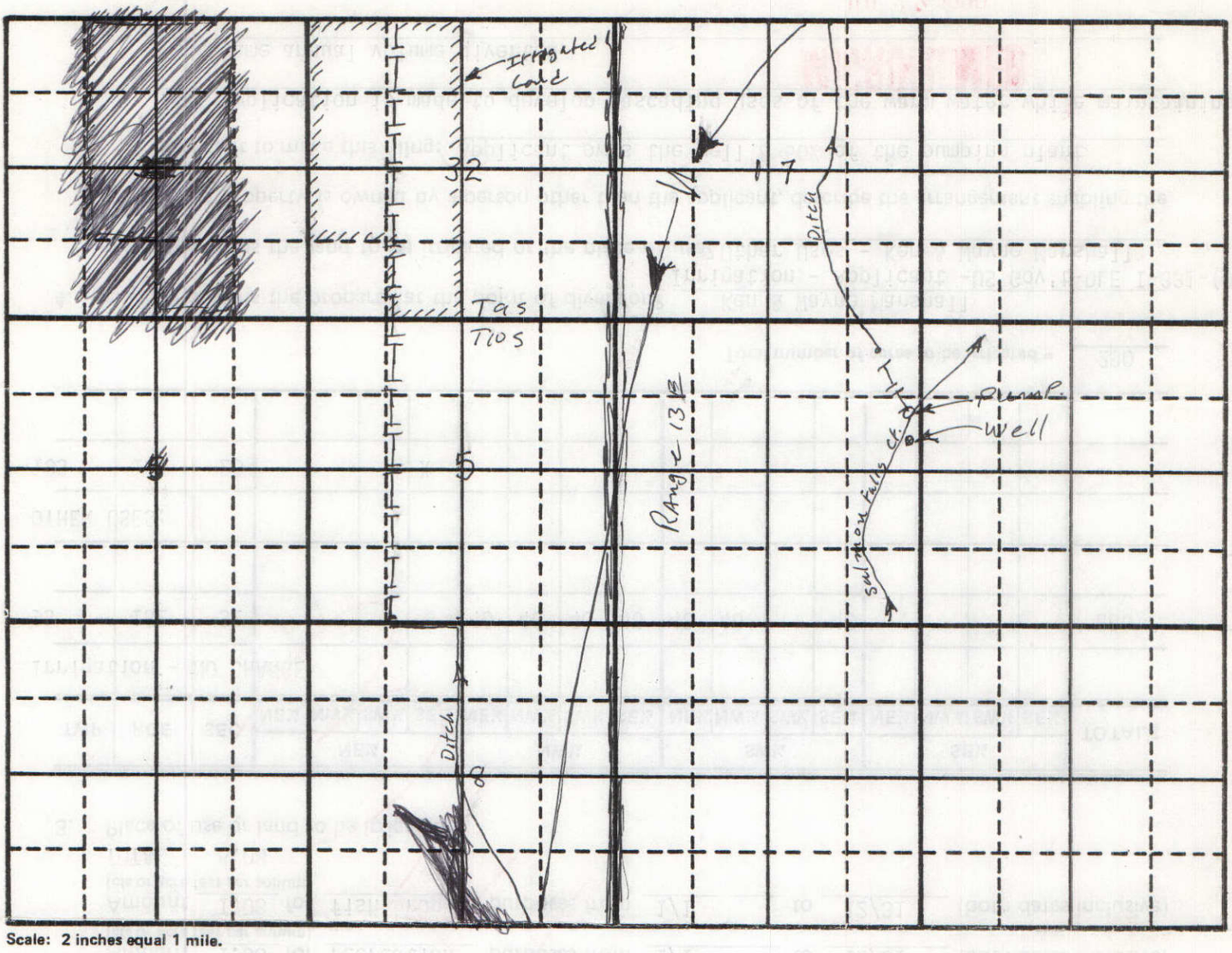
BM 3767

BM 3868

29 28 27 26 32 33 34 35 5 4 3 2 8 9 10 11 17 16 15 14 21 22 23 20

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at _____, this 31st day of May, 19 85.

Jean L Giuffre
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = $20.00 Receipted by mary Date 5/30/85 # 35371

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

_____

_____

_____

Witness my hand this _____ day of _____, 19 ____.

_____
Director

MICROFILMED
JUL 27 1990

47-7616
47-7617
47-7618
47-7614
47-7615
47-7565
T 10 S
T 11 S
R 12 E
R 13 E
PUMP
WELL
PUMP
WELL
Intake
Pumping Plant
Giuffré
(Marshall)
well
Easterday
well
Pt. of Injection
Gaging
Station
Loop
Dia Circle (APPROX)
DETAIL
MICROFILMED

LEGAL NOTICE

NOTICE OF AMENDMENT TO A WATER RIGHT NO. 47-7565

Notice is hereby given that Jean L. Marshall Giuffre is the holder of approved permit No. 47-7565 authorizing the diversion the of 5.6 cubic feet per second of water from groundwater in the SE¼NE¼, Sec. 20 T10S, R13E, B.M. County of Twin Falls, to be used for irrigation (on 280 acres) within NW¼, E½SW¼, NW¼SW¼, Sec. 32, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, as follows:

Point(s) of Diversion: No change

Water to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 200 feet downstream from the injection point.

Place of Use: No Change

Any protest against approval of the amending of Permit No. 47-7565 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before April 19, 1982.

MICROFILMED

RECEIVED
APR 22 1982
Department of Water Resources
Southern District Office

Affidavit of Publication

№ 11397

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, h Anderson being first duly sworn upon oath, depose and say that I am [illegible] of the TIMES-NEW published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 2 consecutive weeks

April 1, 1982, commencing with the issue dated

April 8, 1982, and ending with the issue dated

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

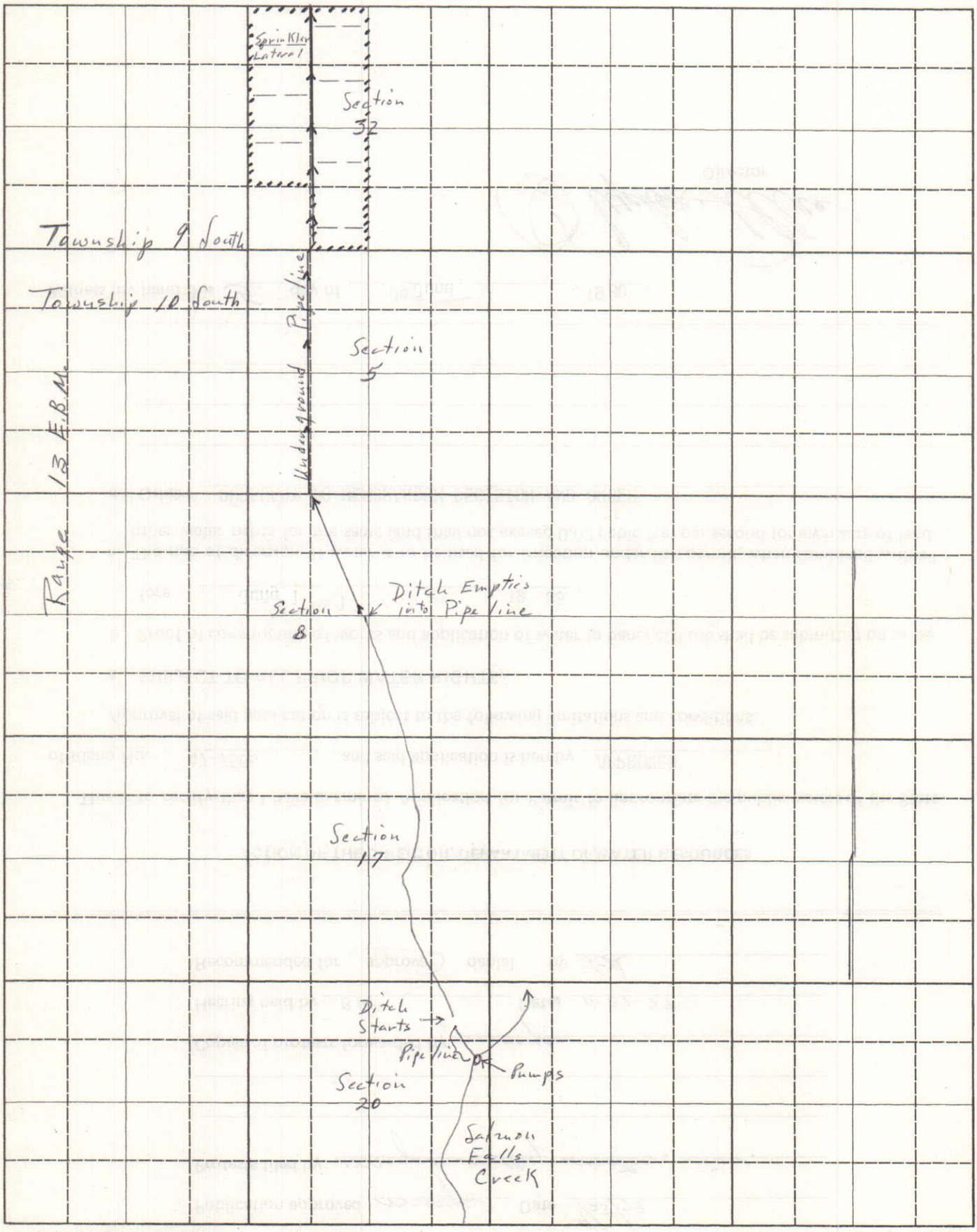
h Anderson

Subscribed and sworn to before me on this 12 day of April, 1982

Goldie F. Farrell

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

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



Scale: 2 inches equal 1 mile.

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

Jean L Marshall
(Applicant)

MICROFILMED

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7565
MARSHALL, JEAN L.
185 BLAIR DRIVE, TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 08/30/1979
Amount: 5.60 CFS
Diversion Point: SENE Sec 20 T 10S R 13E, TWIN FALLS Co.
Use: IRRIGATION (5.60 CFS) from 03/15 to 11/15
Place of Use: NENW NWNW SWNW SENW NESW NWSW SESW Sec 32 T 09S R 13E FOR 280 ACRES
Diversion Means: PUMPS, PIPELINES, DITCHES AND SPRINKLER LATERALS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 1, 1979.

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Sept.

RECEIVED
SEP 25 1979
Department of Water Resources
Southern Idaho Adjudication

ok mega 9/25/79

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

№ 8675

I, _____ being first duly sworn u

oath, depose and say that I am _____ of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for _____ consecutive _____, commencing with the issue dated _____, 19____, and ending with the issue dated _____, 19____.

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue th of, Thursday is announced as the day on which said legal notices will be published.

_____

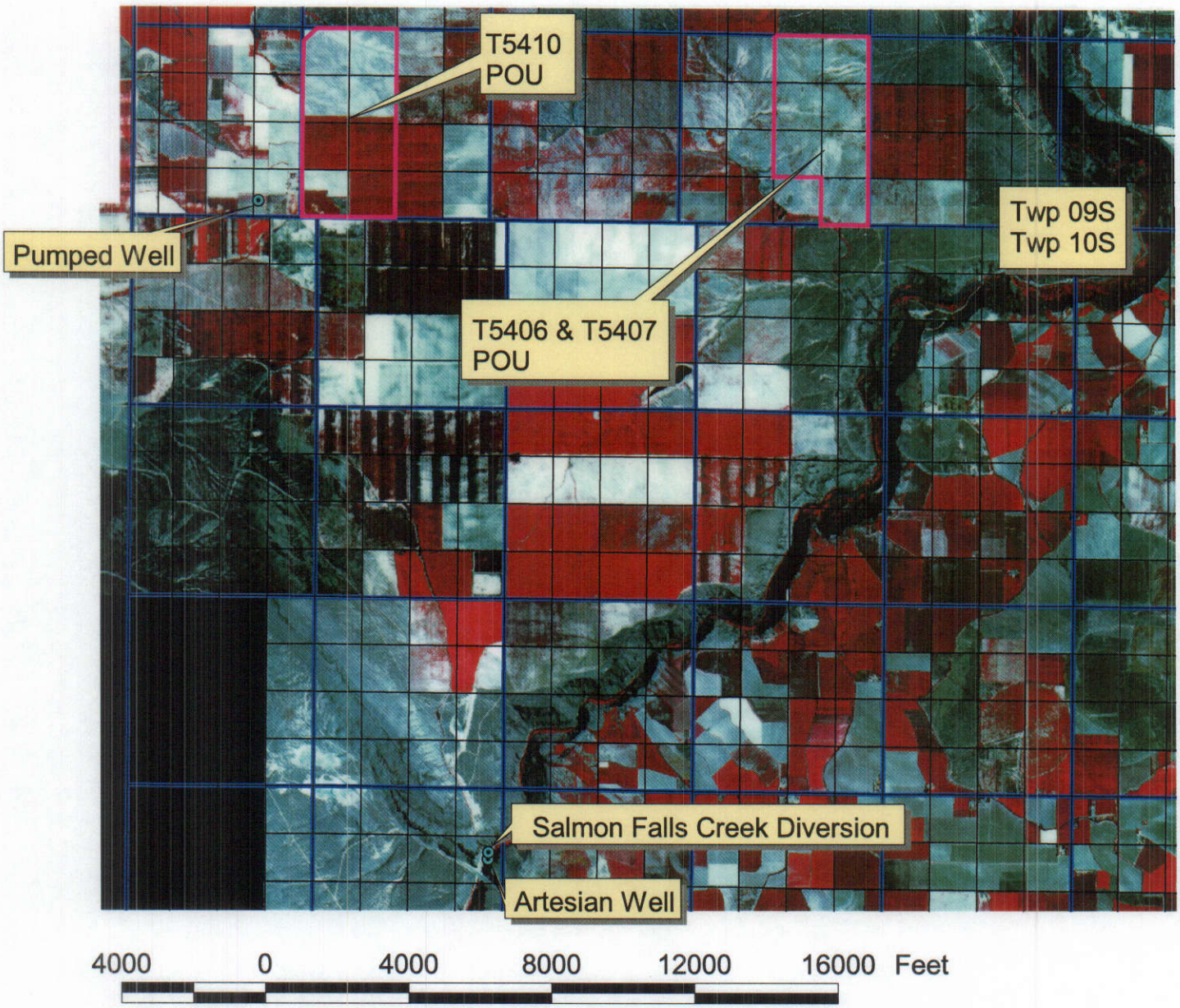
Subscribed and sworn to before me on this _____ day of _____, 19____.

_____ Melba Rowlett-Smith

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER NO. 5406, 5407 & 5410
IN THE NAME OF : Driscoll



PLACE OF USE

POINT OF DIVERSION

SECTION LINES

QUARTER LINES

CREATED BY : ADM
May 25, 1999

MICROFILMED
APR 18 2000

Shapes on IDWR604
D: Basins/b47/transfers

NAPP PHOTO CIRCA 1987 & 1988

STATE OF IDAHO

Department of Water Resources

No 40144

Boise, Idaho, May 23, 1986

RECEIVED FROM Lora Crandall of Boise $225.00

Two Hundred Twenty-five and no/100 DOLLARS

FOR		
Ck fee	$ 225	00
	$	
	$	
72-28	$	
TOTAL - - -	$ 225	00

47-7565

Approved by [illegible]

CANCELLED

JUL 27 1990

Measurement of Flowing Well using Annubar and Orifice

Measurement using Pipe orifice

Measurment using Trapezoidal flume at top of Canyon

FILMED

Photos TAKEN 5/23/86 TB

1490

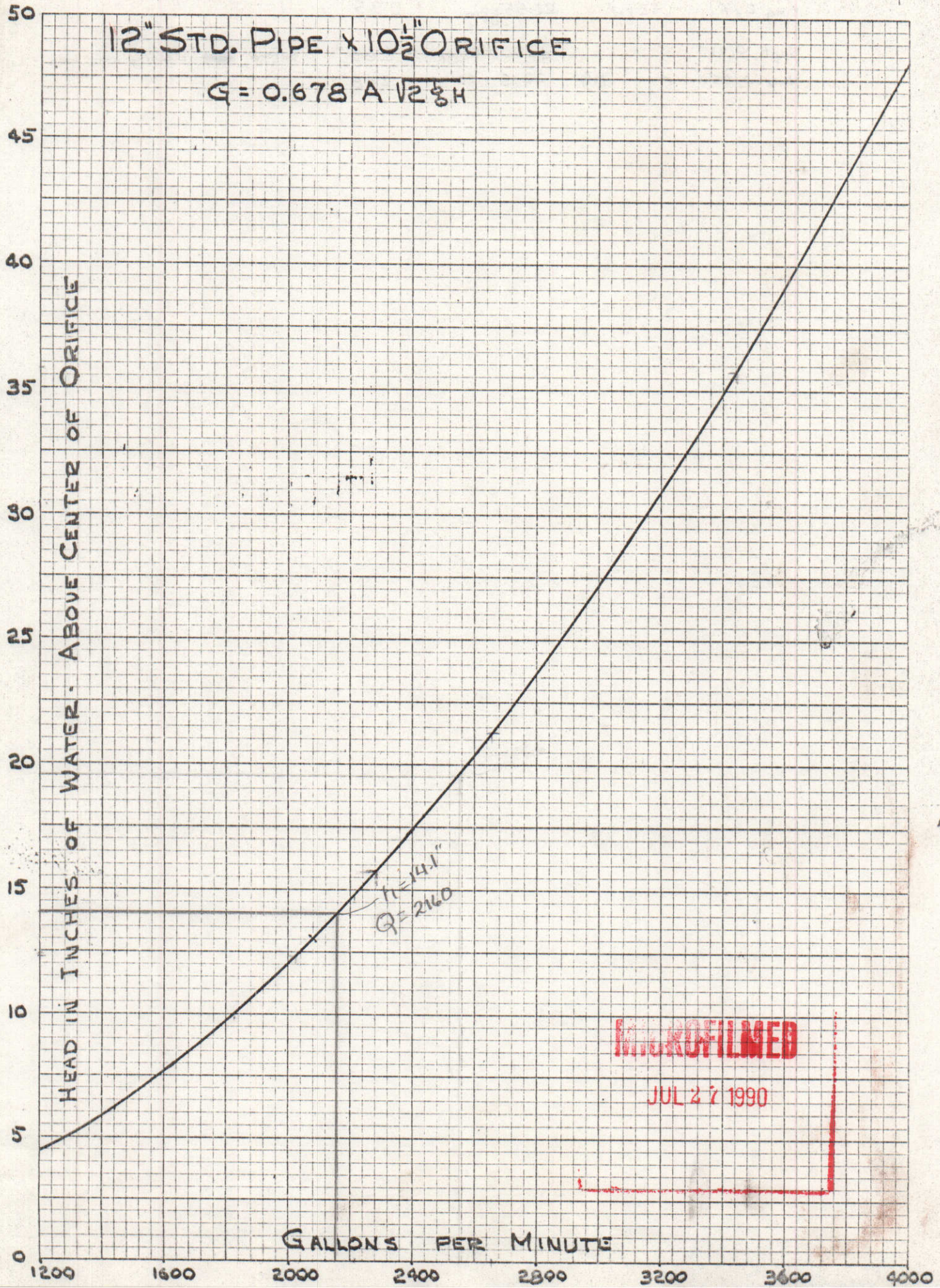
47-7565 5/23/86 TB

McCrometer attachment with straightening vanes

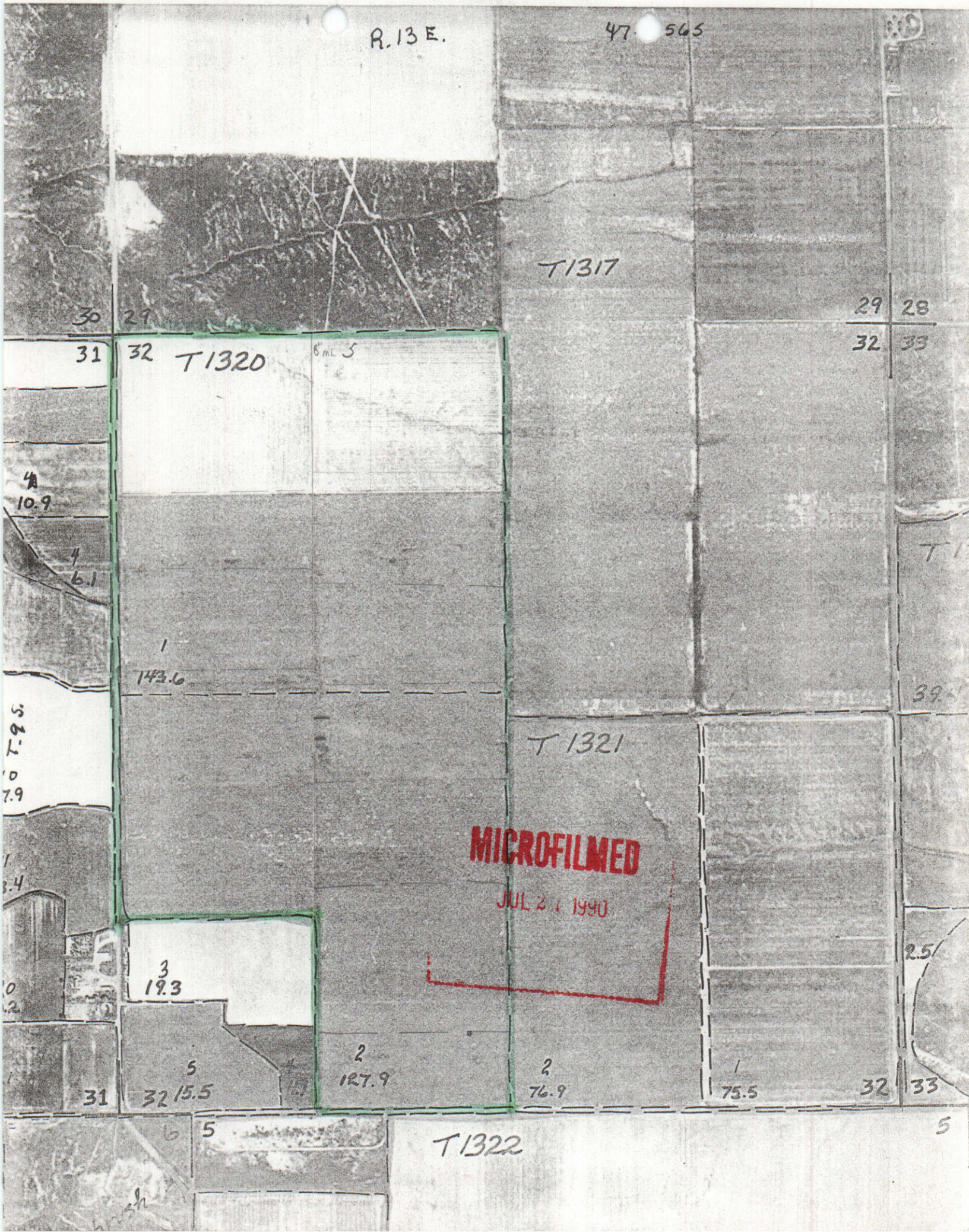
Looking North west at pumping plant.

MICROFILMED
JUL 27 1990

LAYNE & BOWLER CORP.
LOS ANGELES, CALIF.



MICROFILMED
JUL 27 1990


R. 13 E.
47 565
T1317
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T1320
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143.6
T 1321
MICROFILMED
JUL 2 1 1990
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2.5
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32
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2
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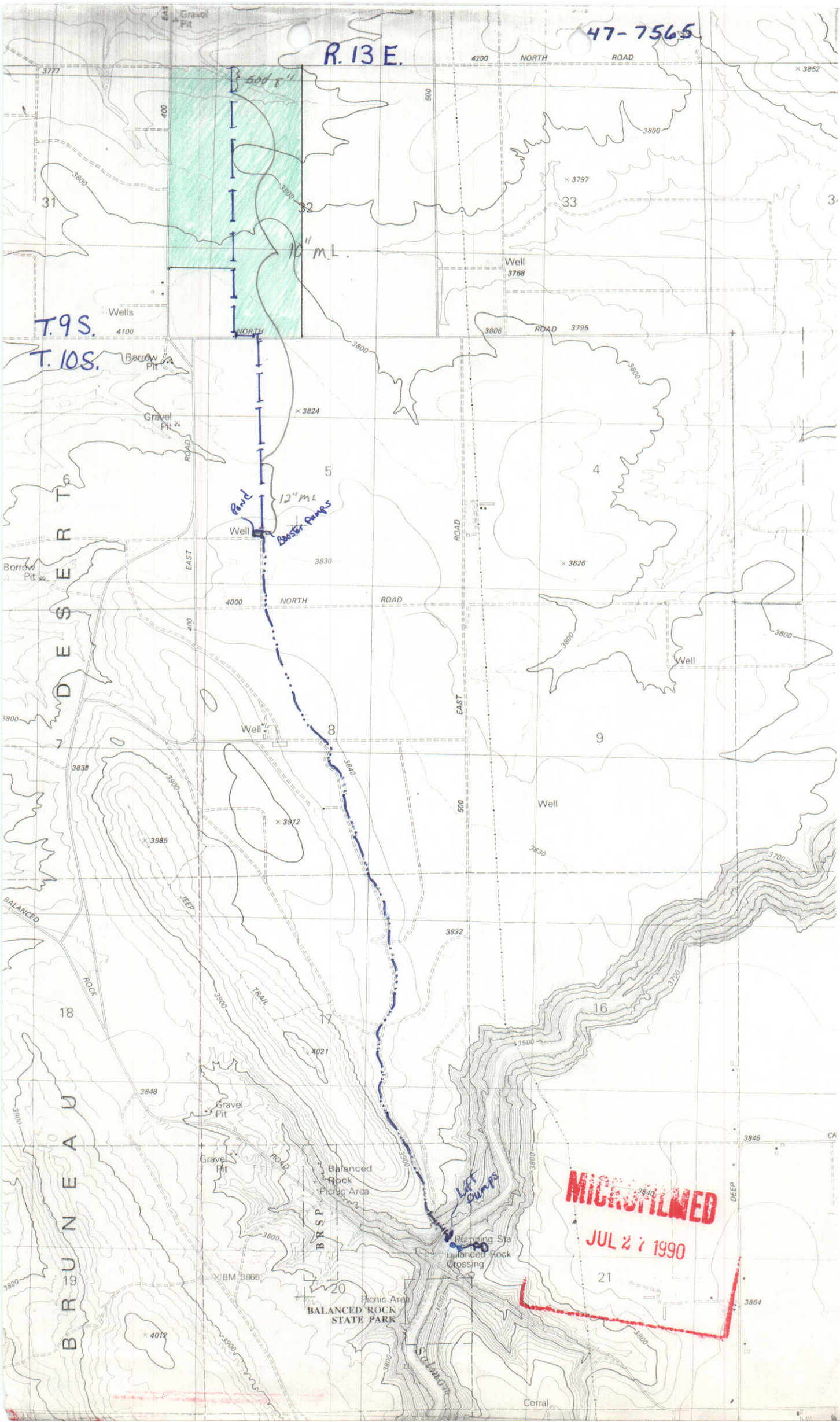
76.9
1
75.5
31
32
33
5
T1322
5

MICROFILMED
JUL 27 1990


47-7565
R. 13 E.
500 8"
10" M.L.
T. 9 S.
T. 10 S.
Pond
12" M.L.
Booster Pumps
Left Bank Pumps
MICROFILMED
JUL 2 ? 1990
DESERT
BRUNEAU
Wells
Well
Borrow Pit
Gravel Pit
Balanced Rock Picnic Area
Balanced Rock Crossing
Pumping Sta
BALANCED ROCK STATE PARK
Picnic Area
Corral
BM 3866
NORTH ROAD
EAST ROAD
JEEP TRAIL
BRSP
3768
3806
3795
3824
3826
3830
3838
3912
3985
3832
4021
3848
3845
3864
4012
3852
3797
3777

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-7565

Notice is hereby given that Jean L. Giuffre' of Boise, Idaho is the holder of approved permit No. 47-7565 authorizing the diversion of 5.6 cubic feet per second of water from a groundwater source in the SENE, Sec. 20, T10S, R13E, B.M., Twin Falls County, to be used for irrigation of 280 acres from March 15 to November 15 within the NW¼, E½SW¼, NWSW, Sec. 32, T9S, R13E B.M.,

The permit holder has applied to the Department of Water Resources for an Amendment to the permit to add additional uses as follows:.

Point of diversion: No change

Place of Use: 4.00 cfs for irrigation of 280 acres from March 15 to Nov. 15 within NW¼, E½SW¼, NWSW, Sec. 32, T9S, R 13E. 1.08 cfs for Commercial from Jan. 1 to Dec. 31; 1.08 cfs for recreational purposes from Jan. 1 to Dec. 31; 1.08 cfs for fish propagation from Jan. 1 to Dec. 31 for a total of 5.08 cfs.

MICROFILMED
JUL 27 1990

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

№ 15264

I, Linda Copps McGuire being first duly sworn upon oath, depose and say that I am Prior Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated July 11, 1985, and ending with the issue dated July 18, 1985.

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

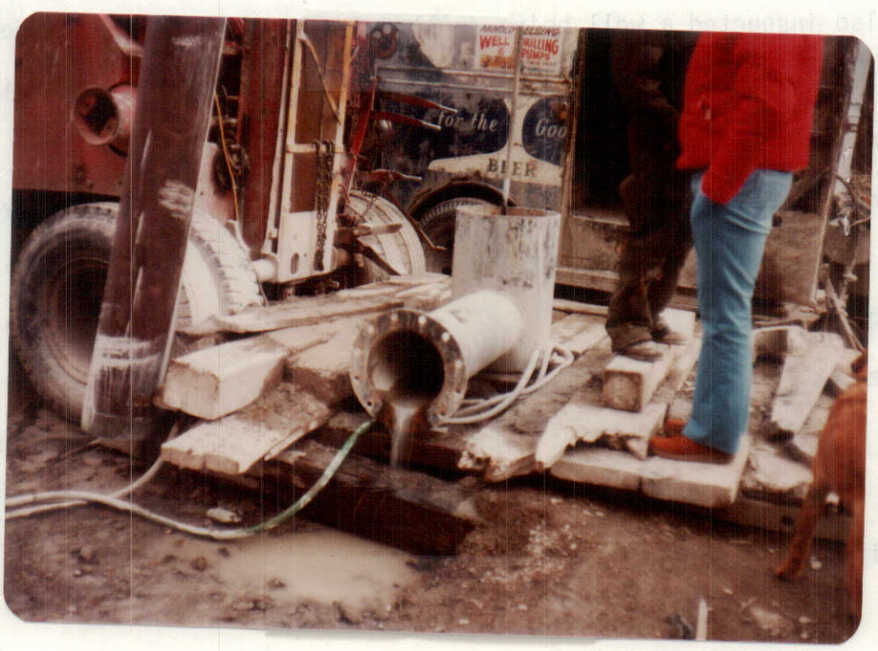
Linda Copps McGuire

Subscribed and sworn to before me on this 24 day of July, 1985.

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

A. Kenn
Director
PUBLISH:
July 11, and 18, 1985
Thursdays

Photos back
Petition front



MCDONALD

13[illegible]0 Salmon Falls Creek near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 E., Gooding County, on left bank 25 ft upstream from U.S. Highway 30, at mile 1.9, and 8.5 miles south of Hagerman.

DRAINAGE AREA.--2,120 sq mi, approximately.

PERIOD OF RECORD.--April to September 1970.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft (from topographic map).

EXTREMES.--Maximum discharge during period, 254 cfs June 17 (gage height, 5.10 ft); minimum, 32 cfs July 15 (gage height, 3.07 ft).

REMARKS.--Records excellent. Flow completely regulated by Salmon River Canal Co. reservoir 44 miles upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Discharge measurements made prior to beginning of continuous discharge record

Date	Discharge (cfs)	Date	Discharge (cfs)
Nov. 5, 1968....	206	Feb. 27, 1970....	159
Apr. 14, 1969....	166	Apr. 2.....	140
Sept. 15.....	172		

NOTE.--Discharge measurements made prior to 1968 are listed in "Miscellaneous Streamflow Measurements in Idaho, 1894-1967", p. 147.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

3.1	36	4.0	121
3.5	70	4.8	216

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1969 TO SEPTEMBER 1970

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1							-	150	105	133	97	160
2							-	144	90	111	105	154
3							-	143	87	89	98	167
4							-	150	82	84	92	167
5							-	138	86	85	92	185
6							172	147	75	81	92	208
7							182	192	78	71	89	203
8							205	183	108	82	83	196
9							197	172	130	70	86	185
10							190	200	167	64	90	180
11							188	211	169	53	85	175
12							185	195	170	59	78	176
13							184	195	196	61	81	182
14							183	195	215	52	84	186
15							180	178	212	52	74	178
16							178	177	192	49	72	184
17							177	156	203	55	74	198
18							180	147	174	48	70	203
19							192	144	155	41	83	205
20							199	139	146	54	83	220
21							195	148	98	67	78	224
22							186	148	82	68	82	223
23							167	139	81	71	89	215
24							163	151	72	75	101	213
25							159	148	54	68	111	216
26							191	119	58	77	96	208
27							228	100	70	97	99	202
28							205	109	98	104	102	201
29					------		196	99	125	105	110	207
30					------		155	89	135	120	112	207
31		------			------		------	101	------	113	167	------
TOTAL							-	4,707	3,713	2,359	2,855	5,828
MEAN							-	152	124	76.1	92.1	194
MAX							-	211	215	133	167	224
MIN							-	89	54	41	70	154
AC-FT							-	9,340	7,360	4,680	5,660	11,560

47 - 7571
47 - 7565
47 - 7669
47 - 7572
47 - 7573
Applicants Ex A.

MICROFILMED

13108150 Salmon Falls Creek near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long [illegible]°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 [illegible] Twin Falls County, on left bank 25 ft upstream from U.S. Highway 30, at mile 1.9, and 8.5 miles south of Ha[illegible]rman.

DRAINAGE AREA.--2,120 sq mi, approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft (from topographic map).

EXTREMES.--Current year: Maximum discharge, 1,360 cfs Jan. 19 (gage height, 9.04 ft); minimum, 44 cfs July 9 (gage height, 3.19 ft).
Period of record: Maximum discharge, 1,360 cfs Jan. 19, 1972 (gage height, 9.04 ft); minimum, 32 cfs July 15, 1970 (gage height, 3.07 ft).

REMARKS.--Records excellent. Flow completely regulated by Salmon River Canal Co. reservoir 44 miles upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

3.2	44	6.0	478
3.5	70	7.0	723
4.0	124	8.0	1,000
5.0	278	8.5	1,170

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1971 TO SEPTEMBER 1972

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	261	254	215	176	158	325	161	218	86	60	119	179
2	267	247	204	176	159	292	161	210	78	50	116	179
3	272	241	209	175	161	421	157	202	82	50	118	178
4	272	242	207	173	161	390	144	194	87	54	108	178
5	263	237	212	167	156	294	144	186	90	63	102	197
6	245	231	211	164	161	303	144	178	114	62	101	201
7	229	234	188	173	172	291	148	172	144	50	102	199
8	231	236	179	181	165	269	153	170	190	49	102	207
9	233	235	183	180	162	264	159	176	222	48	100	207
10	227	230	185	177	159	271	190	170	176	61	107	216
11	224	225	195	179	161	267	210	169	191	59	107	233
12	226	224	195	256	161	258	210	183	182	54	108	233
13	237	225	190	191	168	262	226	169	173	63	104	219
14	236	227	188	178	173	267	226	168	170	53	116	226
15	245	220	186	170	173	265	216	167	169	55	122	216
16	262	218	182	169	219	264	209	166	162	61	123	226
17	264	220	181	172	229	265	207	164	150	63	120	240
18	265	221	181	360	238	253	214	164	136	62	126	251
19	262	217	179	1,160	228	224	221	163	137	63	129	257
20	261	224	175	517	231	221	229	162	112	61	129	263
21	259	222	173	260	240	217	231	162	100	63	132	270
22	255	221	184	249	249	182	232	160	98	66	130	277
23	251	219	187	233	242	166	234	148	100	75	136	283
24	248	217	184	207	244	165	236	144	94	81	130	290
25	251	219	183	182	242	168	234	144	92	72	126	297
26	256	225	184	181	247	163	232	146	97	76	140	304
27	256	228	179	178	247	163	231	146	92	84	149	311
28	262	219	174	172	265	161	230	144	87	92	157	319
29	256	217	171	165	327	163	228	142	72	82	157	327
30	248	216	172	159	------	162	228	122	71	86	161	335
31	259	------	177	158	------	161	------	98	------	104	173	------
TOTAL	7,783	6,811	5,813	7,239	5,898	7,537	6,045	5,087	3,754	2,022	3,850	7,318
MEAN	251	227	188	233	203	243	202	164	125	65.2	124	244
MAX	272	254	215	1,160	327	421	236	218	222	104	173	335
MIN	224	216	171	158	156	161	144	98	71	48	100	178
AC-FT	15,440	13,510	11,530	14,360	11,700	14,950	11,990	10,090	7,450	4,010	7,640	14,520

CAL YR 1971 TOTAL 68,663 MEAN 188 MAX 673 MIN 45 AC-FT 136,200
WTR YR 1972 TOTAL 69,156 MEAN 189 MAX 1,160 MIN 48 AC-FT 137,200

13108150 Salmon Falls Creek near Hagerman, Id.

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.6 S., R.11 E., Twin Falls County, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 sq mi (5,490 sq km), approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft (880 m) (from topographic map).

EXTREMES.--Current year: Maximum discharge, 398 cfs (11.3 cu m/s) Oct. 7 (gage height, 5.94 ft or 1.689 m); minimum, 21 cfs (0.60 cu m/s) July 7 (gage height, 2.99 ft or 0.899 m).
Period of record: Maximum discharge, 1,160 cfs (32.9 cu m/s) Jan. 19, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 21 cfs (0.60 cu m/s) July 7, 1973 (gage height, 1.07 ft or 0.899 m).

REMARKS.--Records good except for October and November, which are fair. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Jan. 13 to Feb. 16, Apr. 13 to May 17, July 16-18, Aug. 20 to Sept. 30)

3.[illegible]	44	5.[illegible]	278
3.[illegible]	79	6.[illegible]	478
4.[illegible]	124		

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1972 TO SEPTEMBER 1973

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	342	229	216	190	179	164	158	174	114	57	91	185
2	350	228	216	185	176	169	157	149	120	49	85	197
3	358	228	216	187	175	169	156	140	126	61	90	201
4	352	244	199	181	178	171	154	149	119	49	98	199
5	362	235	149	173	176	167	154	158	111	43	97	199
6	370	229	143	176	175	159	153	153	105	40	105	180
7	378	253	141	173	180	159	157	155	99	36	106	174
8	343	251	144	175	178	162	168	158	93	36	102	161
9	352	255	148	181	175	175	161	155	93	36	101	169
10	372	260	144	182	177	176	143	147	87	34	112	177
11	344	256	136	182	180	175	154	139	100	30	115	174
12	333	258	135	191	180	169	154	136	98	33	110	168
13	301	255	136	255	177	167	199	108	100	37	108	181
14	316	255	139	242	174	163	199	119	113	40	102	180
15	335	255	143	214	173	161	199	93	120	40	95	181
16	343	253	146	209	172	162	203	74	125	49	99	193
17	298	251	152	223	171	164	211	69	134	50	104	208
18	282	247	146	207	169	164	207	68	146	51	99	225
19	283	253	161	198	170	164	202	85	145	57	100	233
20	283	255	173	190	169	166	219	92	130	67	108	228
21	283	247	163	188	169	166	220	89	108	68	115	236
22	283	242	163	187	170	167	220	86	91	73	109	238
23	282	237	165	182	169	166	210	81	75	87	115	237
24	283	237	166	183	171	163	198	75	71	88	121	239
25	289	240	185	186	170	161	187	86	64	86	133	252
26	291	247	188	185	170	161	177	91	60	88	140	254
27	276	237	196	180	164	173	154	100	64	88	141	248
28	269	238	196	175	162	173	145	113	54	87	143	246
29	267	228	193	174	------	165	157	110	44	90	144	238
30	264	216	187	180	------	162	180	134	48	97	133	224
31	242	------	185	183	------	159	------	101	------	100	139	------
TOTAL	9,726	7,317	5,170	5,917	4,851	5,143	5,357	3,584	2,957	1,847	3,460	6,223
MEAN	314	244	167	191	173	166	179	116	98.6	59.6	112	207
MAX	378	260	216	255	180	176	220	174	146	100	144	254
MIN	242	216	135	173	162	159	143	68	44	30	85	161
AC-FT	19,290	14,510	10,250	11,740	9,620	10,200	10,630	7,110	5,870	3,660	6,860	12,340

CAL YR 1972 TOTAL 70,962 MEAN 194 MAX 1,160 MIN 48 AC-FT 140,800
WTR YR 1973 TOTAL 61,552 MEAN 167 MAX 378 MIN 30 AC FT 122,130

131[illegible]0 Salmon Falls Creek near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.33, T.8 S., R.14 E., Twin Falls County, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 sq mi (5,490 sq km), approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft or 880 m (from topographic map).

EXTREMES.--Current year: Maximum discharge, 302 cfs (8.55 cu m/s) Jan. 15 (gage height, 5.38 ft or 1.640 m); minimum, 35 cfs (0.99 cu m/s) June 26 (gage height, 3.19 ft or 0.972 m).
Period of record: Maximum discharge, 1,360 cfs (38.5 cu m/s) Jan. 19, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 21 cfs (0.60 cu m/s) July 7, 1973 (gage height, 3.04 ft or 0.899 m).

REMARKS.--Records fair. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

3.2	36	4.4	[illegible]
3.5	68	[illegible]	[illegible]
4.0	139	[illegible]	[illegible]

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER [illegible] TO SEPTEMBER [illegible]

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	238	234	221	181	165	158	158	[illegible]	69	65	82	117
2	240	239	218	178	164	196	156	114	66	60	85	120
3	237	242	218	174	164	214	153	114	67	63	97	125
4	237	241	216	175	164	176	153	123	74	71	93	124
5	240	241	219	175	164	164	153	120	97	72	93	134
6	248	240	218	176	162	167	151	113	110	68	87	151
7	250	238	220	178	161	167	151	113	110	62	86	175
8	255	240	221	181	162	165	151	100	101	59	119	182
9	260	236	217	184	165	161	154	[illegible]	134	61	104	158
10	262	235	209	190	165	156	156	[illegible]	125	64	101	154
11	258	232	203	198	165	156	154	[illegible]	122	67	100	158
12	250	232	206	198	165	156	154	113	117	65	110	170
13	249	231	213	194	165	167	153	[illegible]	125	64	101	194
14	248	231	213	187	165	203	171	[illegible]	111	58	96	207
15	242	229	210	201	165	195	174	116	117	74	93	196
16	241	229	210	208	165	217	176	[illegible]	111	73	97	216
17	242	229	212	204	165	191	194	[illegible]	111	58	101	232
18	241	229	201	196	165	171	176	[illegible]	110	58	98	238
19	240	226	194	190	169	165	167	[illegible]	107	60	105	238
20	242	222	188	187	168	158	200	151	95	69	122	237
21	251	220	187	184	136	154	200	148	96	54	134	237
22	251	216	191	182	136	154	201	125	68	58	149	231
23	248	222	187	182	134	153	197	129	68	54	153	232
24	251	229	184	184	134	151	192	97	69	54	146	228
25	252	221	182	188	134	151	187	79	66	69	126	215
26	248	215	181	187	138	151	202	72	68	72	126	206
27	249	211	182	182	138	153	179	71	69	78	134	212
28	248	209	188	180	139	151	185	93	95	93	129	214
29	246	210	188	186	------	148	173	98	90	95	105	218
30	248	217	187	184	------	153	168	71	98	95	122	225
31	248	------	182	185	------	151	------	98	------	84	110	------
TOTAL	7,648	6,846	6,266	5,759	4,420	5,190	5,182	3,314	2,705	2,082	3,490	5,765
MEAN	247	228	202	186	154	168	172	107	90.2	67.2	113	192
MAX	262	242	221	251	165	217	202	151	134	95	153	238
MIN	236	209	181	180	134	148	148	71	66	54	82	117
AC-FT	15,170	13,580	12,430	11,420	8,770	10,290	10,280	6,570	5,370	4,130	6,920	11,440

CAL YR 1973 TOTAL 60,099 MEAN 165 MAX 262 MIN 30 AC-FT 119,200
WTR YR 1974 TOTAL 58,419 MEAN 160 MAX 262 MIN 54 AC-FT 115,900

13108150 Salmon Falls Creek near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 E., Twin Falls County, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 sq mi (5,490 sq km), approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft or 880 m (from topographic map).

AVERAGE DISCHARGE.--5 years, 172 cfs (4.87 cu m/s), 124,600 acre-ft/yr (154 cu hm/yr).

EXTREMES.--Current year: Maximum discharge, 542 cfs (15.3 cu m/s) May 9 (gage height, 6.18 ft or 1.884 m); minimum daily, 25 cfs (0.71 cu m/s) July 9.
Period of record: Maximum discharge, 1,360 cfs (38.5 cu m/s) Jan. 19, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 21 cfs (0.60 cu m/s) July 7, 1973 (gage height, 3.07 ft or 0.899 m).

REMARKS.--Records fair. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which is outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Oct. 1-20, Aug. 23 to Sept. 30)

3.0	23	4.5	218
3.5	68	5.0	306
4.0	138	5.5	402

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1974 TO SEPTEMBER 1975
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	208	245	183	177	161	171	147	219	102	74	69	162
2	193	238	174	180	162	166	148	221	104	48	60	153
3	190	237	180	180	171	162	144	213	118	46	62	158
4	209	244	195	179	169	153	147	213	129	36	72	166
5	211	259	199	182	166	145	150	230	127	33	67	141
6	211	263	208	190	164	130	148	224	107	28	65	144
7	213	263	208	190	164	142	148	209	93	27	67	155
8	224	259	201	191	166	150	148	209	108	34	61	151
9	231	254	196	188	167	155	148	382	123	25	68	133
10	242	250	191	188	166	155	147	363	114	28	73	123
11	237	244	190	183	164	150	129	297	99	27	86	120
12	231	213	191	179	164	145	121	230	82	31	83	124
13	230	206	193	177	164	141	139	218	71	97	77	138
14	224	203	187	177	162	139	179	180	66	68	78	147
15	224	208	183	179	161	136	180	156	73	65	83	153
16	235	206	190	183	162	136	174	138	79	66	127	164
17	228	208	193	185	161	136	172	138	87	82	99	203
18	230	213	183	188	159	138	183	115	115	112	97	213
19	223	209	183	182	161	139	158	115	118	68	95	211
20	228	209	190	172	167	147	174	132	118	73	104	219
21	245	211	188	174	159	161	211	182	124	91	117	230
22	272	209	187	171	153	161	193	187	129	86	115	238
23	259	209	183	171	148	155	177	196	121	93	115	214
24	254	213	179	171	153	150	175	198	130	101	141	214
25	252	214	177	172	159	150	177	218	142	97	120	211
26	252	211	180	172	159	151	180	214	164	97	107	209
27	250	203	191	169	162	161	183	172	147	97	105	206
28	254	199	190	166	166	151	180	172	127	66	108	204
29	259	198	187	162	---	147	179	167	111	51	118	198
30	250	193	185	162	---	148	193	142	97	48	130	193
31	247	---	179	161	---	147	---	126	---	46	145	---
TOTAL	7216	6691	5844	5481	4540	4618	4932	6176	3325	1941	2914	5295
MEAN	233	223	189	177	162	149	164	199	111	62.6	94.0	177
MAX	272	263	208	191	171	171	211	382	164	112	145	238
MIN	190	193	174	161	148	130	121	115	66	25	60	120
AC-FT	14310	13270	11590	10870	9010	9160	9780	12250	6600	3850	5780	10500

CAL YR 1974 TOTAL 57410 MEAN 157 MAX 272 MIN 34 AC-FT 113900
WTR YR 1975 TOTAL 58973 MEAN 162 MAX 382 MIN 25 AC-FT 117000

13108150 SALMON FALLS CREEK NEAR HAGERMAN, ID

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 E., Twin Falls County, Hydrologic Unit 17040213, on left bank, 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 mi² (5,490 km²), approximately.

WATER-DISCHARGE RECORDS

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft (884 m) (from topographic map).

REMARKS.--Records good. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which is outside the basin. Flow past gage is partially regulated during irrigation season by small diversion dam 0.9 mi (1.4 km) upstream.

AVERAGE DISCHARGE.--6 years, 172 ft³/s (4.87 m³/s), 124,600 acre-ft/yr (153 hm³/yr).

EXTREMES FOR PERIOD OF RECORD.--Maximum discharge, 1,360 ft³/s (38.5 m³/s) Oct. 10, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 12 ft³/s (0.34 m³/s) July 2, 1970 (gage height, [illegible]).

EXTREMES FOR CURRENT YEAR.--Maximum discharge, 408 ft³/s (11.6 m³/s) Oct. 10 (gage height, 5.41 ft or 1.649 m); minimum, 12 ft³/s (0.34 m³/s) July 2 (gage height, 2.79 ft or 0.850 m).

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Oct. 1 to Dec. 12, July 18 to Sept. 30)

2.8	14	4.0	138
3.0	23	4.5	218
3.3	46	5.0	306
3.6	81	5.5	402

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1975 TO SEPTEMBER 1976
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	195	247	187	169	167	195	180	173	76	14	55	140
2	206	247	191	166	166	190	185	164	70	16	117	137
3	204	243	190	164	169	182	180	163	60	23	140	128
4	204	238	208	167	171	177	193	144	46	17	151	134
5	204	238	216	163	167	174	196	145	97	22	149	144
6	208	233	245	165	161	174	194	138	109	20	156	161
7	228	228	247	174	153	177	194	152	123	14	143	161
8	242	226	245	175	156	177	214	135	107	14	140	200
9	252	230	243	235	171	175	204	143	113	20	140	211
10	257	231	243	209	175	175	228	156	113	22	96	213
11	261	228	243	183	174	177	250	171	232	21	83	230
12	265	230	243	175	175	175	273	174	248	19	90	244
13	259	226	237	171	172	177	272	178	202	25	93	255
14	261	233	183	171	171	178	270	187	191	34	78	270
15	266	233	178	167	171	178	265	193	175	25	85	271
16	275	235	185	221	177	174	266	191	150	16	135	300
17	281	233	187	214	175	174	270	192	142	19	155	324
18	281	228	182	187	175	213	270	179	152	21	142	320
19	295	224	182	178	177	206	266	178	118	34	137	312
20	284	219	180	174	172	230	256	168	113	31	203	300
21	279	223	180	172	174	190	263	174	115	28	144	293
22	275	216	183	172	172	180	257	173	108	24	178	284
23	282	214	182	172	172	179	249	171	97	23	205	282
24	273	214	180	172	174	183	259	171	86	30	148	280
25	256	213	177	174	169	177	256	173	89	42	201	283
26	261	209	174	174	178	174	242	174	93	55	147	281
27	261	214	172	172	180	172	237	176	95	56	143	277
28	273	209	169	174	208	172	223	177	98	58	146	273
29	268	193	164	169	206	174	213	177	97	59	155	265
30	257	177	172	167	---	177	196	174	98	61	173	261
31	249	---	172	166	---	174	---	177	---	78	155	---
TOTAL	7696	6732	6140	5572	5028	5708	7044	5054	4313	955	4657	7274
MEAN	254	224	198	179	173	184	235	163	144	30.8	150	242
MAX	295	247	247	235	208	208	273	193	248	78	205	324
MIN	195	177	164	164	153	172	180	143	70	14	78	128
AC-FT	15660	13350	12180	11050	9970	11320	13970	10030	8550	1890	9240	14430

CAL YR 1975 TOTAL 59990 MEAN 164 MAX 382 MIN 25 AC-FT 119000
WTR YR 1976 TOTAL 63680 MEAN 173 MAX 324 MIN 14 AC-FT 126300

13108150 SALMON FALLS CREEK NEAR HAGERMAN, ID

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 E., Twin Falls County, Hydrologic Unit 17040213, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 mi² (5,490 km²), approximately.

WATER-DISCHARGE RECORDS

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft or 880 m (from topographic map).

REMARKS.--Records good. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which is outside the basin. Flow past gage is partially regulated during irrigation season by small diversion dam 0.9 mi (1.4 km) upstream.

AVERAGE DISCHARGE.--7 years, 168 ft³/s (4.76 m³/s), 121,700 acre-ft/yr (150 hm³/yr).

EXTREMES FOR PERIOD OF RECORD.--Maximum discharge, 1,360 ft³/s (38.5 m³/s) Jan. 19, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 5.8 ft³/s (0.16 m³/s) July 9, 1977 (gage height, 2.51 ft or 0.765 m).

EXTREMES FOR CURRENT YEAR.--Maximum discharge, 286 ft³/s (8.10 m³/s) Oct. 17 (gage height, 4.99 ft or 1.520 m); minimum, 5.8 ft³/s (0.16 m³/s) July 9 (gage height, 2.51 ft or 0.765 m).

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Oct. 1-22, May 27 to July 2)

2.7	11	3.6	81
2.8	14	4.0	138
3.0	23	4.5	218
3.3	46	5.0	306

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1976 TO SEPTEMBER 1977
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	250	231	198	177	171	162	161	67	75	19	54	108
2	256	231	198	177	175	161	153	67	58	20	52	113
3	275	230	191	186	175	159	71	49	24	54	54	112
4	273	223	191	186	172	155	153	41	32	22	54	127
5	265	223	193	174	172	154	115	48	26	25	77	136
6	257	223	193	175	172	150	99	111	28	28	86	142
7	254	223	191	176	174	148	93	142	32	25	59	134
8	252	219	191	167	174	153	101	141	39	24	48	128
9	252	219	193	169	175	159	108	135	63	15	41	101
10	263	221	196	171	177	156	86	123	72	13	74	92
11	261	219	198	171	177	155	90	117	79	18	59	85
12	255	221	199	176	175	153	79	121	91	17	49	88
13	254	224	198	175	178	151	79	112	105	18	43	88
14	249	231	199	180	178	148	83	93	121	16	39	85
15	242	233	199	182	175	144	86	90	135	18	42	88
16	240	235	201	176	177	158	82	101	140	18	41	106
17	258	233	199	177	178	161	73	95	115	16	35	152
18	254	230	198	177	175	130	84	97	124	13	31	165
19	247	230	191	175	175	159	78	101	99	14	32	169
20	249	230	191	175	174	159	97	106	101	16	46	169
21	254	230	190	175	174	158	94	101	90	19	47	184
22	252	230	185	174	174	151	91	87	83	21	38	193
23	250	228	183	176	166	150	73	109	64	25	33	204
24	249	233	187	174	158	167	58	147	39	38	32	216
25	250	233	183	174	159	161	56	169	23	64	41	212
26	250	223	182	174	167	161	55	178	21	72	74	212
27	257	216	182	161	164	160	57	180	18	64	92	207
28	243	187	187	164	162	140	63	185	18	56	95	199
29	238	182	185	167	---	147	56	174	17	47	97	194
30	231	190	182	167	---	163	44	145	23	47	102	191
31	233	---	179	171	---	171	---	109	---	51	114	---
TOTAL	7802	6681	5935	5384	4823	4911	2592	3614	1943	881	1829	4404
MEAN	252	223	191	174	172	158	86.4	117	64.7	28.4	59.0	147
MAX	275	235	201	186	178	170	161	185	140	72	114	216
MIN	231	182	179	161	158	130	44	47	17	13	31	85
AC-FT	15480	13250	11770	10680	9570	9740	5140	7170	3850	1750	3630	8740

CAL YR 1976 TOTAL 63330 MEAN 173 MAX 324 MIN 14 AC-FT 125600
WTR YR 1977 TOTAL 50903 MEAN 139 MAX 275 MIN 13 AC-FT 101000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5406
WATER RIGHT NO. 47-07565

This is to certify that: **DRISCOLL BROTHERS PARTNERSHIP**
C/O BROCK DRISCOLL
2250 S 3200 W
ABERDEEN ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	* 4.47 CFS	** 1104.0 AF

SOURCE

GROUNDWATER

Priority: 08/30/1979

LOCATION OF POINT(S) OF DIVERSION:
Injection — SENE , Sec. 20, Township 10S, Range 13E
Rediversion — SENE , Sec. 20, Township 10S, Range 13E
SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	34	NENE	39	NWNE	40	SWNE	40	
			SENE	39	NESE	39	NWSE	40	
			SESE	39					276 **
					Total number of acres irrigated:				276 **

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

MICROFILMED
APR 1 0 2000

TRANSFER NO. 5406
WATER RIGHT NO. 47-07565

CONDITIONS OF APPROVAL AND REMARKS

3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Measuring devices of a type approved by this Department shall be maintained at the point of injection into Salmon Falls Creek and at the point of rediversion from Salmon Falls Creek.
* 10. Rights 47-02316B, 47-02402, 47-02417, 47-07565, 47-07569, 47-07615, 47-07618 and 47-07642 when combined shall not exceed a total diversion rate of 24.71 cfs.
** 11. Rights 47-07565 and 47-07569 when combined shall not exceed a total annual maximum diversion volume of 1104.0 af at the field headgate and the irrigation of 276 acres.

Dated this 21st day of March, 2000.

L. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED
APR 18 2000

12-92

Page 1 of 5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5406

RECEIVED
DEC 14 1998
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
JUN 17 1999
Department of Water Resources

Name of applicant DRISCOLL BROTHERS PARTNERSHIP % BROCK DRISCOLL Phone 208-226-2168

Post Office address 2250 So. 3200 W. ABERDEEN, ID. 83210

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add ~~diversion~~ EXISTING INJECTION & REDIVERSION point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes TO MOVE WATER RIGHT TO ANOTHER PART OF OUR FARM THAT WE RECENTLY PURCHASED. ALSO TO MORE ACCURATELY DESCRIBE WATER RIGHT BY LISTING THE POINT OF INJECTION INTO AND REDIVERSION FROM SALMON FALLS CREEK

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
47-07565	08/30/1979	4.47 cfs	IRRIGATION	03/15 to 11/15
				to
				to
				to

2. Total amount of water being transferred 4.47 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	TWIN FALLS	POINT OF DIVERSION (WELL)
		SE	NE	20	10S	13E	TWIN FALLS	POINT OF INJECTION INTO SALMON FALLS CREEK
		SE	NE	20	10S	13E	TWIN FALLS	POINT OF REDIVERSION FROM SALMON FALLS CREEK

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
09S	13E	34	39	40	40	39									39	40		39	276

MICROFILMED
SEP 14 2000

Total acres 276

PART 1

6. General Information:

a. Description of diversion system WELL (ARTESIAN) ON EAST SIDE OF SALMON FALLS CREEK, WATER IS DUMPED INTO SALMON FALLS CREEK, THEN PUMPED OUT OF SALMON FALLS CREEK, AND DELIVERED TO PLACE OF USE VIA DITCH AND PIPELINE(S).

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

CURRENT PLACE OF USE, WEST 1/2 SECTION 32 (T09S, R13E), WILL NO LONGER BE IRRIGATED WITH THIS RIGHT. A COMPANION TRANSFER IS BEING FILED TO MOVE WATER RIGHT 47-02369 TO THE WEST 1/2 SECTION 32 (T09S, R13E).

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

_____

MICROFILMED

APR 18 2000

TRANS NO. 5406

PART 2

RECEIVED
DEC 14 1998
Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-07565

STAGE: LICENSE LICENSED IN 1990

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	4.47 CFS	1104.0 AF

SOURCE

GROUNDWATER

Priority: 08/30/1979

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

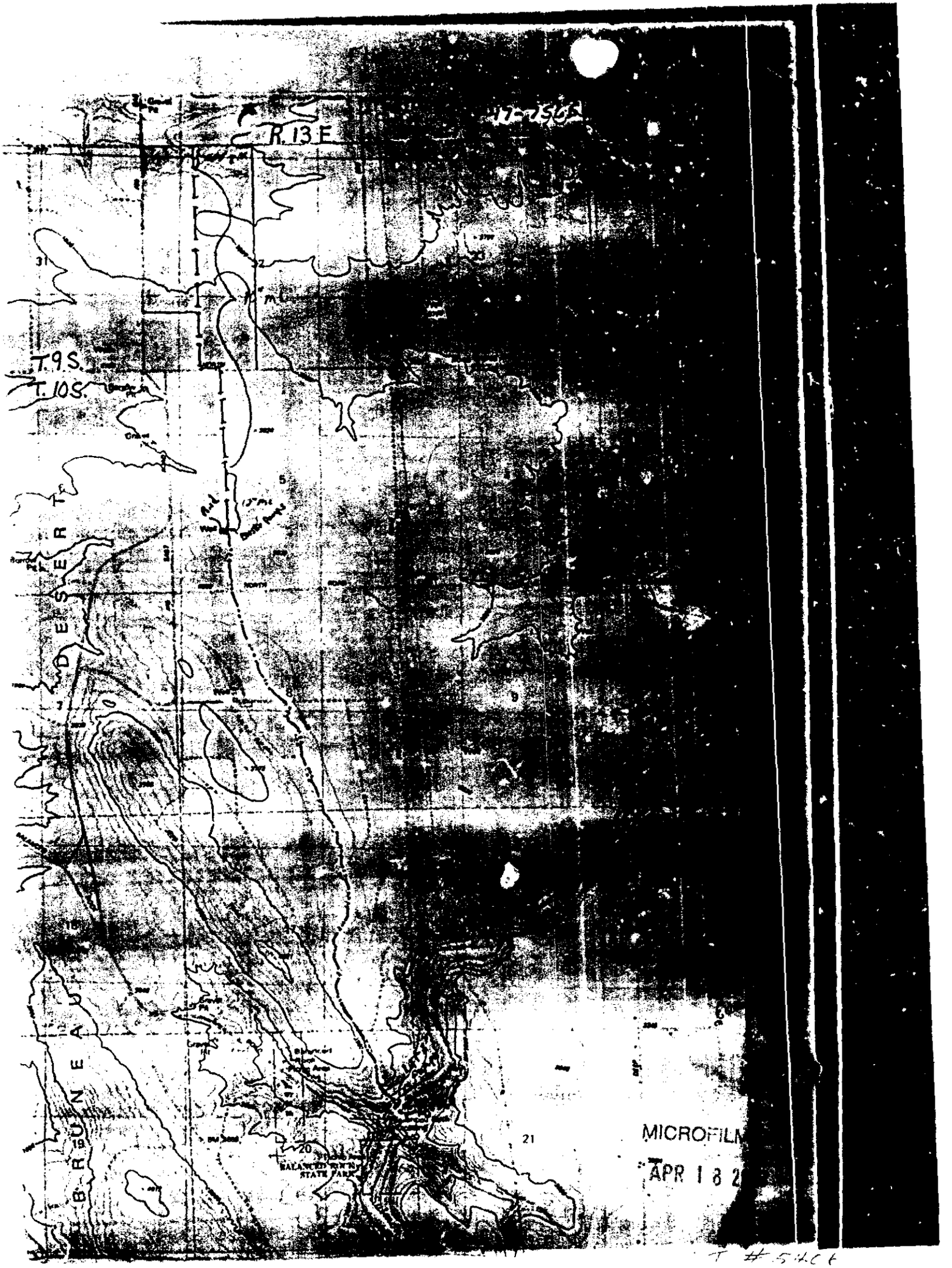
PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	32	NENW	40	NWNW	39	SWNW	39	
			SENW	40	NESW	40	NWSW	39	
			SESW	39					276
					Total number of acres irrigated:				276

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. A measuring device of a type approved by this Department shall be maintained at the point of injection into and point of diversion from Salmon Falls Creek.

MICROFILMED
APR 18 2000


R.13 E.
T.9 S.
T.10 S.
DESERT
BRUNEAU
BALANCED ROCK STATE PARK
MICROFILM
APR 18 2

T10S

RANGE
13 EAST

OLD PLACE OF USE

NEW PLACE OF USE

PROPOSED DITCH

TO MAINLINE(S)

EXISTING DITCH

POINT OF REDIVERSION (FROM CREEK)

POINT OF DIVERSION (WELL)

T10S

RECEIVED
DEC 4 1998
Department of Water Resources
Southern Region

Transfer No. 5406

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Driscoll Brothers By Brent Driscoll
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of December, 1998.

Stan Cell
(Notary Public)

My commission expires 12/7/2000

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 2 attachments

Received by C. SKINNER Date 12/14/1998 Protest filed by None

Prelim. check by C. SKINNER Fee $100.00 S021676

Receipted by C. SKINNER Date 12/14/1998

Published in Butte Herald, Sumter, Texas Copies of protest forwarded by

Pub. dates Mar 10 & 17; 3/11 & 3/18/99 Hearing held by Date

Watermaster recommendation requested on 2/24/99 Recommended for ☒ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

MICROFILM
APR 18 2000

EXHIBIT B

OPTION TO PURCHASE REAL ESTATE

This Option is given the 5th day of June, 1996, by Jean L. Giuffré and James V. Giuffré, wife and husband (the Optionors), to Driscoll Brothers Partnership, a partnership consisting of Brock Driscoll, Dirk Driscoll, Loraine Driscoll, and Thayne Driscoll (the Optionee).

1. Grant of Option. The Optionors, in consideration of the sum of $20,000 received from the Optionee, give the Optionee the exclusive option to purchase, upon the following terms and conditions, that certain real estate and appurtenant water rights in Twin Falls County, Idaho (the real property) described in Exhibit "A."

2. Option Period. This Option shall run from the date hereof and shall terminate on November 1, 1997.

3. Exercise of Option. This Option may be exercised at any time during the aforementioned period by written notice to the Optionors, delivered or mailed by certified mail, return receipt requested, to the Optionors.

4. Price. The purchase price for the property is $112,000.00, payable by the Optionee as follows:

(a) $20,000, the sum paid for the Option, shall be credited against the purchase price. Payment of $20,000 Acknowledged. Kenneth O. Marshall

(b) The balance of the purchase price, $92,000, shall be deposited into escrow with the escrow agent in cash after the option is exercised and on or before the closing date.

MICRO

SEP 18 2000

5. Additional Consideration - CRP Program. The parties understand that the real estate described in Exhibit A is presently in the CRP program, under a contract running through 1997. $13,750 is due to Jean L. Giuffré under the CRP contract for

T# 5406

COPY

EXHIBIT A

NW¼, N½SW¼ and SE¼SW¼, all in Section 32, Township 9 South, Range 13 East of the Boise Meridian, Twin Falls, County, Idaho.

ON 12/28/1998
I CONTACTED THE
TWIN FALLS COUNTY
ASSESSOR'S OFFICE AND
THEY VERIFIED THAT
DRISCOLC BROTHERS
OWNS THE WEST 1/2
OF SECTION 32 (T09S, R13E)

MICRO

APR 18 2000

COPY

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07565

Priority: August 30, 1979

Maximum Diversion Rate: 4.47 CFS
Maximum Diversion Volume:[1] 1104.0 AF

This is to certify, that JEAN L. GIUFFRE
RT. 4 BOX 100
ASOTIN, WA 99402 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 30, 1979; and has submitted Proof of Beneficial Use on June 4, 1985. An examination indicates that the works have a diversion capacity of 6.180 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	4.47 CFS	1104.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	32	NENW	40	NWNW	39	SWNW	39	
			SENW	40	NESW	40	NWSW	39	
			SESW	39					276

Total number of acres irrigated: 276

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 47G
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per a[illegible] lands above.

MICROFILMED
JUL 2 7 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07565

CONDITIONS/REMARKS:

7. A measuring device of a type approved by this Department shall be maintained at the point of injection into and point of diversion from Salmon Falls Creek.

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 24th day of July, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED
JUL 27 1990

Form 211
5/78

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
JUN 4 1985
Department of Water Resources
Southern District

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

Comes now Jean L. Giaffre'

of (address) 10945 Janie Road - Boise, Idaho 83703, 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. 47-7565, and requests that the permit and permit map be changed as follows:
NO CHANGE

1. Point of diversion: SE ¼ NE ¼, Section 20, Township 10S, Range 13E, B.M., County of Twin Falls. Other points of diversion: _____

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

Amount 4.0 (cfs or acre feet per annum) for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
Amount 1.08 (cfs or acre feet per annum) for commercial purposes from 1/1 to 12/31 (both dates inclusive)
Amount 1.08 (cfs or acre feet per annum) for recreation purposes from 1/1 to 12/31 (both dates inclusive)
Amount 1.08 (cfs or acre feet per annum) for fish prop purposes from 1/1 to 12/31 (both dates inclusive)
TOTAL 5.08

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Irrigation -		NO CHANGE																	
9S	13E	32					40	40	40	40	40	40		40					280
OTHER USES:																			
10S	13E	20				X													

Total number of acres to be irrigated = 280

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall
Irrigation - Applicant -US Gov't-DLE I-331-(943

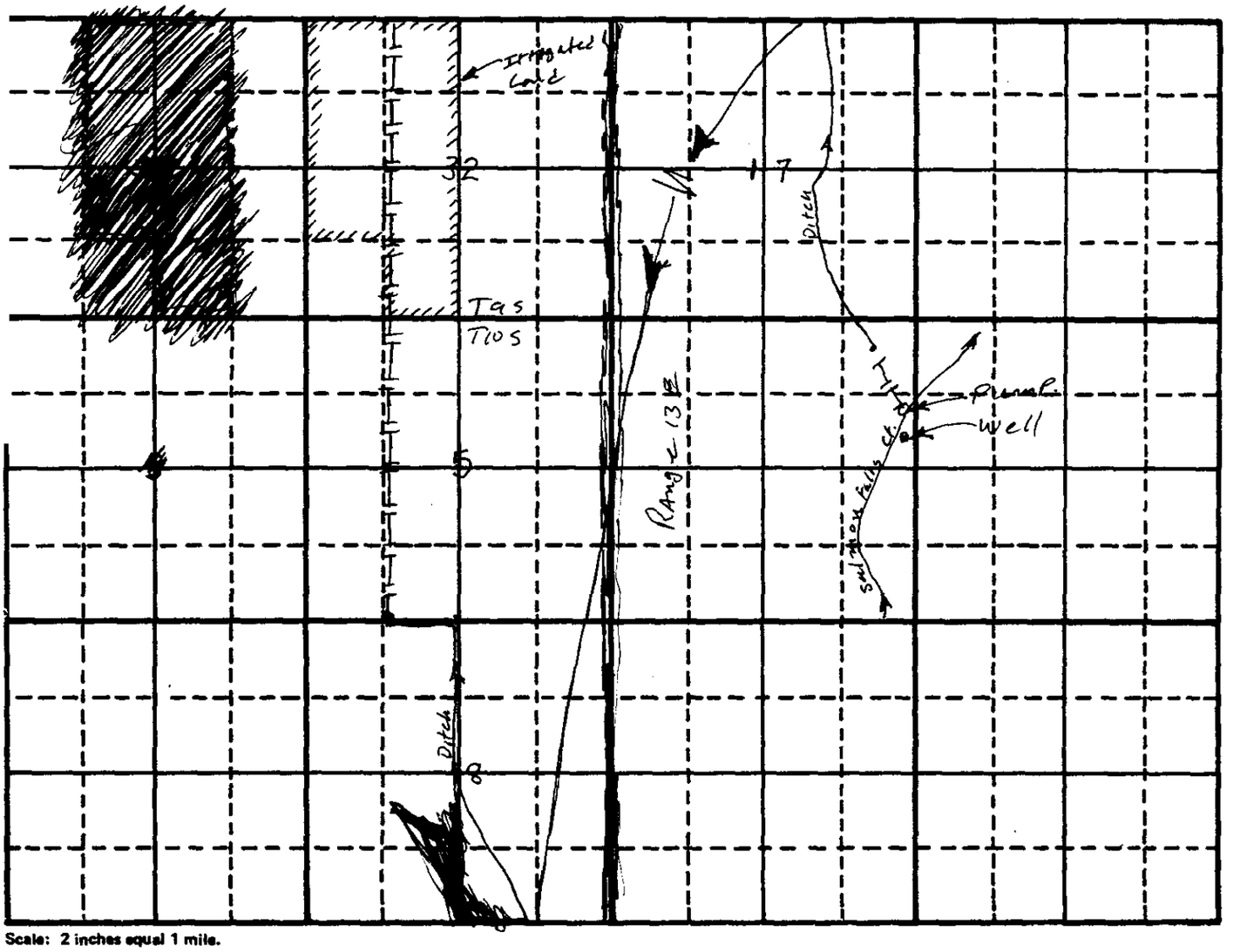
b. Who owns the land to be irrigated or the place of use? Other Uses - Ken & Wayne Marshall

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant owns the well & 50% of the pumping plant
This application is made to develop cascading uses of the warm water while maintaining the same annual volume diverted.

MICROFILMED
JUL 2 7 1990

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at _____, this 31st day of May, 19 85.

Jean L Griffis
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by JK Fee = $20.00 Receipted by mary Date 5/30/85 # 35371

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

MICROFILMED
JUL 27 1990

Witness my hand this _____ day of _____, 19 ____.

Director

Form 211
5/78

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Jean L. Giuffré

of (address) 10945 Janie Rd., Boise, Ida. 83703, 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. 47-7565, and requests that the permit and permit map be changed as follows:

1. Point of diversion: No change ¼ ____ ¼, Section _____, Township _____, Range _____, B.M., County of _____. Other points of diversion: _____

Water to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 200 ft downstream from the injection point.

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

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

3. Place of use or land to be irrigated: No change.

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? No change

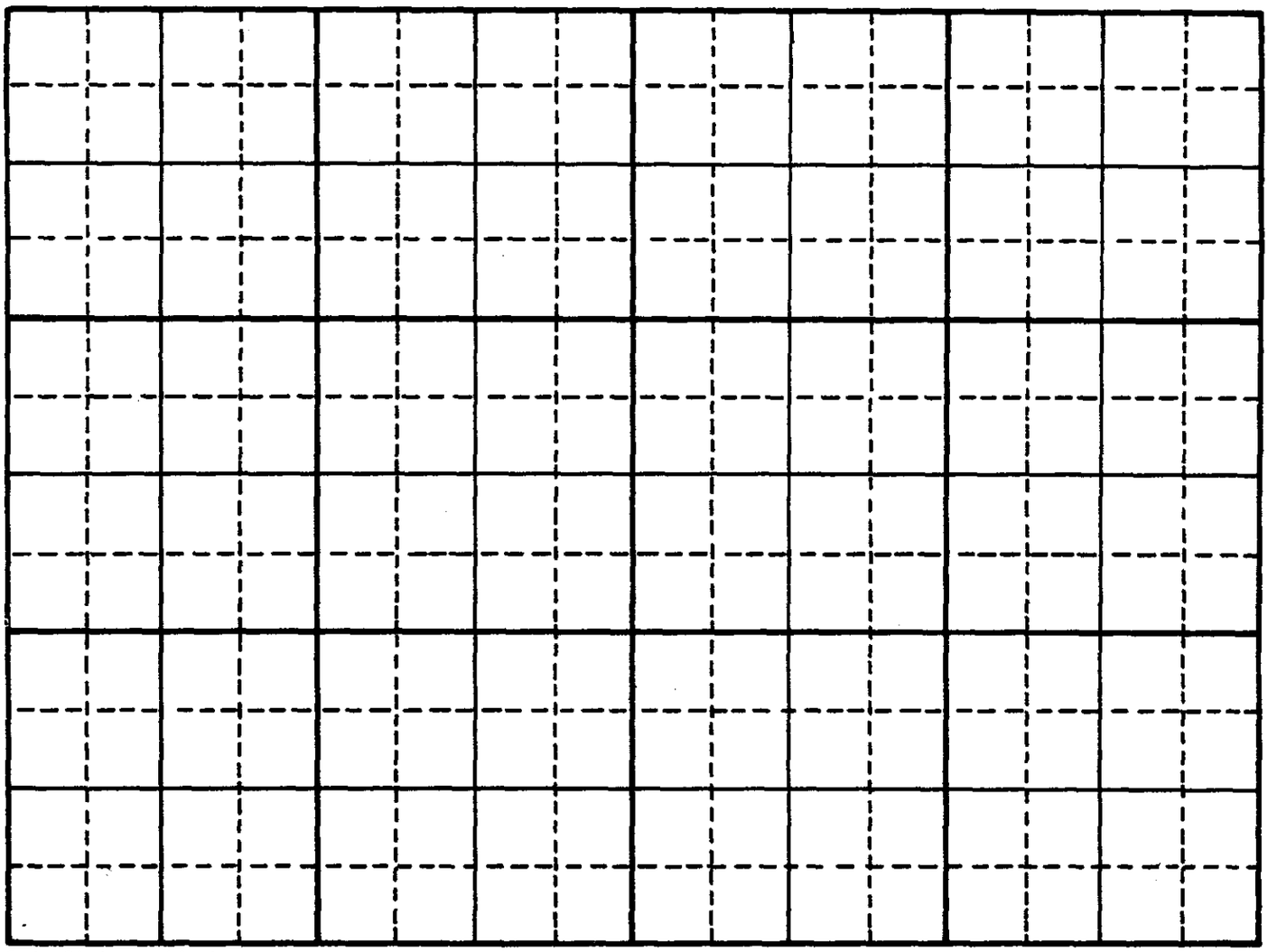
b. Who owns the land to be irrigated or the place of use? No change

If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: No change

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at _____, this 8TH day of MARCH, 1982.

× Joan L Marshall × Joan L Giuffré
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by G.F. Fee = $20.00 Receipted by TGB Date 3-6-82 #22070

Publication prepared by mmf Date 3/24/82 Published in Times News

Publication dates 4/1 & 4/8/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

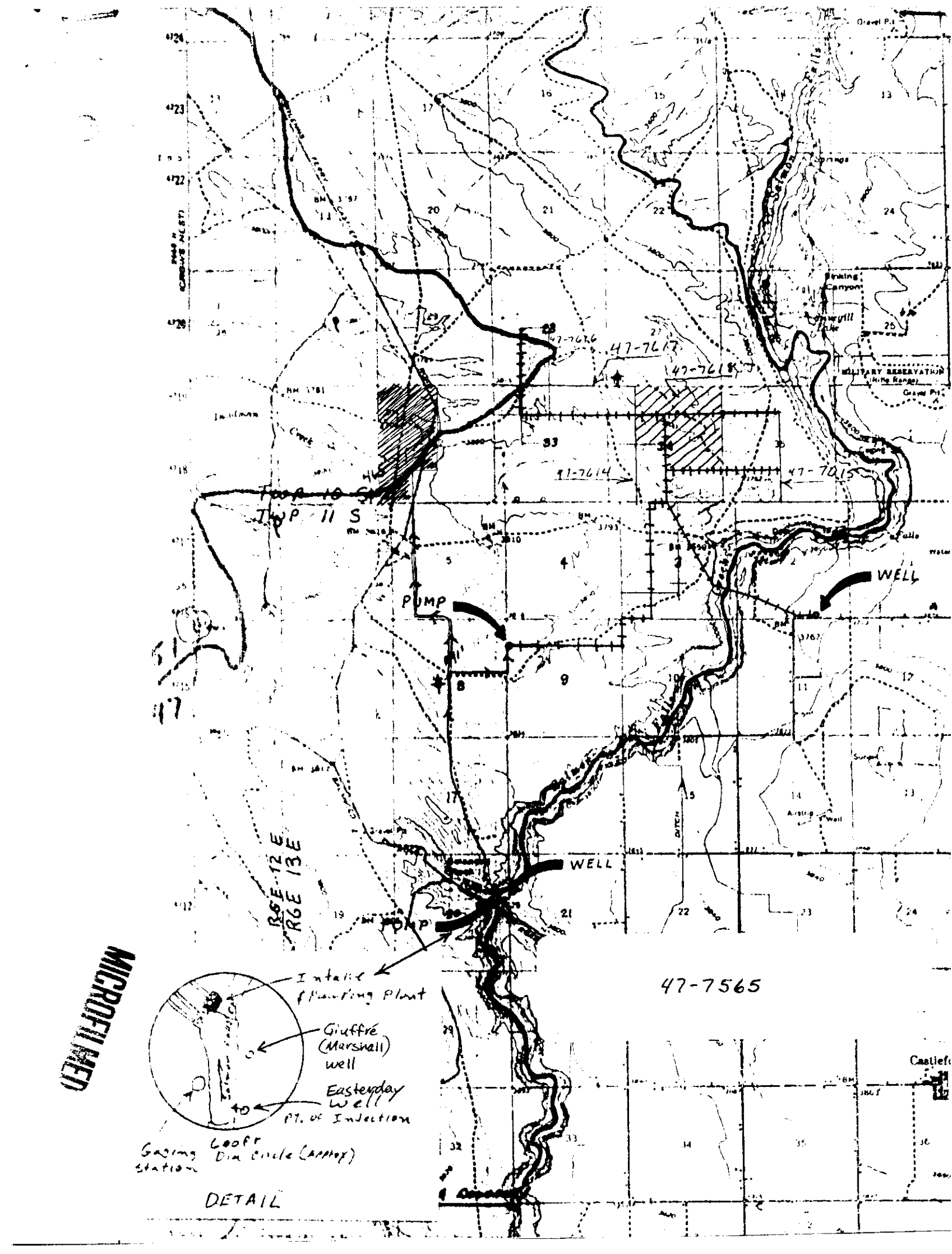
I, L. GLEN SAXTON of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 47-7565 with the following conditions: 1. Pursuant to Memorandum Decision and Order dated December 5, 1980. 2. Use of water under this permit is subject to control by the watermaster of State Water District No. 47-G, Salmon Falls Creek. 3. A measuring device of a type approved by the Department shall be permanently installed and maintained at the point of injection and at the point of rediversion from Salmon Falls Creek. 4. Water discharged into Salmon Falls Creek shall meet Idaho Water Quality Standards.

Witness my hand this 13th day of May, 1982.

MICROFILMED

L. Glen Saxton
Chief, Operations Bureau


47-7616
47-7617
47-7618
47-7614
47-7615
47-7565
TWP 11 S
PUMP
WELL
PUMP
WELL
RGE 12 E
RGE 13E
Intake
Pumping Plant
Giuffré
(Marshall)
well
Easterday
Well
Pt. of Injection
Gaging Station
Loop Dia Circle (Approx)
DETAIL
MICROFILMED

L..GAL NOTICE

NOTICE OF AMENDMENT TO A WATER RIGHT NO. 47-7565

Notice is hereby given that Jean L. Marshall Giuffre is the holder of approved permit No. 47-7565 authorizing the diversion the of 5.6 cubic feet per second of water from groundwater in the SE¼NE¼, Sec. 20 T10S, R13E, B.M. County of Twin Falls, to be used for irrigation (on 280 acres) within NW¼, E½SW¼, NW¼SW¼, Sec. 32, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, as follows:

Point(s) of Diversion: No change

Water to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 200 feet downstream from the injection point.

Place of Use: No Change

Any protest against approval of the amending of Permit No. 47-7565 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before April 19, 1982.

MICROFILMED

RECEIVED
APR 22 1982
Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

No 11397

I, [illegible] being first duly sworn upon oath, depose and say that I am [illegible] of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 2 consecutive issues, commencing with the issue dated April 8, 1982, and ending with the issue dated April 8, 1982.

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

[illegible]

Subscribed and sworn to before me on this 8 day of April, 1982

[illegible]

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL OF APPLICATION FOR PERMIT NO. 47-7565 IN THE NAME OF JEAN L. MARSHALL

MEMORANDUM DECISION AND ORDER

On August 30, 1979, Jean L. Marshall, Twin Falls, Idaho made application to the Department of Water Resources to appropriate groundwater. The application proposed to divert 5.60 cubic feet per second of water by means of a drilled well located in the SE¼NE¼, Sec. 20, Twp. 10S, Rge. 13E B.M., Twin Falls County, to be used for irrigation of 280 acres during the period of March 15 and November 15. Lands to be irrigated are located within the NW¼, N½SW¼, SE¼SW¼, Sec. 32, Twp. 9S, Rge. 13E B.M.

Notice of the application was published in the Twin Falls Times News on September 13 and 20, 1979.

On September 24, 1979, a protest against the application was received from the Magic Water Company, Inc. The issues raised in the protest are as follows:

1) That the proposed well would reduce the quantity of water available to fulfill Magic Water Company's permit and that the well would reduce the amount of water in Salmon Falls Creek and would also inhibit or reduce springs flowing into Salmon Falls Creek.

2) That the water supply is insufficient for the purpose for which it is sought to be appropriated.

3) That the application is not made in good faith.

4) That the application is made for delay and/or speculative purposes.

On November 27, 1979, a conference in the matter was held in Twin Falls, Idaho. The applicant was represented by W. F. Ringert, attorney, and the protestant was represented by Kenneth P. Elkin, president of Magic Water Company, Inc. and William L. Nungester, attorney. At the conference, the protestant maintained that a well located near Salmon Falls Creek as indicated by the applicant's proposal could possibly affect water levels in wells within the Blue Gulch Area. It was the position of the applicant that since the well was to be located outside the boundary of the Blue Gulch Critical Groundwater Area that groundwater must be considered available for appropriation and that a permit must be issued.

The parties agreed to allow the Department to issue a decision without formal hearing.

MICROFILMED

Based upon information cintained in the records of the Department and information obtained at the conference in the matter and upon his understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1) The well location proposed by the applicant is not within the boundaries of a critical groundwater area.

2) Studies done by the Department and published as Bulletin No. 20, Water Resources of the Blue Gulch Area show that insufficient groundwater supplies exist on the west side of Salmon Falls Creek where the place of use is located. Studies published as Department of Water Resources Bulletin No. 22, Water Resources of the Twin Falls Tract also show there is considerable inflow from groundwater to Salmon Falls Creek from the east side as a result of irrigation on the Twin Falls Tract.

3) There is a confining layer between water bearing strata in the Idavada volcanic formation located about 500 feet below land surface.

4) The applicant has filed Desert Land Entry No. I-331 on the land described in the application.

CONCLUSIONS OF LAW

1) The applicant is entitled to a permit to appropriate groundwater subject to any prior water rights that may be affected by the appropriation.

2) The well must be constructed with unperforated casing to a depth of 500 feet and in a manner that will prevent the depletion of water from Salmon Falls Creek.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 47-7565 is APPROVED subject to the following conditions:

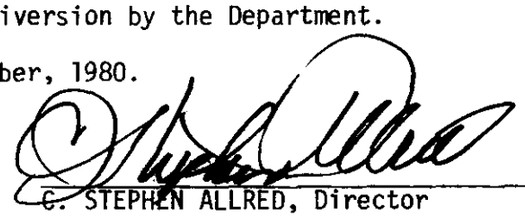
1) Subject to all prior rights.

2) Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1985.

3) The well must be cased with unperforated casing into a confining layer below the first aquifer in order to prevent interference with surface flows in Salmon Falls Creek.

4) 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.

Dated this 5 day of December, 1980.



G. STEPHEN ALLRED, Director

Form 202
3/78

Ident. No. 47-1565

RECEIVED
AUG 30 1979
Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jean L. Marshall Phone 733-3983

   Post office address 185 Blair Drive, Twin Falls, Idaho 83301

2. Source of water supply Drilled well (Groundwater) which is a tributary of _____

3. Location of point of diversion is SE ¼ of NE ¼ of Section 20 Township 10S

   Range 13E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 5.6 (cfs or acre-feet per annum) for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 5.6 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. pumps, pipelines, ditches & sprinkler laterals

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

      Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:
   a. If water is not for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

      (3) List number of each kind of livestock to be watered _____

      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

      (5) If water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	13E	32					40	40	40	40	40	40		40					280

Total number of acres to be irrigated 280

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

9. a. Who owns the property at the point of diversion ~~Ken Marshall & Wayne Marshll~~

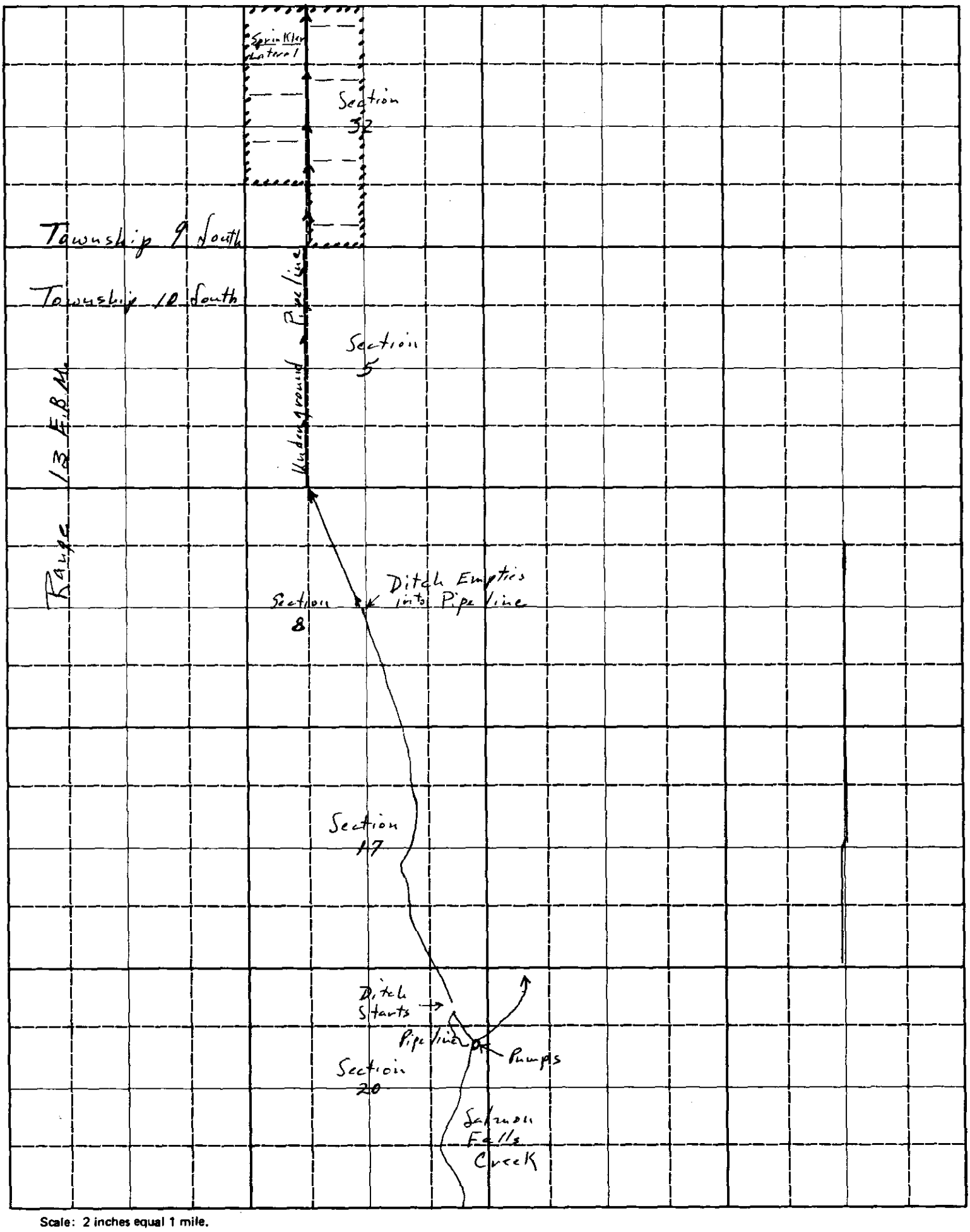
b. Who owns the land to be irrigated or place of use ~~U. S. Gov't~~

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The subject 280 acres is an allowed Desert Entry in the name of Jean L. Marshall, filed originally under Canyon View Irrigation Co.

10. Remarks This application is made on the basis that a well will be drilled on the east side of Salmon Falls Creek, which isnot a restricted area for drilling. Well will be drilled in the bottom of Salmon Falls Creek canyon.

DLE - I-331 (943

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



Scale: 2 inches equal 1 mile.

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

Jean L Marshall
(Applicant)

Priority: August 30, 1979

Received by TGB Date 8-30-79 Time 5:00

Preliminary check by JK Fee $ 85.00

Receipted by TGB Date 8-30-79 #13312

Publication prepared by marya Date 8/31/79

Published in Times News

Publication dates 9/13 & 9/20/79

Publication approved marya Date 9/25/79

Protests filed by: Magic Valley Water, Inc.

Copies of protests forwarded by marya

Hearing held by BDF Date 11-27-79

Recommended for (approval) denial by LA

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. 47-7565, 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 November 1, 1985.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 5 day of December, 1980.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL)
)
OF APPLICATION FOR PERMIT NO.) CERTIFICATE OF MAILING
)
IN THE NAME OF)
)

I HEREBY CERTIFY That on the 5th day of December, 1980, true and correct copies of the foregoing MEMORANDUM DECISION AND ORDER, was mailed, postage prepaid to:

Jean L. Marshall
185 Blair Drive
Twin Falls, ID 83301

William L. Nungester
HEPWORTH, NUNGESTER & FELTON
P. O. Box 589
Buhl, ID 83316

William F. Ringert
ANDERSON KAUFMAN, ANDERSON AND RINGERT
P. O. Box 2773
Boise, ID 83701

Magic Water Co., Inc.
Route 3
Buhl, ID 83316

David A. Slavin
Attorney at Law
P. O. Box 83
Twin Falls, ID 83301

Rita I. Fleck

RITA I. FLECK
Sr. Secretary
Idaho Department of Water Resources

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Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

№ 8675

I, _____ being first duly sworn u

oath, depose and say that I am _____ of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for _____ consecutive _____, commencing with the issue dated _____, 19____, and ending with the issue dated _____, 19____.

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue th of, Thursday is announced as the day on which said legal notices will be published.

_____

Subscribed and sworn to before me on this _____ day of _____, 19____.

_____
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7565
MARSHALL, JEAN L.
185 BLAIR DRIVE, TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 08/30/1979
Amount: 5.60 CFS
Diversion Point: SENE Sec 20 T 10S R 13E, TWIN FALLS Co.
Use: IRRIGATION (5.60 CFS) from 03/15 to 11/15
Place of Use: NENW NWNW SWNW SENW NESW NWSW SESW Sec 32 T 09S R 13E FOR 280 ACRES
Diversion Means: PUMPS, PIPELINES, DITCHES AND SPRINKLER LATERALS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 1, 1979.

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Sept. 13, and 20, 1979.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

March 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DRISCOLL BROTHERS PARTNERSHIP
C/O BROCK DRISCOLL
2250 S 3200 W
ABERDEEN ID 83210

RE: Water Right 47-07565 (Transfer 5406)

Dear Mr. Driscoll:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5406). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Sharla Curtis
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

APR 18 2000

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of **March, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 47-07565 (Transfer 5406)

DRISCOLL BROTHERS PARTNERSHIP
C/O BROCK DRISCOLL
2250 S 3200 W
ABERDEEN ID 83210

Kari Lynn Townsend
Secretary

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APR 18 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 22, 2000

CHARLES RUNYON
WATERMASTER
4795 N 700 E
BUHL ID 83316

RE: TRANSFER OF WATER RIGHT 47-07565 (Transfer 5406)

Dear Charles:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer 5407) in the name Driscoll Brothers Partnership, c/o Brock Driscoll.

If you have any questions, please call me at 208-327-7940.

Sincerely,

Sharla Curtis

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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APR 18 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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APR 1 8 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

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APR 1 8 2003

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 20, 1999

Armand Eckert, Secretary
Water District 47G
716-B E 4900 N
Buhl, ID 83316

COPY

RE: Eagle View Farms Transfer 5588

Dear Mr. Eckert:

This day Pat Elkin visited my office and expressed concern over the recent advertising of transfer No. 5588 in the name of Visser Holsteins dba Eagle View Farms. I understand Mr. Elkin's interests include those of the Magic Water Co. and those of Water District 47G.

Specifically Mr. Elkin's concern was the portion of the advertising that indicated that a total of 45.54 cfs was to be diverted from Salmon Falls Creek. Mr. Elkin being familiar with delivery of the rights on Salmon Falls Creek indicated that Salmon Falls Ranch (Being purchased by Eagle View Farms) rights did not total 45.54 cfs.

COPY

I have reviewed the water right records and find that although Salmon Falls Ranch rights numerically add up to 45.54 cfs; these rights and others are limited by remark to the diversion capacity of the pumping plant on Salmon Falls Creek. I find that the following rights when combined are in fact limited to 24.71 cfs.

Right No.	Owner of Record	Priority	Amount	Remarks
47-02316B	Salmon Falls Ranch	01/12/1959	3.33	
47-02316C	Salmon Falls Ranch	01/12/1959	6.92	
47-02402	Salmon Falls Ranch	04/05/1965	6.40	
47-02417	Salmon Falls Ranch	04/19/1966	16.89	
47-07565	Driscoll Brothers	08/30/1979	4.47	Groundwater
47-07569	Driscoll Brothers	10/22/1979	5.52	
47-07618	Driscoll Brothers	01/07/1980	4.88	Groundwater*
47-07642	Salmon Falls Ranch	04/09/1980	12.00	
47-07615	Driscoll Brothers	09/25/1980	4.88	Groundwater*

*Limited to 4.88 when combined

Note that the groundwater rights are from wells that inject into Salmon Falls Creek then are re-diverted from the creek with the creek water through a common system. The diversion capacity of

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APR 18 2000

the creek pumps limit use of all the above rights to 24.71 cfs at any one time. If the pending transfer is approved the historical limitation will continue so as not to expand the use of the rights or injure other water rights.

If any party has questions regarding this limitation please feel free to contact this office.

Sincerely,

COPY

Allen Merritt, PE
Southern Region Manager

CC: Salmon Falls Ranch
Eagle View Farms
Driscoll Brothers
Charles Brockway, Sr.

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APR 1 8 2000

RECEIVED
JUL 13 1999
Department of Water Resources

01-99

State of Idaho
Department of Water Resources

RECEIVED
JUL 08 1999
Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

Application No: 47-07565

Applicant's Name: Driscoll Brothers Partnership

Watermaster's Recommendation:

a) X I do not oppose approval of this application.

b) ___ I do not oppose approval of this application if it is conditioned as follows: _____

c) ___ I oppose approval of this application for the following reasons:

d) Additional Comment : _____

Dated this 7 day of July, 1999.

Water District No: 47G

Watermaster's Signature

Use reverse side of page if you need more space.

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APR 18 2000

MICROFILMED

T # 5406

RECEIVED

JUN 17 1999

Department of Water Resources

FROM: Allen Merritt DATE: May 26, 1999
Amended : June 14, 1999

TO: Transfer File No. 5406
Water Right: 47-07565

Transfer File No. 5407
Water Right: 47-07569

Transfer File No. 5410
Water Right: 47-02369

In the Name of: Driscoll Brothers Partnership

SUBJECT: Review and Recommendation

These three transfers are inter-related. T5406 and T5407 move surface and groundwater systems to land once irrigated but now dry. T5410 moves groundwater to land dried up by first two transfers. The land presently covered by T5410 will remain dry.

The transfers were advertised without protest.

Shape files for the transfers as proposed have been placed on IDWR604 D:Basins/b47/transfers.

See Skinner's 12/28/98 memo for details.

Lienholder has responded acknowledging and allowing transfer but the watermaster has not commented although being sent request several times. Recommend processing without comment. Diversions exist and would not require change.

RECOMMENDATION

I recommend that these transfers be approved subject to the following conditions:

T5406 & T5407

-Under control of watermaster 47-G.
-Measuring device maintained on PD on Salmon Falls Creek and on well for use by watermaster.
-No new well or P/D authorized to be established. (utilize existing facilities)

T5410

-Measuring device on well.
-No new wells authorized to be drilled.

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APR 18 2000

RECEIVED
JUN _ 9 1999
Department of Water Resources
Southern Region

CONSENT

This matter involves a 280 acre farm property under Contract of Sale from Jean L. Giuffre', et al, to Driscoll Brothers.

The farm is described as the $NW\frac{1}{4}$; $N\frac{1}{2}SW\frac{1}{4}$; $SE\frac{1}{4}SW\frac{1}{4}$ of Section 32, Township 9 South, Range 13 EBM., Twin Falls County, Idaho.

The sellers (Giuffre' et al) are aware that Driscolls have made application to Idaho Department of Water Resources to move around or shift certain water rights (or applications) that will involve the aforementioned farm. Reference is made to applications #5406 and #5407.

The water rights referred to are A47-07569 and 07565.

The undersigned agree to the proposed changes and also agree to the proposed transfers.

June 3, 1999
signed in my presence,
notary public, DeeAnn Warren
commission expires 3-9-2000

DeeAnn Warren
Twin Falls ID 83301

Kenneth W. Marshall
Kenneth W. Marshall

Douglas J. Marshall
Douglas J. Marshall

Wayne R. Marshall
Wayne R. Marshall

Subscribed and sworn to before me this 8th day of June 19 99.

Notary Public
Residing at Meridian, Id
Seal expires 1-25-2002

Jean L. Giuffre'
Jean L. Giuffre'

APR 18 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN BROCK DRISCOLL
DRISCOLL BROTHERS PTN
2250 S 3200 W
ABERDEEN ID 83210

RE: APPLICATION FOR TRANSFER NOS. 5406, 5407, & 5410

SECOND REQUEST

Dear Mr. Driscoll:

Legal advertising has been completed on the above referenced applications with no protests filed against the applications.

As requested in our correspondence dated 3/1/99, **a notarized statement from any lien holder on the property** is needed before the application can be forwarded to our state office for approval.

Failure to supply the requested information within 30 days from the date of this letter could result in a regional recommendation that the application be declared void.

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

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

AM:MB

MICROFILMED
APR 18 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES RUNYON, WATERMASTER
WATER DISTRICT #47-G
4795 N 700 E
BUHL ID 83316

SECOND REQUEST

Re: Application for Transfer of Water Right Nos. 47-07565, 47-07569, & 47-02369 (T# 5406, 5407 & 5410)

Dear Mr. Runyon:

Please refer to our correspondence dated 2/24/99 in which we requested your input regarding the above referenced Applications for Transfer.

Please find enclosed another copy of the Applications for Transfer and Watermaster's Recommendation Forms.

> Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Final processing of the applications cannot be completed until we receive your recommendations; therefore, your prompt response to this request will be appreciated.

If you have any questions about the applications, please contact this office or the applicant.

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

AM:MB

MICROFILMED
SEP 18 2000

FROM: Allen Merritt AM DATE: May 26, 1999

TO: Transfer File No. 5406
Water Right: 47-07560

Transfer File No. 5407
Water Right: 47-07569

Transfer File No. 5410
Water Right: 47-02369

In the Name of: Driscoll Brothers Partnership

SUBJECT: Review and Recommendation

These three transfers are inter-related. T5406 and T5407 move surface and groundwater systems to land once irrigated but now dry. T5410 moves groundwater to land dried up by first two transfers. The land presently covered by T5410 will remain dry.

The transfers were advertised without protest.

Shape files for the transfers as proposed have been placed on IDWR604 D:Basins/b47/transfers.

See Skinner's 12/28/98 memo for details.

RECOMMENDATION

I recommend that these transfers be approved subject to the following conditions:

T5406 & T5407

-Under control of watermaster 47-G.
-Measuring device maintained on PD on Salmon Falls Creek and on well for use by watermaster.
-No new well or P/D authorized to be established. (utilize existing facilities)

T5410

-Measuring device on well.
-No new wells authorized to be drilled.

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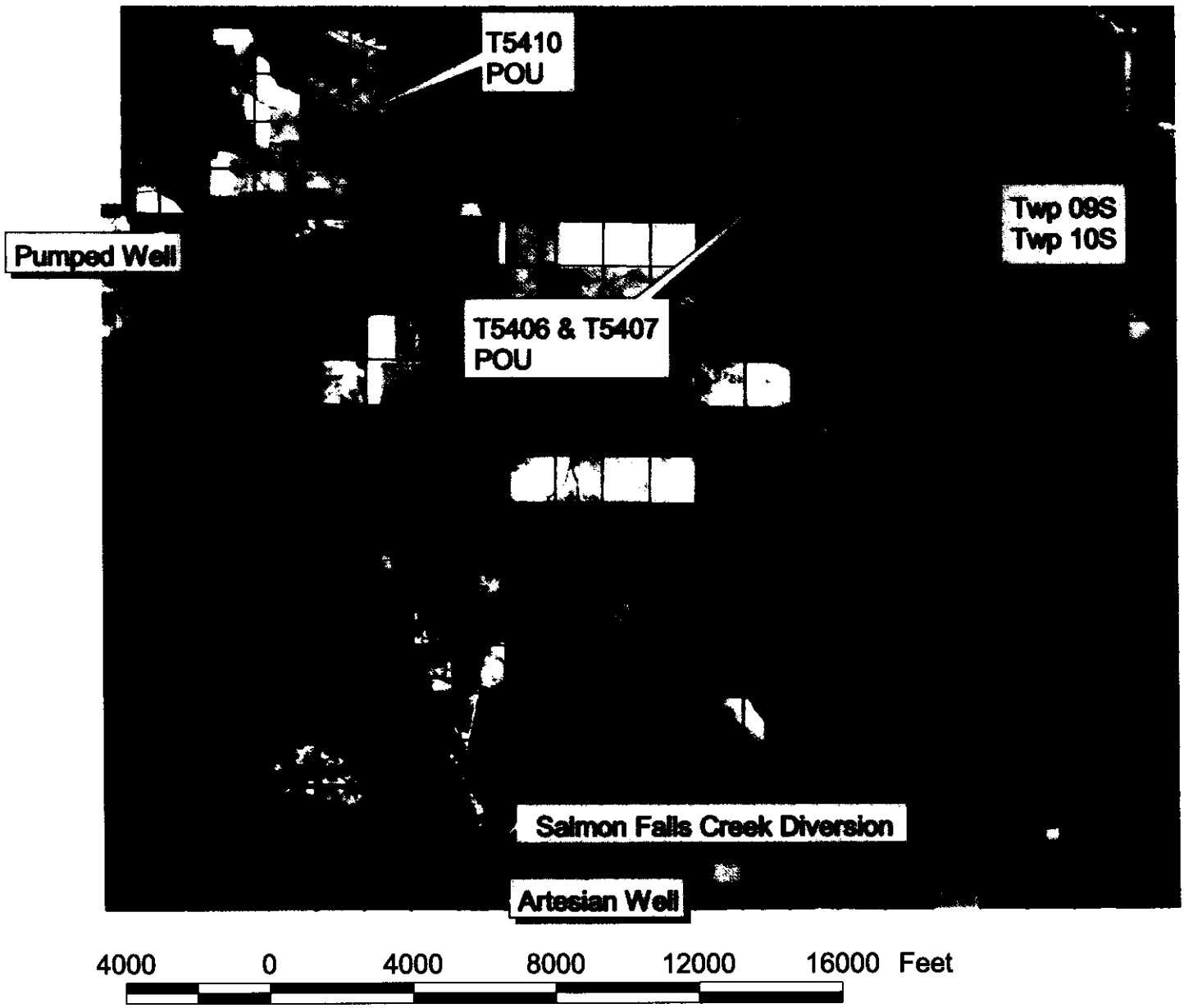
APR 1 8 2000

IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER NO. 5406, 5407 & 5410
IN THE NAME OF : Driscoll



PLACE OF USE

POINT OF DIVERSION

SECTION LINES

QUARTER LINES

CREATED BY : ADM
May 25, 1999

MICROFILMED
APR 18 2000

Shapes on IDWR 604
D: Basins / 647 / Transfers

NAPP PHOTO CIRCA 1987 & 1988

FILE PROGRESS SUMMARY T# 5406

APPLICANT: Driscoll Bros. Ptn WATER RIGHT NO. 47-C 7565

INIT.	DATE	COMMENT
MB	12/14/98	Copy staffed to Corey Skinner
CS	12/28/98	GAVE TO MARY FOR ADVERTISING
JW	2-23-99	updated OB: prepared ACK. letters prepared advertisement protest expires 3-22-99
MB	3/22/99	Put off (TW Rec (3/19/99)) Waiting for Buhl Herald
MB	5/12/99	T/c to Buhl Herald - Requested 2nd copy of put. off. due to non receipt.
MB	5/18/99	Pub. off re. (BH) 5/13/99
MB	5/18/99	to ADM for signoff.
ADM	5/25/99	GWS POU #6 well, #7 Silver Falls Cr.
ADM	5/25/99	GWS POU #4
	5/25/99	Rec'd from ADM for SRBA review
MB	5/26/99	2nd ltr requesting lien ltr + WM. Reco.

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APR 18 2000

Affidavit of Publication

RECEIVED
MAY 13 1999
Department of Water Resources
Southern Region

State of Idaho }
County of Twin Falls } ss.

I, Robert M. Bailey, do solemnly swear that I am the publisher of **The Buhl Herald,** a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper March 10 & 17, 1999 ;

that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho,** for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert M. Bailey, Publisher

Subscribed and sworn to before me this 17th day of March, 1999

Judith S. Bailey

Judith S. Bailey, Notary Public.
Residing at Buhl, Idaho
My Commission Expires
March 6, 2002

Water Right Changes Proposed

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Driscoll Brother Partnership c/o Brock Driscoll, 2250 S 3200 W, Aberdeen, ID 83210 has applied to three (3) Transfers to the Department of Water Resources for changes to the water rights listed below.

T# 5407

The purpose of Transfer No. 5407 is to change the place of use.

PRESENTLY, Water Right No. 47-07569 (5.52 cfs) with a priority date of 10/22/1979 is diverted from Salmon Falls Creek tributary of the Snake River within SENE S20, T10S, R13E for irrigation of 276 acres within parts of S32, T09S, R13E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to divert 5.52 cfs from the same point of diversion listed above for irrigation of 276 acres. The new place of use is located within parts of the E1/2 of S34, T09S, R13E; Twin Falls County.

T# 5406

The purpose of Transfer No. 5406 is to change the place of use and add existing injection and rediversion points.

PRESENTLY, Water Right No. 47-07565 (4.47 cfs) with a priority date of 08/30/1979 is diverted from groundwater within SENE, S20, T10S, R13E, for irrigation of 276 acres within parts of S32, T09S, R13E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to divert 4.47 cfs from an existing well within SENE, S20, T10S, R13E, inject 4.47 cfs into a surface water source (Salmon Falls Creek) and re-divert 4.47 cfs from the surface water source within the same tract as listed above for irrigation of 276 acres. The new place of use is located within parts of the E1/2 of S34, T09S, R13E; Twin Falls County.

T# 5410

The purpose of Transfer No. 5410 is to correct recorded point of diversion and change the place of use.

PRESENTLY, Water Rights No. 47-02369 (4.91 cfs) with a priority date of 12/10/1962 is diverted from groundwater within SWSW, S32, T09S, R13E, for irrigation of 312 acres within parts of S31 & 32, T09S, R13E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to divert to 4.91 cfs from an existing well and correct the recorded point of diversion listed above to reflect the location as being located within SWSESE, S31, T09S, R13E, for irrigation of 312 acres. The new place of use is located within the W1/2 of S32, T09S, R13E; Twin Falls County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before March 29, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Buhl Herald on 3/10 & 3/17/1999.

(Published in the Buhl Herald March 10 & 17, 1999. 14t2)

OK
MB
5/18/99

MICROFILMED
APR 18 2000

RECEIVED

MAY 13 1999

Department of Water Resources
Southern Region Office

Buhl Herald, Inc.

124 South Broadway, P.O. Box 312

Buhl, Idaho 83316-0312

Phone 1-(208)-543-4335

Statement of Account 5/31/99

State of Idaho #7240

Department of Water Resources

1341 Fillmore Street, Suite 200

Twin Falls, Idaho 83301-3380

5/10/99 - 27961 Legal Ad 136.62

Total 136.62

THANK YOU

T#5407, T#5406,
T#5410

OK
MB
5/18/99

MICROFILMED

APR 18 2000

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

DEPT WATER RESOURCES

208984	0050	LEGAL	5	03/18/99	0

DRISCOLL BROTHER WATER RIGHT 03/11/99 03/18/99

4 THE TIMES NEWS LEGAL	2	LGL	
FLAT CHARGE		FC	215.18
TOTAL AD CHARGE			215.18

T# 5406, 5407, 5410
47-07565 et al

OK MB 3/22/99

215.18 215.18*

RECEIVED
MAR 19 1999
Department of Water Resources
Southern Region

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

050

208984	LEGAL	03/11/99	03/18/99	GROSS AMOUNT OF 215.18
DRISCOLL BROTHER WATER RIGHT		03/18/99	208-736-3033	DUE AFTER

__ VISA __ MASTERCARD

CREDIT CARD NUMBER EXPIRATION DATE: ___/___ SIGNATURE: _____

MICROFILMED
APR 18 2000

215.18

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID 83301

2040000000208984000000000000000215180000215181

RECEIVED
MAR 19 1999
Department of Water Resources
Southern Region

Affidavit of Publication

STATE OF IDAHO } SS.
COUNTY OF TWIN FALLS }

№ 31547

I, Emily McKnight being first duly sworn upon oath, depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated March 11, 19 99, and ending with the issue dated March 18, 19 99.

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and 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

On this 18th day of March in the year of 1999, before me, a Notary Public, personally appeared Emily McKnight, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Treva R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

OK mb 3/22/99

MICROFILMED
APR 18 2000

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PROPOSED CHANGE
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T# 5406

The purpose of Transfer No. 5406 is to change the place of use and add existing injection and rediversion

PRESENTLY, Water Right No. 47-07565 (4.47 cfs) with a priority date of 08/30/1979 is diverted from groundwater within SENE, S20, T10S, R13E, for irrigation of 276 acres within parts of S32, T09S, R13E; Twin Falls County.
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The purpose of Transfer No. 5410 is to correct recorded point of diversion and change the place of use.
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PROPOSED CHANGE
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Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before March 29, 1999 to be considered by the Department in its decision to

grant or deny any part of the proposed change. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the Times News on .1 & 3/18/99.

MICRO
APR 18 2000

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Karl J. Dreher, Director

Published in the Times News on 3/11 & 3/18/99.

MICROFILMED
APR 18 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 1, 1999

ATTENTION LEGALS
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.

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.

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
Administrative Assistant

Enclosure

MICRO
APR 1 8 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Buhl Herald
PO Box 312
Buhl ID 83316

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 required publication dates. 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

MICRO
APR 18 2000

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T# 5406

The purpose of Transfer No. 5406 is to change the place of use and add existing injection and rediversion points.

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T# 5410

The purpose of Transfer No. 5410 is to correct recorded point of diversion and change the place of use.

PRESENTLY, Water Right No. 47-02369 (4.91 cfs) with a priority date of 12/10/1962 is diverted from groundwater within SWSW, S32, T09S, R13E, for irrigation of 312 acres within parts of S31 & 32, T09S, R13E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to divert to 4.91 cfs from an existing well and correct the recorded point of diversion listed above to reflect the location as being located within SWSESE, S31, T09S, R13E, for irrigation of 312 acres. The new place of use is located within the W1/2 of S32, T09S, R13E; Twin Falls County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before March 29, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. **(Each transfer requires a separate protest).** The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Buhl Herald on 3/10 & 3/17 1999 AND in the Times News on 3/11 & 3/18/99.

MICRO

APR 1 8 2003

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DRISCOLL BROTHERS PTN
C/O BROCK DRISCOLL
2250 S 3200 W
ABERDEEN ID 83210

Re: Application for Transfer Nos. 5406 (47-07565) ;Transfer No. 5407 (47-07569); Transfer No. 5410 (47-02369)

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your Applications for Transfer.

This office has scheduled advertising the applications in the Buhl Herald for 3/10 & 3/17/99 AND in the Times News for 3/11 & 3/18/99. The last date for the submittal of protests will be March 29, 1999.

If an 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.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

Before we can forward your application to our state office for approval, we must include in the file a notarized statement from any lien holder on the property agreeing to the proposed change.

State Office personnel will conduct a complete review prior to final processing of an application and will notify you of the outcome of this review.

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

MICRO[illegible]

APR 1 8 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Charles Runyon, Watermaster
Water District 47G
4795 N 700 E
Buhl ID 83316

Re: Application for Transfer of Water Right Nos. 47-07565, 47-07569 & 47-02369 (T# 5406, 5407 & 5410)

Dear Mr. Runyon:

Enclosed are copies of Applications for Transfer of Water Rights within your District, and Watermaster's Recommendation Form(s).

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form(s) and return to this office.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

CS:mb

Enclosures

MICRO

APR 1 8 2003

MEMORANDUM

TO: Driscoll Brothers Transfer Application (47-02369, 47-07565, and 47-07569) Files

FROM: Corey Skinner CS

DATE: December 28, 1998

SUBJECT: Staff Review

The enclosed transfer application is part of a package of three transfer applications, filed by Driscoll Brothers Partnership, that seek to record changes to three irrigation rights in the Blue Gulch area, west of Salmon Falls Creek. The three water rights involved with the three transfer applications are 47-02369, 47-07565, and 47-07569.

Currently, water right 47-02369 is appurtenant to 312 acres of ground located in Sections 31 and 32 (T09S, R13E). Water rights 47-07565 and 47-07569 are appurtenant to the same 276 acres located in the West ½ of Section 32 (T09S, R13E). The 47-02369 ground and the 47-07565 and 47-07569 ground are separate, independent acres.

The basic idea behind the three transfers is that Driscoll Brothers Partnership has purchased water right 47-02369, and wants to move the right to their property, the West ½ of Section 32 (T09S, R13E). The applicant wants water right 47-02369 to be the only source of water for the West ½ of Section 32. Because there are currently two water rights (47-07565 and 47-07569) appurtenant to the West ½ of Section 32, transfer applications have been filed to move these two rights to different ground. The transfer applications should be pretty straightforward, and probably approvable. However, some further clarification of the applications is as follows:

47-02369 TRANSFER

The primary purpose of the transfer application involving water right 47-02369 is to change the recorded place of use of the water right, but a change in the recorded point of diversion is also desired. The applicant wants to divert the right from an existing well located in the SWSESE ¼ of Section 31 (T09S, R13E). There are two irrigation wells located in this particular area, and the applicant desires to divert water from the eastmost of these two wells. The other well apparently serves ground that the

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APR 1 8 2000

T #5406

applicant does not own. Water right 47-02369 was originally licensed to be diverted from a well located in the SWSW ¼ of Section 32 (T09S, R13E). However, the applicant was not aware of this well location, and was under the impression that the water right had been diverted from the well located in the SWSESE ¼ of Section 31. Note that the sales agreement describing the applicant's purchase of water right 47-02369 describes a well located in the SE ¼ of Section 31, and the Snake River Basin Adjudication claim based on 47-02369 lists the point of diversion in the SWSESE ¼ of Section 31. The 1968 licensing exam for water right 47-02369 lists the point of diversion as a well located in the SESE ¼ of Section 31, but the map included with the exam indicates the well location in the SWSW ¼ of Section 32. The water right may have always been diverted out of the Section 31 well, and incorrectly licensed for a well located in Section 32, or the well location may have been changed after the licensing exam, but prior to the commencement of the Adjudication. Either way, it appears that the point of diversion change should not cause any problems, and is an effort to make recorded records reflect reality. Note that both well locations are within a half mile of each other, and both locations are within the Blue Gulch Critical Groundwater Area.

The change in the place of use of water right 47-02369 should be pretty straightforward. The applicant desires to change the place of use of the right to their property in the adjoining section. The current place of use has apparently been in the CRP program until the fall of 1997. Examination of past aerial photos revealed that the current place of use appeared cultivated, so possible forfeiture of the right due to non use should probably not be an issue.

47-07565 AND 47-07569 TRANSFERS

The primary purpose of the two transfer applications involving water rights 47-07565 and 47-07569 is to change the place of use of these two rights, so water right 47-02369 will be the only water right on the West ½ of Section 32 (T09S, R13E) if the 47-02369 transfer is approved. Both water right 47-07565 and 47-07569 are recently issued licenses. Right 47-07565 was licensed in 1990 and right 47-07569 was licensed in 1996. Both licensed rights are for the same ground, but they have different sources, so a transfer application was filed for each right.

MICROFILMED

APR 1 8 2000

Water right 47-07565 is licensed for the diversion of groundwater from an artesian well located in the SENE ¼ of Section 20 (T10S, R13E), along the east side of Salmon Falls Creek, just north of the Balanced Rock crossing. The water from this well is dumped into Salmon Falls Creek, and then rediverted through a pumping plant and pipeline located along the west side of the creek, in the SENE ¼ of Section 20 (T10S, R13E). The water is then conveyed to the place of use via about 3½ miles of an open channel and buried pipeline system.

Water right 47-07569 is licensed for the diversion of 5.52 cfs of water from Salmon Falls Creek. The point of diversion is listed as being located in the SENE ¼ of Section 20 (T10S, R13E). The current point of diversion is the pumping plant and pipeline that serves as the rediversion point for water right 47-07565. The water is then conveyed down the same 3½ mile open channel and buried pipeline system utilized by water right 47-07565.

Both licensed rights 47-07565 and 47-07569 are subject to regulation by the District 47-G watermaster. The common place of use of water rights 47-07565 and 47-07569 has been in the CRP program. The corresponding SRBA claims, A47-07565 and A47-07569 have been reviewed as part of the Basin 51 Blue Gulch Critical Groundwater Area review and the CVRs for both of these claims call to the licensing exams.

The two transfer applications involving water rights 47-07565 and 47-07569 should be straightforward, and approvable. The 47-07565 application proposes a change in the recorded place of use, and to add (record) the existing points of injection and rediversion as elements of the water right. The 47-07569 application only proposes a change in the place of use. Due to the recent licensing of these two rights, and the land associated with the rights being in the CRP program, there should be no possible forfeiture problems. In addition, there appears to be no expansion problems as long as the transfer applications are approved as a group.

MICROFILMED
APR 18 2000

July 25, 1990

JEAN L. GIUFFRE
RT. 4 BOX 100
ASOTIN, WA 99402

RE: PERMIT NO. 47-07565

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

MICROFILMED
JUL 2 / 1990

MEMORANDUM

RECEIVED
NOV 24 1989

Department of Water Resources

DATE: 21-Nov-1989

FROM: Terry Blau

TO: Jim Johnson

SUBJECT: 47-07565 exam fee

Mr. Wayne Marshal came in today to determine why a letter requesting additional money was sent to his sister, the permit holder. After you researched the file and I checked the old receipt book it was found that the receipt # 40144 for $225.00 (copy enclosed) did not match the examination fee of $50.00 listed on the Examination Fee information sheet. Please advise the applicant of this error. I'm sure it will make her day.

IMAGED
JUL 27 1990

STATE OF IDAHO

Department of Water Resources

No 40144

Boise, Idaho, January 22, 1986

RECEIVED FROM Ben Bennett of Twin $22.00

Twin Pumice Products - Twin Falls, Inc. DOLLARS

FOR		
ea yr	$ 22	00
	$	
	$	
1985	$	
TOTAL - - -	$ 22	00

47-7565

Deputy Director

APPROVED JUL 27 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 17, 1989

RE: Permit No. 47-7565

Jean L. Guiffre
Rt. 4, Box 100
Asotin, WA 99402

Dear Permit Holder(s):

We are in the process of licensing the above referenced water right. Because of insufficient examination fee, the Department has no alternative but to issue the license for less than the amount actually diverted unless an additional fee is received. The amount of water to be licensed will be limited to 0.20 cfs rather than the 4.47 cfs.

You can submit the additional exam fee along with a late payment penalty. The priority of the right will be advanced according to the number of days from the date of this letter to the date we receive the extra fee.

The exam fee required to cover the 4.27 cfs is $200.00 and the late payment penalty is $40.00, for a total of $240.00.

The Department will hold action on licensing this right for 30 days to allow you to submit the above fee. If we do not receive the additional fee, we will proceed with licensing the water right for the limited amount of water.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:hm

MICROFILMED
JUL 27 19

TER-DEPARTMENT MEMO — 1

FROM Roxanne

DATE 11/16/89

TO File

SUBJECT new address for Jean L. Giuffre

From adjudication files:

Rt. 4, Box 100
Asotin, WA. 99402

MICROFILMED
JUL 2 / 1990

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

BOISE, ID 837
PM
18 MAR
1989

ALWAYS
USE ZIP CODE

MICROFILMED
JUL 27 19[illegible]

Jean L. Guiffre
10945 Janie Rd.
Boise, ID 83703

Please forward this

EXP 00 011.08621 03/10/89
NOTIFY SENDER OF NEW ADDRESS
RETURN TO SENDER
FORWARDING ORDER EXPIRED
USPS USPS

MEMORANDUM

TO: FILE

FROM: ROXANNE MCCARTHY

RE: POINT OF DIVERSION OVERLAP REVIEW

DATE: 1-NOV-1989

The following is a list of the rights showing a point of diversion in the same 1/4 1/4 and their relationship to one-another and Permit 47-7565:

WR No.	Status	Source	Remarks
47-2316ABC	licensed	different	
47-2402	licensed	different	
47-2417	licensed	different	
47-4099	Claim	different	
47-7252	Permit	different pumps	
47-7569	Permit		exam pending
47-7572	Cancelled		
47-7573	Cancelled		
47-7610	Permit		Proof due 5/90
47-7614	Permit		Proof due 11/90
47-7615	Permit	same	**two pumps same as -7565**
47-7616	Permit		Proof due 11/90
47-7617	Cancelled		
47-7618	Permit	same	**two pumps same as -7565**
47-7642	Permit		exam pending
47-7708	Application		Protested
47-7774	Application		DLE

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MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: ACTION ON LICENSING THIS RIGHT

DATE: June 28, 1989

==========

Correspondance was sent on March 3, 1989 to the permit holder requesting an additional fee to cover the amount actually diverted. The correspondance was returned as undeliverable. No further action has occurred since. A point of diversion overlap check was made and several other water rights are shown as having the point of diversion in the same 1/4 1/4. Addtional review should be made to determine the relationship of this right with the others listed.

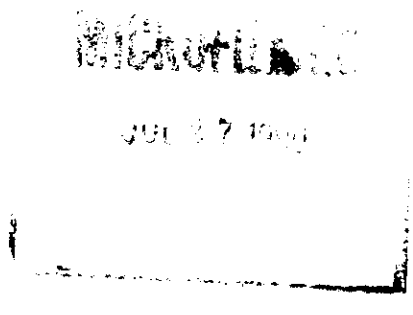
Following is a listing of the other filings:

SD-37 TOWNSHIP: 10S RANGE: 13E SECTION: 20 TRACT: SENE L

S E L	TRACT	LOT	RDV	WATER RIGHT NO.	STATE NAME LAST, FIRST	OWN	ST	PRIORITY DATE	SOURCE	MAX # RECORD DI
_	SENE			47-02316A	MARSHALL, KENN	O	D	01/12/1959	LITTLE SALM	10.
_					KELLER, JOHN E	C				
_					KELLER, FRANCE	C				
_					PETERSEN, OREL	C				
_	SENE			47-02316B	MARSHALL, KENN	C	L	01/12/1959	LITTLE SALM	3.3
_	SENE			47-02316C	MARSHALL, KENN	C	D	01/12/1959	LITTLE SALM	6.9
_	SENE			47-02402	GUENTZ, GERALD	O	L	04/05/1965	LITTLE SALM	6.4
_					MARSHALL, KENN	C				
_	SENE			47-02417	MARSHALL, KENN	C	L	04/19/1966	LITTLE SALM	16.
_	SENE			47-04099	WRIGHT, DALE M	C	S	06/01/1966	SALMON FALL	8.2
_	SENE			47-07252	MAY, RON	O	P	04/02/1974	SALMON FALL	20.
_					WRIGHT, DALE M	C				
_	SENE			47-07569	MARSHALL, HOWA	O	P	10/22/1979	SALMON FALL	20.
_					GIUFFRE, JEAN	C				
_	SENE			47-07572	EASTERDAY, LENT	O	P	06/06/1979	SALMON FALL	20.

JUL 27 1990

SENE		47-07573	EASTERDAY, LOR	C	P	09/06/1979	SALMON FALL	20.
SENE		47-07610	DAVIS, SUSAN M	O	P	01/15/1980	SALMON FALL	20.
			GIUFFRE, JAMES C					
SENE		47-07614	EASTERDAY, JAN	C	P	01/04/1980	GROUNDWATER	6.3
SENE		47-07615	EASTERDAY, LEN	C	P	01/04/1980	GROUNDWATER	6.4
SENE	R	47-07615	EASTERDAY, LEN	C	P	01/04/1980	GROUNDWATER	6.4
SENE		47-07616	EASTERDAY, ELD	C	P	01/11/1980	GROUNDWATER	3.2
SENE		47-07617	EASTERDAY, LAR	C	P	01/04/1980	GROUNDWATER	5.6
SENE		47-07618	EASTERDAY, LOR	C	P	01/07/1980	GROUNDWATER	6.4
SENE	R	47-07618	EASTERDAY, LOR	C	P	01/07/1980	GROUNDWATER	6.4
SENE		47-07642	MARSHALL, KENN	O	P	04/09/1980	SALMON FALL	12.
			KERBS, ET AL, C					
SENE		47-07708	WRIGHT, DALE	C	A	02/19/1981	SALMON FALL	20.
SENE		47-07774	MARSHALL, WAYN	C	A	12/01/1981	GROUNDWATER	5.6
SENE		L47-07252	MAY, RON	O	L	04/02/1974	SALMON FALL	20.
			WRIGHT, DALE M C					
SENE	R	L47-07618	EASTERDAY, LOR	C	L	01/07/1980	GROUNDWATER	6.4
SENE		L47-07565	GIUFFRE, JEAN	C	L	08/30/1979	GROUNDWATER	5.5
SENE		L47-07615	EASTERDAY, LEN	C	L	01/04/1980	GROUNDWATER	6.4
SENE	R	L47-07615	EASTERDAY, LEN	C	L	01/04/1980	GROUNDWATER	6.4
SENE		L47-07618	EASTERDAY, LOR	C	L	01/07/1980	GROUNDWATER	6.4
SENE		47-07565	GIUFFRE, JEAN	C	P	08/30/1979	GROUNDWATER	5.6



PLACE OF USE 1/4 1/4 T-R-S REPORT 10/26/89

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	SUM
0207100	CANYON VIEW CANAL CO.	A	SNAKE RIVER	09S	13E	32					(40)	(40)	(40)	(40)	(40)	(40)	40	(40)	40	40	40	40	480
4702369	KINYON	L	GROUNDWATER	09S	13E	32											38						38
4702376	EASTERDAY	L	GROUNDWATER	09S	13E	32	39	39	6	4													88
4704099	WRIGHT	S	SALMON FALLS CREEK	09S	13E	32													40	40	40	40	160
4707252	WRIGHT	P	SALMON FALLS CREEK	09S	13E	32													40	40	40	40	160
4707565	GIUFFRE	P	GROUNDWATER	09S	13E	32					40	40	40	40	40	40		40					280
L4707252	WRIGHT	L	SALMON FALLS CREEK	09S	13E	32													40	40	40	40	160
~~L4707565~~	~~GIUFFRE~~	~~L~~	~~GROUNDWATER~~	~~09S~~	~~13E~~	~~32~~					~~40~~	~~39~~	~~39~~	~~40~~	~~40~~	~~39~~		~~39~~					~~276~~

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JUL 27 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 3, 1989

RE: Permit No. 47-7565

Jean L. Guiffre
10945 Janie Rd.
Boise, ID 83703

Dear Permit Holder(s):

We are in the process of licensing the above referenced water right. Because of insufficient examination fee, the Department has no alternative but to issue the license for less than the amount actually diverted unless an additional fee is received. The amount of water to be licensed will be limited to 0.20 cfs rather than the 5.52 cfs.

You can submit the additional exam fee along with a late payment penalty. The priority of the right will be advanced according to the number of days from the date of this letter to the date we receive the extra fee.

The exam fee required to cover the 5.32 cfs is $175.00 and the late payment penalty is $35.00, for a total of $210.00.

The Department will hold action on licensing this right for 30 days to allow you to submit the above fee. If we do not receive the additional fee, we will proceed with licensing the water right for the limited amount of water.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:hm

RECEIVED
MAR 22 1989

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 47-7565

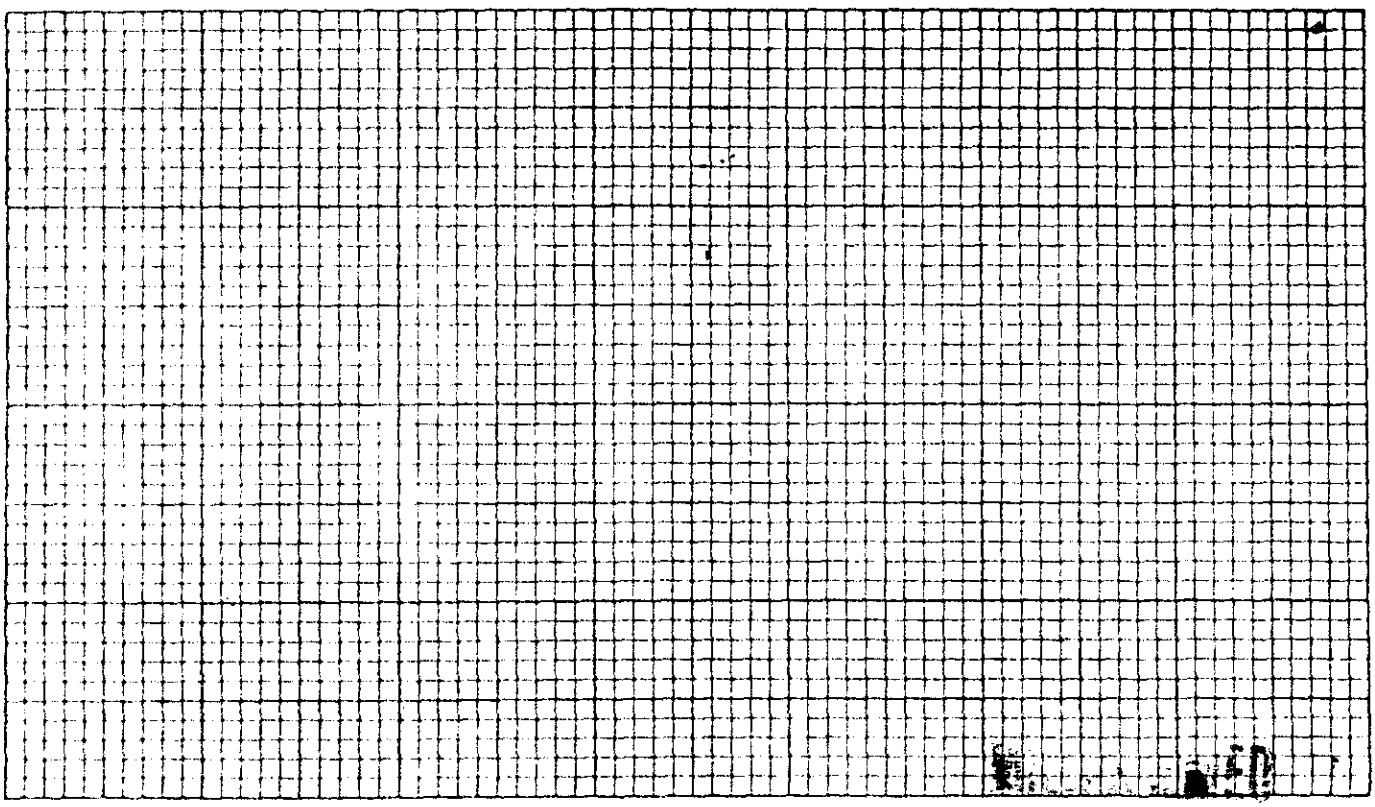
1. Owner: Jean Giuffre — Phone No. 939-8783
   Current Address: 10945 Janie Road, Boise, ID 83703
2. Accompanied by: Wayne Marshall — EXAM. DATE: 5/23/86
   Address: 185 Blair Drive, Twin Falls, ID. 83301 — Phone No. 733-9649-13
   Relationship to Permit Holder: Brother Farm Operator
3. Source: Groundwater tributary to Salmon Falls Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: 47-7100.
   ☐ Copies Attached
2. Other water rights with same point of diversion: 47-7774
   ☐ 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 [illegible] household domestic groundwater, and stockwater

System Description (continued)

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

Water is diverted from a 20" x 1280' flowing Artesian Well into Salmon Falls Creek. It is then rediverted via a 300hp and a 450 hp pump to the top of the Canyon. Water is then transported via 2½ miles of earth ditch and ¼ mile of concrete ditch to a 50' x 180' x 4' each pond where 3 booster pumps (2-75hp and 1-60hp) or any combination are used to pressurize the water into ¼ mile of 12" ML 1½ mile 10" ML and 500' of 8" ML to 13 ¼ mile hand lines with Nelson Flow Control Nozzles

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Lift #1	GE	450	DSJ4D2614	Aurora	3X171503 3250 gpm @ 1100 rpm & 480'
Lift #2	US	Plate shows 350 300	AC JII 8001	Aurora	3X172360 2600 gpm @ 480'
Booster #1	Westinghouse	75	7803	NOPHTER	
Booster #2	US	60	1020944	L+B Vertiline	D19 758
Booster #3	GE	75	CL J312505	Aurora Vertiline	V75 707015

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
Well + Lift Pump		NE	SE	NE	20	10S	13E	T.F.	ASCS Photo
Boosters		SE	NW	SW	5	10S	13E	"	USGS Quad

6. Place(s) of Use: Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	13E	32					40	39	39	40	40	39		39					276

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
IN Line Meter	Propeller	McCrometer		78 12 151	12 3/4"	
Velocity Meter	Pitot Tube	Annubar			12"	
Flume	Trapezoidal	Poured in Place Concrete			2'	

2. Measurements:

@well McCrometer: .01 AF/70sec. x 43,560 cf/AF = 6.22 cfs

@well Orifice flow $Q = 19.636 K d^2 \sqrt{h} \sqrt{1/(1-(d/D)^4)}$ d = 10.5" K = .61 D = 12 5/16 h = 1.175 Q = 4.647 cfs

@well Annubar $\frac{(A^2)(\sqrt{B})C}{448.8}$ = 6.18 cfs A = 12.3125" B = 21" C = 3.99

@ Discharge of lift Pump 2' Trapezoidal Flume with H_t = 1.75 Slope 1:1.25 Not submerged = 7.82 cfs. See USDA ARS Tech. Bul. #1566 pp 31

@ Booster Pump Annubar $Q = \frac{(A^2)(\sqrt{B})C}{448.8}$ = 5.41 cfs A = 12.3125" B = 16.1 C = 3.99

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: See Above

5 lines @ 22 Nozzles/line with 4.3 gpm FCN = 709.5 gpm
4 " @ 32 " " " 5 " " FCN = 640 "
4 " @ 32 " " " 5 " " = 640 "
2709.5 gpm = 4.47 cfs

2. Alternate Method for Checking Purposes:

Lift Pump: $\frac{450 \text{ hp} \times 8.8 \times .8}{42'}$ = 7.54 cfs Booster $\frac{8.8 \times 210 \text{ hp} \times .7}{231'}$ = 5.6 cfs

Recommended Amt. Calc.

5. 41 cfs (Booster Capacity) + .77 cfs Seepage Loss (See Attached Sheet) = 6.18 cfs

Allow 6.0 cfs = Amt Applied for

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = 276 x 4 AF/Ann/Ac = 1,104 AF/Ann

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 6.0 cfs x 246 day/Ann x 1.9835 = 2,927.6 AF/Ann

V = Smaller of V_{IR} and V_{DR} = 1,104 AF/Ann

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERL REVIEW ANALYSIS

Results of flouride tests (Attached) show That the water coming from The well exceeds State Water Quality standards but after mixing with Salmon Falls Creek water it is well within limits

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	3/15	11/15	6.0 cfs	1104 Afa
		Totals:	6.0 cfs	1104 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name: TERRY Blair

Signature: Terry Blair

Certification Date: 5/15/87

Field Report Preparation Date: 11/14/84

PROFESSIONAL ENGINEER ★ LAND SURVEYOR REGISTERED STATE OF IDAHO LOREN O HOLMES

CONSULTANT

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

11/12/89

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JUL 27 1990

Measurement of Flowing Well using Annubar and Orifice

Measurement using Pipe orifice

Measurment using Trapezoidal Flume at top of Canyon

Photos TAKEN 5/23/86 TB

47-7565 5/23/86 TB

McCrometer attachment with Straightening Vanes

Looking North west at pumping plant

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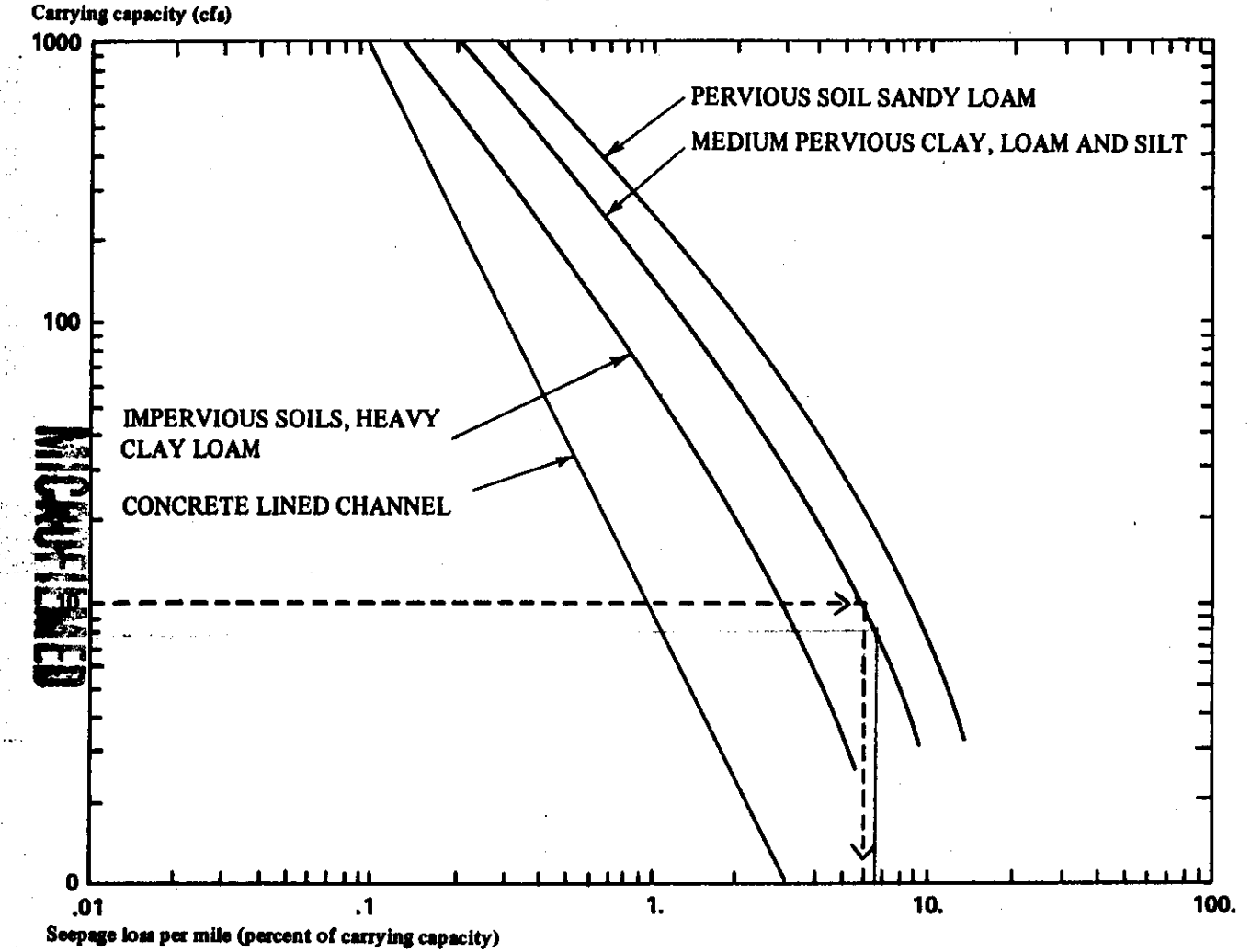
JUL 27 1990

FIGURE 5. Estimating delivery water losses and Moritz formula



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JUL 2 1 1981

Estimated Seepage loss = 5.5%/mile × 2.6 mi = 14.3% × 7.82 cfs = 1.12 cfs × prop slope $\frac{6.41}{7.82}$ = .77 cfs

Total Allowable 5.41 cfs + .77 cfs = 6.18

H1	Free Flow	Submerged flow (CFS): H4(FT)																			
(FT)	(CFS)	1.19	1.21	1.23	1.25	1.27	1.30	1.32	1.34	1.37	1.39	1.42	1.45	1.48	1.51	1.54	1.57	1.60	1.63	1.67	1.70
1.70	7.36	7.31	7.29	7.27	7.26	7.24	7.22	7.20	7.17	7.13	7.09	7.03	6.96	6.87	6.76	6.63	6.46	6.25			
1.71	7.45		7.39	7.37	7.35	7.33	7.31	7.29	7.27	7.23	7.19	7.14	7.07	6.99	6.88	6.75	6.59	6.39			
1.72	7.54		7.48	7.46	7.45	7.43	7.41	7.39	7.36	7.33	7.29	7.24	7.18	7.10	7.00	6.87	6.72	6.53	6.31		
1.73	7.64			7.56	7.54	7.52	7.51	7.49	7.46	7.43	7.39	7.35	7.29	7.21	7.12	7.00	6.85	6.67	6.45		
1.74	7.73			7.66	7.64	7.62	7.60	7.58	7.56	7.53	7.50	7.45	7.39	7.32	7.23	7.12	6.98	6.80	6.60		
1.75	7.82			7.75	7.74	7.72	7.70	7.68	7.66	7.63	7.60	7.55	7.50	7.43	7.35	7.24	7.10	6.94	6.74		
1.76	7.91				7.83	7.82	7.80	7.78	7.76	7.73	7.70	7.66	7.61	7.54	7.46	7.36	7.23	7.07	6.88	6.65	
1.77	8.01				7.93	7.92	7.90	7.88	7.86	7.83	7.80	7.76	7.71	7.65	7.58	7.48	7.35	7.20	7.02	6.80	
1.78	8.10				8.03	8.01	8.00	7.98	7.96	7.93	7.90	7.87	7.82	7.76	7.69	7.60	7.48	7.33	7.16	6.95	
1.79	8.20					8.11	8.10	8.08	8.06	8.03	8.00	7.97	7.93	7.87	7.80	7.71	7.60	7.46	7.29	7.09	6.85

H1	Free Flow	Submerged flow (CFS): H4(FT)																			
(FT)	(CFS)	1.26	1.28	1.30	1.32	1.35	1.37	1.40	1.42	1.45	1.47	1.50	1.53	1.56	1.59	1.62	1.66	1.69	1.73	1.76	1.80
1.80	8.29	8.23	8.21	8.19	8.17	8.15	8.13	8.10	8.07	8.04	7.99	7.93	7.85	7.75	7.63	7.48	7.30	7.07			
1.81	8.39		8.31	8.29	8.27	8.25	8.23	8.21	8.18	8.14	8.10	8.04	7.96	7.87	7.76	7.61	7.43	7.22			
1.82	8.49		8.41	8.39	8.38	8.36	8.34	8.31	8.28	8.25	8.20	8.15	8.08	7.99	7.88	7.74	7.57	7.37	7.12		
1.83	8.58		8.52	8.50	8.48	8.46	8.44	8.41	8.39	8.35	8.31	8.26	8.19	8.11	8.00	7.87	7.71	7.51	7.27		
1.84	8.68			8.60	8.58	8.56	8.54	8.52	8.49	8.46	8.42	8.37	8.31	8.23	8.13	8.00	7.85	7.66	7.43		
1.85	8.78			8.71	8.69	8.67	8.65	8.62	8.60	8.57	8.53	8.48	8.42	8.35	8.25	8.13	7.98	7.80	7.58		
1.86	8.88			8.81	8.79	8.77	8.75	8.73	8.70	8.67	8.64	8.59	8.54	8.46	8.37	8.26	8.12	7.94	7.73	7.47	
1.87	8.98				8.90	8.88	8.86	8.83	8.81	8.78	8.75	8.70	8.65	8.58	8.50	8.39	8.25	8.08	7.88	7.63	
1.88	9.08				9.00	8.98	8.96	8.94	8.92	8.89	8.86	8.82	8.76	8.70	8.62	8.51	8.38	8.22	8.02	7.79	
1.89	9.18				9.11	9.09	9.07	9.05	9.02	9.00	8.97	8.93	8.88	8.82	8.74	8.64	8.51	8.36	8.17	7.94	7.68

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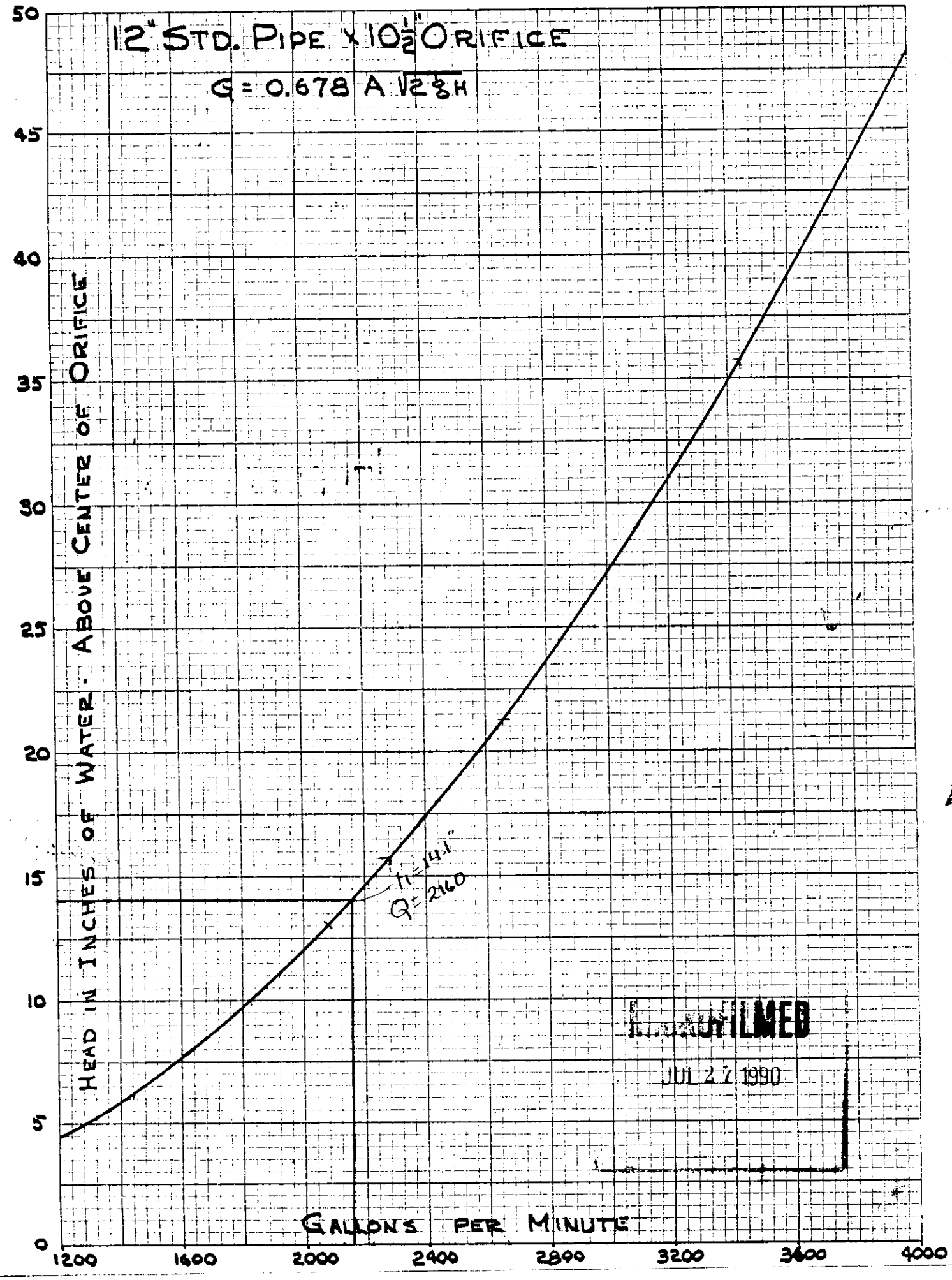
JUL 2 ? 1990

LOS ANGELES, CALIF.



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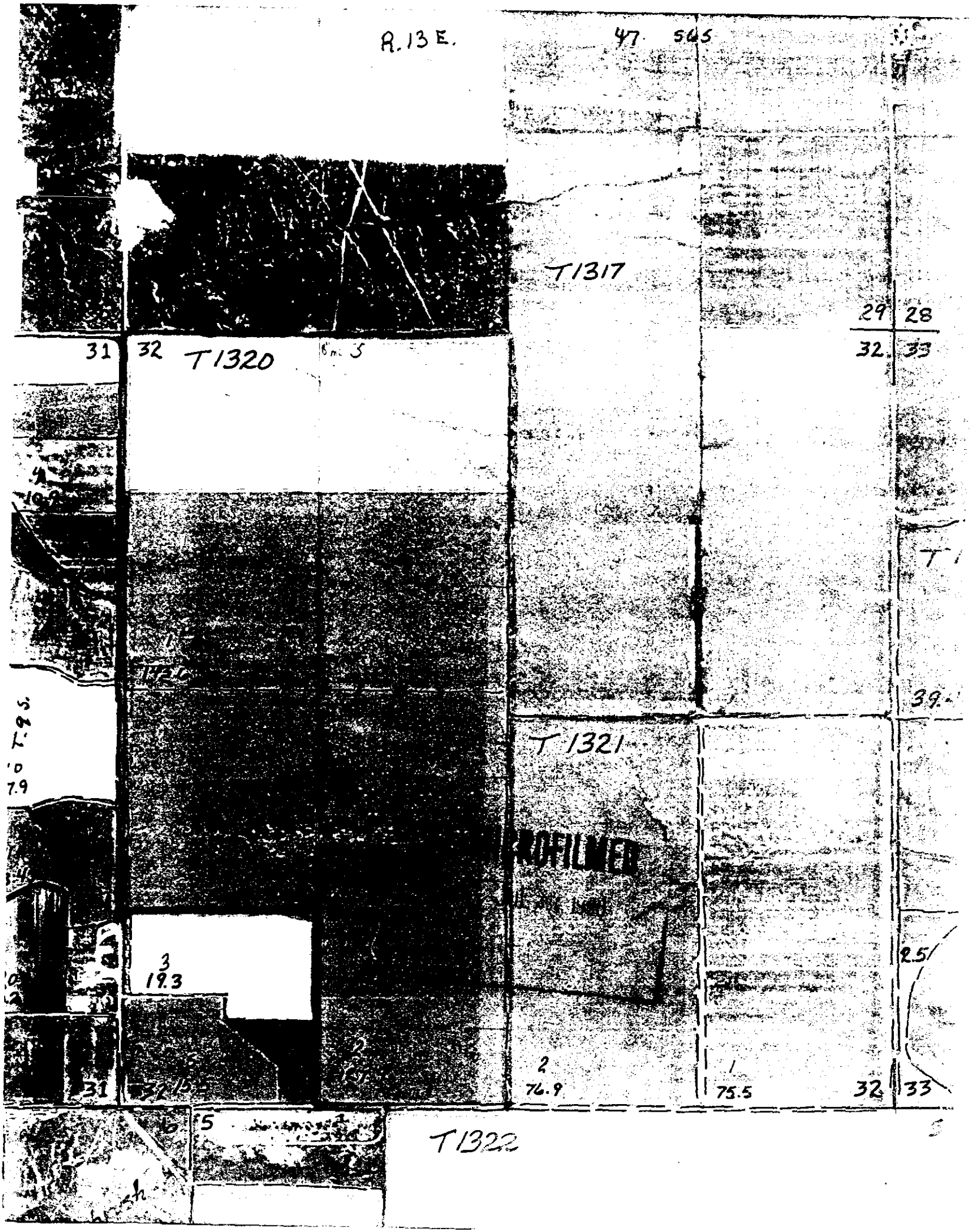
JUL 27 1990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Lift Pump
T1
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MICROFILMED
JUL 27 1990

47-7565

R. 13 E.

T. 9 S.

T. 10 S.

600 gal

10" m.L.

12" m.L.

Pond

Well

Booster Pumps

Well

Well

Well

Well

Wells

Borrow Pit

Gravel Pit

Gravel Pit

Gravel Pit

Borrow Pit

Balanced Rock Picnic Area

Picnic Area

BALANCED ROCK STATE PARK

Pumping Sta

Balanced Rock Crossing

Left Pumps

Corral

BM 3866

NORTH ROAD

4200 NORTH ROAD

4000 NORTH ROAD

3805 ROAD 3795

EAST ROAD

EAST ROAD

JEEP TRAIL

BALANCED ROCK ROAD

BRSP

DEEP

3824

3797

3768

3852

3826

3838

3912

3985

3832

3845

4021

3848

3864

4013

3840

3830

3870

3700

3600

3800

3900

4100

4000

500

400

31

32

33

6

5

4

7

8

9

18

17

16

19

20

21

DESERT

BRUNEAU

MICROFILMED

JUL 27 1990

STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE 734-9520

DIVISION OF ENVIRONMENT
P. O. Box 1626
Twin Falls, ID 83303-1626

RECEIVED
JUL 30 1986
Department of Water Resources
Southern District Office

July 29, 1986

Terry Blau
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Marshall Well Discharge - Salmon Falls Creek

Terry,

Enclosed for your review are copies of two fluoride test results for the Marshall well project at Salmon Falls Creek. Salmon Falls Creek is protected for salmonid spawning. Instream fluoride levels should not exceed 1.5 mg/l to protect this use. The creek is also protected for agricultural livestock watering. The corresponding limit for this use is 1.0 mg/l.

If you have any questions then please call.

Respectfully,

Gary R. Burkett, P.E.
Water Quality Engineer

GRB/ta
Enclosure

MICROFILMED
JUL 27 1986

HWH-0293

State of Idaho
Department of Health & Welfare
BUREAU OF WATER QUALITY
BUREAU OF LABORATORIES

WATER QUALITY REPORT
CHEMICAL REPORT

See Back For Instructions

46-5-425

RECEIVED
JUL 09 '86
DIVISION OF ENVIRONMENT

COPY DISTRIBUTION
White - Lab
Canary - Person requesting test
Pink - Water Quality Bureau (Storet)
Goldenrod - Extra as needed

LAB NAME (Check One)
- ☐ Boise
- ☐ Caldwell
- ☐ Coeur d'Alene
- ☐ Idaho Falls
- ☐ Lewiston
- ☐ Pocatello
- ☐ Twin Falls

STORET No. MARSHALL WELL
NPDES No. TWIN FALLS F.D.
Date of Collection (Yr., Mo., Day) 86 5 27
Time of Collection 930 (24 Hr. Clock) Depth (Meters) _____ Circle One DM DBM DVM

Sampling Point Location ~~Nbby~~ Marshall Geothermal Well - Castleford
Date Submitted (Yr., Mo., Day) 86-5-27
Submitted By HG

PURPOSE OF SAMPLE (Check one)
☐ Intensive Survey ☐ Trend
☒ Compliance ☐ Other _____

TYPE OF SAMPLES (Check appropriate boxes)
☐ Wastewater ☐ Raw ☐ Final ☐ Chlorinated
☐ Grab ☐ Cross Composite ☐ Depth Integrated
☐ Composite: Begin _____ End _____

SAMPLE TAKEN FROM (Check one)
☐ Spring ☐ Creek ☐ River ☐ Reservoir ☐ Well
☐ Lake ☐ Lagoon ☐ STP ☐ Industrial ☐ Drain

PRESERVED SAMPLES SUBMITTED
☐ Cooled, 4° C ☐ HNO_3
☐ H_2SO_4 ☐ NaOH ☐ Other _____

STORET Code		DEMAND (mg/L)
(00310)	☐	BOD_5 (Est: _____)
(00335)	☐	COD Low Level
(00340)	☐	High Level
(00680)	☐	TOC

		NUTRIENTS (mgl/L)
(00610)	☐	T. Ammonia as N
(00615)	☐	T. Nitrite as N
(00620)	☐	T. Nitrate as N
(00630)	☐	T. $NO_2 + NO_3$ as N
(00625)	☐	T. Kjeldahl Nitrogen as N
(00665)	☐	T. Phosphorus as P
(00669)	☐	T. Hydrolyzable Phosphorus as P
(70507)	☐	Ortho Phosphate as P.
(00671)	☐	Dissolved o-Phosphate as P

		MINERALS (mg/L)
(00095)	☐	Sp. Conductance (umhos/cm)
(00900)	☐	Hardness as $CaCO_3$
(00410)	☐	T. Alkalinity as $CaCO_3$
(00425)	☐	Bicarbonate Alk. as $CaCO_3$
(00430)	☐	Carbonate Alk. as $CaCO_3$
(00916)	☐	Calcium
(00927)	☐	Magnesium
(00929)	☐	Sodium
(00937)	☐	Potassium
(00940)	☐	Chloride
(00951)	☒	Fluoride 1.94
(00945)	☐	Sulphate as SO_4
(00956)	☐	Silica as SiO_2

		MISCELLANEOUS
(00076)	☐	Turbidity (NTU)
(00403)	☐	pH (SU)
(00720)	☐	Total Cyanide (mg/L)
(00116)	☐	Intensive Survey No.

MISCALCULATED
JUL 27 1990

STORET Code		RESIDUE (mg/L)
(00500)	☐	Total Residue
(00530)	☐	Non-Filterable Residue (105° C) (Suspended Solids)
(70300)	☐	Filterable Residue
(80154)	☐	Non-Filterable Residue (110° C) (Susp. Sediment)
( )	☐	Other Residue

TRACE METALS (ug/L)

DISSOLVED METALS

(01000)	☐	Arsenic, Dissolved
(01020)	☐	Boron, Dissolved
(01025)	☐	Cadmium, Dissolved
(01030)	☐	Chromium, Dissolved
(01040)	☐	Copper, Dissolved
(01046)	☐	Iron, Dissolved
(01049)	☐	Lead, Dissolved
(01056)	☐	Manganese, Dissolved
(71890)	☐	Mercury, Dissolved
(01065)	☐	Nickel, Dissolved
(01075)	☐	Silver, Dissolved
(01090)	☐	Zinc, Dissolved
( )	☐	Other
( )	☐	Other

TOTAL METALS

(01002)	☐	Arsenic, Total
(01022)	☐	Boron, Total
(01027)	☐	Cadmium, Total
(01032)	☐	Chromium, + 6
(01034)	☐	Chromium, Total
(01042)	☐	Copper, Total
(01045)	☐	Iron, Total
(01051)	☐	Lead, Total
(01055)	☐	Manganese, Total
(71900)	☐	Mercury, Total
(01067)	☐	Nickel, Total
(01077)	☐	Silver, Total
(01092)	☐	Zinc, Total
( )	☐	Other
( )	☐	Other

Date Completed _____ Date Reported 7-6-86
Chemist J. a Dodds DRW Cont. Lab JUL 08 1986
Remarks:

RETURN TEST RESULTS TO

Name GARY R BURKETT
Address PO BOX 1626
City TWIN FALLS State ID Zip Code 83303

HWH-0293

86-5-426

State of Idaho
Department of Health & Welfare
BUREAU OF WATER QUALITY
BUREAU OF LABORATORIES

WATER QUALITY REPORT
CHEMICAL REPORT

See Back For Instructions

RECEIVED
JUL 09 '86
DIVISION OF ENVIRONMENT

COPY DISTRIBUTION
White - Lab
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Goldenrod - Extra as needed

LAB NAME (Check One)
- ☐ Boise
- ☐ Caldwell
- ☐ Coeur d'Alene
- ☐ Idaho Falls
- ☐ Lewiston
- ☐ Pocatello
- ☐ Twin Falls

STORET No. Salmon Falls Cr Below
NPDES No. Pumping Plant
Date of Collection (Yr., Mo., Day) 86 5 23
Time of Collection 9 30 (24 Hr. Clock) Depth (Meters) ____ Circle One DM DBM DVM

Sampling Point Location Salmon Falls Creek
Date Submitted (Yr., Mo., Day) 86-27-86
Submitted By GB

PURPOSE OF SAMPLE (Check one)
☐ Intensive Survey ☐ Trend
☐ Compliance ☐ Other ____

TYPE OF SAMPLES (Check appropriate boxes)
☐ Wastewater ☐ Raw ☐ Final ☐ Chlorinated
☐ Grab ☐ Cross Composite ☐ Depth Integrated
☐ Composite: Begin ____ End ____

SAMPLE TAKEN FROM (Check one)
☐ Spring ☐ Creek ☐ River ☐ Reservoir ☐ Well
☐ Lake ☐ Lagoon ☐ STP ☐ Industrial ☐ Drain

PRESERVED SAMPLES SUBMITTED
☐ Cooled, 4° C ☐ HNO_3
☐ H_2SO_4 ☐ NaOH ☐ Other ____

STORET Code		DEMAND (mg/L)
(00310)	☐	BOD_5 (Est: ____) ____
(00335)	☐	COD Low Level ____
(00340)	☐	High Level ____
(00680)	☐	TOC ____

NUTRIENTS (mgl/L)

(00610)	☐	T. Ammonia as N ____
(00615)	☐	T. Nitrite as N ____
(00620)	☐	T. Nitrate as N ____
(00630)	☐	T. $NO_2 + NO_3$ as N ____
(00625)	☐	T. Kjeldahl Nitrogen as N ____
(00665)	☐	T. Phosphorus as P ____
(00669)	☐	T. Hydrolyzable Phosphorus as P ____
(70507)	☐	Ortho Phosphate as P. ____
(00671)	☐	Dissolved o-Phosphate as P ____

MINERALS (mg/L)

(00095)	☐	Sp. Conductance (umhos/cm) ____
(00900)	☐	Hardness as $CaCO_3$ ____
(00410)	☐	T. Alkalinity as $CaCO_3$ ____
(00425)	☐	Bicarbonate Alk. as $CaCO_3$ ____
(00430)	☐	Carbonate Alk. as $CaCO_3$ ____
(00916)	☐	Calcium ____
(00927)	☐	Magnesium ____
(00929)	☐	Sodium ____
(00937)	☐	Potassium ____
(00940)	☐	Chloride ____
(00951)	☒	Fluoride .93
(00945)	☐	Sulphate as SO_4 ____
(00956)	☐	Silica as SiO_2 ____

MISCELLANEOUS

(00076)	☐	Turbidity (NTU) ____
(00403)	☐	pH (SU) ____
(00720)	☐	Total Cyanide (mg/L) ____
(00116)	☐	Intensive Survey No. ____

STORET Code		RESIDUE (mg/L)
(00500)	☐	Total Residue ____
(00530)	☐	Non-Filterable Residue (105° C) (Suspended Solids) ____
(70300)	☐	Filterable Residue ____
(80154)	☐	Non-Filterable Residue (110° C) (Susp. Sediment) ____
( )	☐	Other Residue ____

TRACE METALS (ug/L)

DISSOLVED METALS

(01000)	☐	Arsenic, Dissolved ____
(01020)	☐	Boron, Dissolved ____
(01025)	☐	Cadmium, Dissolved ____
(01030)	☐	Chromium, Dissolved ____
(01040)	☐	Copper, Dissolved ____
(01046)	☐	Iron, Dissolved ____
(01049)	☐	Lead, Dissolved ____
(01056)	☐	Manganese, Dissolved ____
(71890)	☐	Mercury, Dissolved ____
(01065)	☐	Nickel, Dissolved ____
(01075)	☐	Silver, Dissolved ____
(01090)	☐	Zinc, Dissolved ____
( )	☐	Other ____
( )	☐	Other ____

TOTAL METALS

(01002)	☐	Arsenic, Total ____
(01022)	☐	Boron, Total ____
(01027)	☐	Cadmium, Total ____
(01032)	☐	Chromium, + 6 ____
(01034)	☐	Chromium, Total ____
(01042)	☐	Copper, Total ____
(01045)	☐	Iron, Total ____
(01051)	☐	Lead, Total ____
(01055)	☐	Manganese, Total ____
(71900)	☐	Mercury, Total ____
(01067)	☐	Nickel, Total ____
(01077)	☐	Silver, Total ____
(01092)	☐	Zinc, Total ____
( )	☐	Other ____
( )	☐	Other ____

MICROFILMED
JUL 2 7 1990

Date Completed ____ Date Reported 7-6-86
Chemist J. A. Doble DHW Cent. Lab JUL 08 1986
Remarks:

RETURN TEST RESULTS TO

Name GARY R Burkett
Address PO Box 1626
City Twin Falls State Id Zip Code 83303

rm 238-7
78

STATE OF IDAHO
DEPA .TMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

RECEIVED
JUN 1 1981
Department of Water Resources
Eastern District Office

1. WELL OWNER

Name Jean Marshall
Address 185 Blair Drive, Twin Falls, Idaho 83301
Owner's Permit No. 47-2565

2. NATURE OF WORK

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

3. PROPOSED USE

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

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ■ Steel ☐ Concrete ☐ Other _____

Thickness		Diameter		From		To	
.250	inches	20	inches +	1	feet	95	feet
.500	inches	26	inches	1	feet		feet
	inches		inches		feet		feet
	inches		inches		feet		feet

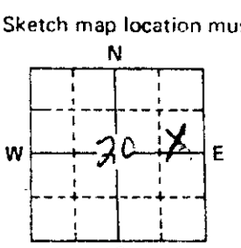
Was casing drive shoe used? ☐ Yes ■ No
Was a packer or seal used? ☐ Yes ■ No
Perforated? ☐ Yes ■ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number		From		To	
	perforations		feet		feet
	perforations		feet		feet
	perforations		feet		feet

Well screen installed? ☐ Yes ■ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ■ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 95' Material used in seal: ■ Cement grout ☐ Puddling clay ☐ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ■ Overbore to seal depth
Method of joining casing: ☐ Threaded ■ Welded ☐ Solvent Weld ■ Cemented between strata
Describe access port Fitting on top of well

6. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision Name _____
Lot No. _____ Block No. _____
County Twin Falls
E ¼ NE ¼ Sec. 20, T. 10 N. (S.) R. 13 E. (W.)

MICROFILMED
JUL 27 1990

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ■ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure 72 p.s.i.
Controlled by: ■ Valve ☐ Cap ☐ Plug
Temperature 107 °F. Quality good

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ■ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
3321		

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
26"	0	12	Loose rock & boulders		x
26"	12	23	Sand & gravel	x	
26"	23	40	Cindery lava (loose)		x
26"	40	48	Cindery lava (loose)	x	
26"	48	64	Red riolite	x	
26"	64	66	Red clay with red riolite		x
26"	66	90	Brown Riolite		x
20	90	188	Brown riolite		x
12	188	362	Gray riolite		x
	362	467	Brown riolite		x
	467	503	Red riolite		x
	503	581	Gray riolite		x
	581	630	Brown riolite & black		x
	630	705	Gray riolite		x
	705	745	Blue clay (sticky)	x	
	745	868	Loose brown riolite some water some clay	x	
	868	876	Sticky red clay		x
	876	918	Brown riolite	x	
	918	925	Gray riolite (loose)		x
	925	930	Loose gray & brown riolite	x	
	930	985	Grey & brown riolite		x
	985	1016	Loose gray riolite		x
	1016	1025	Loose brown riolite	x	
	1025	1280	Loose red & brown riolite lost cuttings	x	

10.

Work started 1-21-81 finished 4-17-81

11. DRILLERS CERTIFICATION

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

Firm Name Elsing Well Drilling Firm No. 31
Address P.O. Box 919, Twin Falls, Idaho Date May 25, 1981
Signed by (Firm Official) Arnold Elsing
and
(Operator) Brian Peterson

4/86

For Office Use Only
Fee Received LK 50.00
Date 5/22/86
Receipt # 40144
Receipt by morya
Sent to S.O. 5/22/86

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

RECEIVED
MAY 29 1986
Department of Water Resources

1. Permit No. 47-7565

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

[X] 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: Jean L. Giuffre

3. Post Office Address: 10945 Jamie Rd Boise ID 83703

Telephone No. 938-8783

4. Source of Water: Groundwater

5. Extent of Use:

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

Irrigation 280 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 5.6 cfs _____ acre-feet

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

1981

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

Wayne Marshall
(Name)

(Address) (Telephone Number)

MICROFILMED
JUL 27 1990

[ ] I choose to have the 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.)

5/22/86
Date

Jean L. Giuffre
Signature of Permit Holder (and title, if appropriate)

PLACE
STAMP
HERE

MICROFILMED

JUL 2 7 1990

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 47-7565
Name(s) of Permit Holder(s): Jean L. Giuffré [redacted]
Post Office Address: _____
_____ Tel. No. _____

☒ I hereby certify that construction of diversion works for the above referenced permit began on November 1982 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

_____
_____

*Note: A financing difficulty is not an acceptable reason.

July 1, 1983
Date

Jean L. Giuffré
Signature of Permit Holder

MICROFILMED

JGL

RECEIVED
JUN 3 1986
Department of Water Resources

10945 Janie Rd
Boise, ID 83703

May 31, 1986

Idaho Dept of Water Resources
Statehouse
Boise, ID 83720

RECEIVED
MAY 1 1 1988
Department of Water Resources

RE: Permit No 47-7565

Dear Sir:

I would like to withdraw my application for amendment to permit number 47-7565.

Sincerely,

Jean L Duffie

MICROFILMED
JUL 2 7 1990

October 7, 1985

MEMO

FROM: Loren O. Holmes
Southern Region Supervisor

TO: Amendment Application Files No. [redacted] - 47-7569

RE: Recommendations

Amendment to 47-7569 can be approved.

The off-stream storage in the original permit was not built and it is now proposed to divert the water for direct use in the spring and fall as available. This should not adversely affect other Salmon Falls Creek rights because the period during which water is diverted is the same. The amendment will also replace some of the groundwater supply from a flowing hot water well under permit 47-7565.

The amendment to [redacted]7565 should be denied.

The addition of other uses on a year round basis increases the annual volume which would be diverted. (1902 AF/Yr vs 1120 AF/Yr for irrigation alone @ 4 AF/Acre.

This places an additional demand on the artesian groundwater supply instead of reducing it as in amendment 47-7569.

MICROFILMED

JUL 2 7 1990

MEMORANDUM

TO: File 47-7565

FROM: Jim Johnson

DATE: October 17, 1985

RE: Amendment Review

Change in Nature of Use Calculations:

Use before amendment:	Irrigation	5.6 cfs for 280 acres
Use after amendment:	Irrigation	4.0 cfs for 280 acres
	Commercial	1.08 cfs
	Recreation	1.08 cfs
	Fish Prop.	1.08 cfs
	Total	5.08 cfs

Per Admin. Memo of 4/28/82, volume and consumptive use should also be considered:

Volume:

A. Irrigation

1. before amendment - 280 ac X 3.0 $\frac{\text{ac.ft}}{\text{ac}}$ = 840 ac. ft.

   5.6 cfs X 1.9835 X 214 = 2377 ac. ft.

2. after amendment - 280 ac X 3.0 $\frac{\text{ac.ft}}{\text{ac}}$ = 840 ac. ft.

   4.0 ac X 1.9835 X 214 = 1697.9 ac. ft.

B. Commercial

   Volume unknown - insufficient information

C. Recreation

   Volume unknown - insufficient information

D. Fish Propagation

   Volume usually not determined for this use

MICROFILMED
JUL 2 7 1990

Consumptive Use:

A. Irrigation

2.2 $\frac{\text{af.ft}}{\text{ac}}$ X 280 ac. = 614 ac.ft.

Before and after amendment

B. Commercial

Consumptive use unknown due to insufficient information

C. Recreation

Same as above

D. Fish Propagation

Consumptive use = 0 ac.ft.

Does amendment increase the amount of water?

	Rate before	Rate after	Answer
Irrigation	5.6	4.0	No
Commercial	0	1.08	Yes
Recreation	0	1.08	Yes
Fish Prop.	0	1.08	Yes
Total	5.6	5.08	No

	Volume before	Volume after	Answer
Irrigation	840	840	No
Commercial	? or 0	?	?
Recreation	? or 0	?	?
Fish Prop.	N/A	N/A	No

	Consumptive use before	Consumptive use after	Answer
Irrigation	614	614	No
Commercial	0	?	?
Recreation	0	?	?
Fish Prop.	0	0	No

MICROFILMED
JUL 27 1990

Does the amount irrigation is reduced allow new uses to occur?

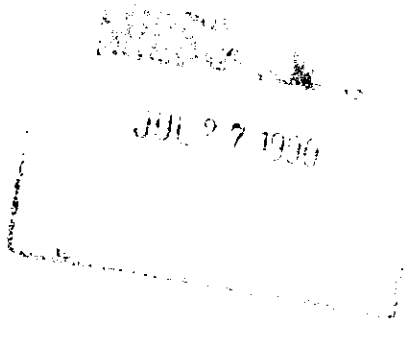
Answer: No

Reason: Since all three parameters of a water right must be considered as a single unit of the water right, per Admin. Memo of 4/28/82, and since the volume required for irrigation of 280 acres is assumed to be unchanged; then water used for another purpose cannot be added to the water right without a reduction of volume used for irrigation.

Conclusion:

The amendment application as prepared cannot be approved.

The region has recommended that the amendment be denied.



NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-7565

Notice is hereby given that Jean L. Giuffre' of Boise, Idaho is the holder of approved permit No. 47-7565 authorizing the diversion of 5.6 cubic feet per second of water from a groundwater source in the SENE, Sec. 20, T10S, R13E, B.M., Twin Falls County, to be used for irrigation of 280 acres from March 15 to November 15 within the NW1/4, E1/2SW1/4, NWSW, Sec. 32, T9S,R13E
B.M.,
The permit holder has applied to the Department of Water Resources for an Amendment to the permit to add additional uses as follows:

Point of diversion: No change

Place of Use: 4.00 cfs for irrigation of 280 acres from Mar. 15 to Nov. 15 within NW1/4, E1/2SW1/4, NWSW, Sec.32, T9S, R13E. 1.08 cfs for Commercial from Jan. 1 to Dec. 31; 1.08 cfs for Recreational purposes from Jan. 1 to Dec. 31; 1.08 cfs for fish propagation from Jan. 1 to Dec. 31 for a total of 5.08 cfs. Commercial, recreation, and fish propagation to be within SENE Sec. 20, T10S, R13E.

Any protest against approval of the amending of permit No. 47-7565 as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before July 29, 1985.

A. Kenneth Dunn
Director

Published in Times News on July 11 and July 18, 1985.

MICROFILMED
JUL 2 7 1990

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-7565

Notice is hereby given that Jean L. Giuffre' of Boise, Idaho is the holder of approved permit No. 47-7565 authortzing the diversion of 5.6 cubic feet per second of water from a groundwater source in the SENE, Sec. 20, T10S, R13E, B.M., Twin Falls County, to be used for irrigation of 280 acres from March 15 to November 15 within the NW¼, E½SW¼, NWSW, Sec. 32, T9S, R13E B.M.,

The permit holder has applied to the Department of Water Resources for an Amendment to the permit to add additional uses as follows:

Point of diversion: No change

Place of Use: 4.00 cfs for irrigation of 280 acres from March 15 to Nov. 15 within NW¼, E½SW¼, NWSW, Sec. 32, T9S, R 13E. 1.08 cfs for Commercial from Jan. 1 to Dec. 31; 1.08 cfs for fish propagation from Jan. 1 to Dec. 31 for a total of 5.08 cfs. Commercial, recreation, and fish propagation to be within SENE Sec. 20, T10S, R13E.

Any protest against approval of the amending of permit No. 47-7565 as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before July 29, 1985.

A. Kenneth Dunn
Director

PUBLISH: Thursdays, July 11, and 18, 1985.

called correction
Mary
7/9/85

1.08 recreation

MICROFILMED
JUL 27 1990

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

No. 15264

I, Linda Copps McSure being first duly sworn upon oath, depose and say that I am Price Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated July 11, 1985, and ending with the issue dated July 18, 1985.

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 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

MICROFILMED
JUL 27 1990

Linda Copps McSure

Subscribed and sworn to before me on this 24 day of July, 1985.

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

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

July 3, 1985

Times News
Box 548
Twin Falls, Idaho 83310

Re: Notice of Amendment to a Water Right No. 47-7565
Notice of Amendment to a Water Right No. 47-47-7569

Gentlemen:

Enclosed you will find 2 legal notices 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.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED
JUL 27 1990

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

ADMINISTRATOR'S MEMORANDUM

Permit Processing No. 5

RECEIVED
SEP 15 1982
Department of Water Resources
Northern District Office

TO: Regional Offices and Water Allocation Section

FROM: Norman C. Young NCY

DATE: April 28, 1982

RE: Amendment of an Application For Permit or a Permit

Often the holder of an Application For Permit or a Permit will wish to change the nature, season or amount of use via the amendment procedure. The extent to which a change can be authorized is described in Section 42-211, Idaho Code, which provides an amendment procedure for an application for permit and a totally different amendment procedure for a permit. The purpose of this memo is to clarify present department policy regarding amendments.

Amending an Application For Permit

An application for permit can be changed in two ways:

1. If the change is minor, such as to correct an error, the change should be made on the original application and initialed and dated by the applicant or his agent.
2. If the change is major and would significantly alter the appearance of the application, the application may be retyped with "Amended" typed on the front page. The new application must be signed by the applicant. The priority date must be changed to the date of the amendment if the amount of water is increased, if an additional use is added, if a new source is added, if the place of use is enlarged, or if a change in point of diversion could affect junior rights.

An amended application for permit must be readvertised if the amendment is made after the application is published. The applicant must pay any additional fees as a result of increasing the rate of diversion or amount of storage and must also pay the readvertisement fee if the application has already been advertised.

MICROFILMED
JUL 27 1990

As an example, assume the owner of an application for permit wishes to add 3.0 cfs for power to an application which already has 3.0 cfs for irrigation. Assume the total rate of diversion is not increased and the applicant plans to use the water only during the irrigation season. The

rate of flow would not be increased and the volume may or may not be increased, but an enlargement or expansion would occur because an additional use is added. Therefore the date of priority must be changed to the date of the amendment. The fee would be only $20. for readvertising in this case.

Amending a Permit

A permit holder can change a permit only by filing an Application For Amendment of a Permit. The Department cannot approve a Permit Amendment that would result in an increase in amount of water, a new source, an increase in place of use, or a change in point of diversion that would adversely affect junior rights.

As an example, assume a permit holder has a permit for 3.0 cfs groundwater for irrigation and the field examiner found that the permit owner diverted 2.0 cfs from groundwater and 1.0 cfs from an unnamed stream. The permit owner cannot add the unnamed stream source to his permit. The water user must file for a new permit to obtain a water right on the unnamed stream.

As another example, assume that a permit shows 1.0 cfs for irrigation of 50 acres. The permit holder wishes to add domestic use for two homes to the permit. This can be allowed if enough irrigation use is removed from the permit to provide for the domestic use and if the change in period of use does not appear to present a significant problem. In this case the permit might be reduced to show 0.96 cfs for 48 acres of irrigation and .04 cfs for two domestic households. Although the permit does not show total volume or consumptive use, these two parameters should be considered in evaluating the amendment.

As a final example, assume that a permit shows 10.0 cfs for fish propagation with a year-around use. The permit holder wishes to add 4.0 cfs for power to the permit. This change can be accepted only if fish propagation is deleted by 4.0 cfs, eventhough both are nonconsumptive uses. If the permit holder desires 10.0 cfs for power, the fish propagation use must be totally deleted.

The decision to advertise an Amendment of Permit is optional, and is left to the discretion of the Director. This discretion is normally delegated to the Regional Office Supervisor for amendments of permits that have not yet been field examined, and to the Water Allocation Section Supervisor for amendments filed just prior to licensing. Examples of amendments which should be advertised include those on permits which were protested, changes within the boundaries of a critical groundwater area and changes in other areas of potential controversy.

MICROFILMED
JUL 27 1990

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

> 42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 11, 1986

POOR QUALITY

JEAN L. GIUFFRE'
10945 JANIE ROAD
BOISE ID 83703

RE: Permit No. 47-7565

Dear Permit Holder:

We acknowledge receipt of your statement 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.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

FILMED
1990

Form 217
12/84

RECEIVED
JUN 6 1985
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUN 4 1985
Department of Water Resources
Southern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 47-75605

Name(s) of Permit Holder: Jean L. Giuffré ✓

Post Office Address: 10945 Janie Rd, Boise 83703 ✓

Telephone No. 939-8783

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 280 (acres) ✓

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

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

Wayne Marshall
(Name)

MICROFILMED

185 Blair Dr, Twin Falls — 733-3983
(Address) (Telephone Number)

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

May 31, 1985
Date

Jean L Giuffré
Signature of Permit Holder (and Title, if appropriate)

1-28

June 1, 1982

RE: Permit No. 47-7565

Jean L. Giuffre
10945 Janie Rd.
Boise, ID 83703

Dear Ms. Giuffre:

Enclosed is a cppy of your approved Application for Amendment of the above referenced permit. Please note the conditions of approval on the fast page.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

DATE 5-11-82

FROM Jim

TO KAY

SUBJECT CONDITIONS OF APPROVAL

1) PURSUANT TO MEMORANDUM DECISION AND ORDER

2) 05(47-G SALMON FALLS CREEK)

3) 01 MODIFIED - ... MAINTAINED AT THE POINT OF INJECTION AND AT THE POINT OF REDIVERSION FROM SALMON FALLS CREEK

WATER DISCHARGED INTO SALMON FALLS CR. SHALL MEET IDAHO WATER QUALITY STANDARDS

MICRO FILMED

SIGNATURE

March 24, 1982

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Re: Notice of Amendment to a Water Permit No. 47-7565

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,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-7565

Notice is hereby given that Jean L. Marshall Giuffre is the holder of approved permit No. 47-7565 authorizing the diversion of 5.6 cubic feet per second of water from groundwater in the SE¼NE¼, Sec. 20 T10S, R13E, B.M.

County of Twin Falls, to be used for irrigation (on 280 acres) within NW¼, E½SW¼, NW¼SW¼, Sec. 32, T9S, R13E

The permit holder has applied to the Department of Water REsources for an Amendment to the permit, ~~to change the point(s) of diversion, and place of use~~ as follows:

Point(s) of Diversion: No Change

Water to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 200 feet downstream from the injection point.

Place of Use: No Change

Any protest against approval of the amending of Permit No. 47-7565 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before April 19, 1982.

A. KENNETH DUNN
Director

Published in the Times News on April 1 AND April 8, 1982.

MUNICIPAL

NOTICE OF AMENDMENT TO A WATER RIGHT NO. 47-7565

Notice is hereby given that Jean L. Marshall Giuffre is the holder of approved permit No. 47-7565 authorizing the diversion the of 5.6 cubic feet per second of water from groundwater in the SE¼NE¼, Sec. 20 T10S, R13E, B.M. County of Twin Falls, to be used for irrigation (on 280 acres) within NW¼, E½SW¼, NW¼SW¼, Sec. 32, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, as follows:

Point(s) of Diversion: No change

Water to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 200 feet downstream from the injection point.

Place of Use: No Change

Any protest against approval of the amending of Permit No. 47-7565 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before April 19, 1982.

A. KENNETH DUNN
Director

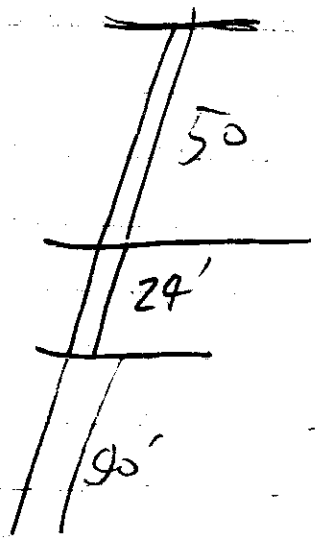
PUBLISH: Thursday, April 1, and 8, 1982.

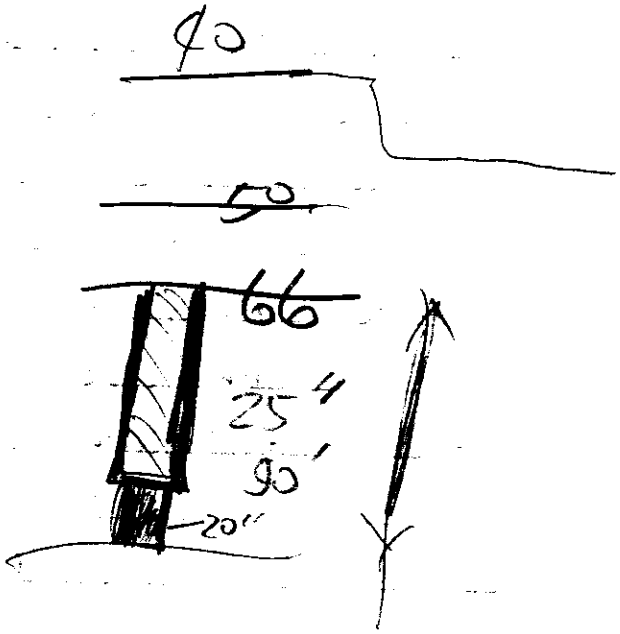
2/5/81 This day Wayne Marshall phoned and asked if they could set the casing at approx. Elev. 3340'. I contacted Bob Fleenor and reviewed with him the basis of the order. The order is based upon geologic information which shows that several layers of formation above 3100' provide water to Salmon Falls Creek, Thus the casing should be extended down to elev. 3100' or else additional information provided which would allow for modification of the order.

I phoned Wayne Marshall and relayed what was discussed.

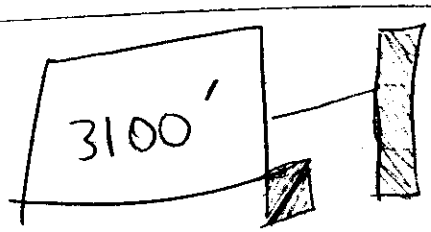
ADR

MICROFILMED

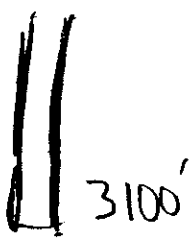




326 -5736 Gene Marshall



3100'



3300

3400

Ida Vida Volcanics
Barbers Basalt

MICROFILMED

June 17. 1981

MEMO:

TO: Files - 47-7615 - 47-7618 (Amendments) & Permit 47-7565

FROM: Loren O. Holmes
Southern Region Supervisor

The well to be drilled under these Amendments is located in Salmon Falls Canyon next to the well recently completed under Permit 47-7565. Copies of the Marshall well log and the logs of the first well drilled under these permits are attached.

Approval of these Applications for Amendment should be conditioned the same as Permit 47-7565.

In view of the fact that the well drilled under 47-7565 is not cased for 500 feet as required by the Permit, but all water encountered above 3100 feet elevation is cased out, same consideration should be given to modifying the conditions of approval to reflect the actual well construction.

A condition should also be added placing the wells under watermaster control if Salmon Falls Creek is to be used as a conveyance for the water.

MICROFILMED

MEMO:

TO: Bob Fleenor & Files

RE: Inspection of Ken Marshall Well - Permit #47-7565
and Easterday well - Permits #47-7614, 47-7615, 47-7616, 47-7617, 47-7618

Date of Inspection: February 26, 1981

The Ken Marshall well is being drilled by Elsing Drilling with a cable tool rig in the Salmon Falls Creek Canyon just downstream from the Balanced Rock crossing. When inspected by Allen and I, the rig was being operated by Ray Gramer. He reported the well depth as 350 feet, drilling in hard, gray rhyolite and obtaining no water.

The well has a 26" casing down to 30 feet. A 20" casing is grouted inside this from the surface down to a depth of 90 feet. The well is 20" open hole from 90 to 200 fe and 12 inch open hole from 200 feet to the bottom.

The operator says artesian water was encountered in the first 90 feet of hole, and this has been sealed out except for a small amount of leakage. Two 3/4 inch pipes have been grouted into the annular space between the 26" and 20" casings to tap some of the artesian flow for possible domestic use. The combined flow of the two taps and the leakage out of the well is no more than 20 gpm.

Gramer said he thought the leakage could be sealed off with additional grout after the well is completed.

We also inspected a well being drilled for La Ray Easterday under Permits # 47-7614 15, 16, 17, 18, in the SWSE, Sec. 2 T10S, R13E. The well is being drilled by Elsing Drilling with a rotary rig.

The driller reported the depth as 725 feet, drilling in gray rhyolite.

Wthe well has 512 feet of 12" casing installed. The operator said that only 125 gpm of water had been encountered and that this was cased out. He is currently drilling in a dry hole.

Both the Marshall and Easterday wells have hole bottom elevations of less than 3100 feet and therefore any water now encountered can be appropriated under the permits.

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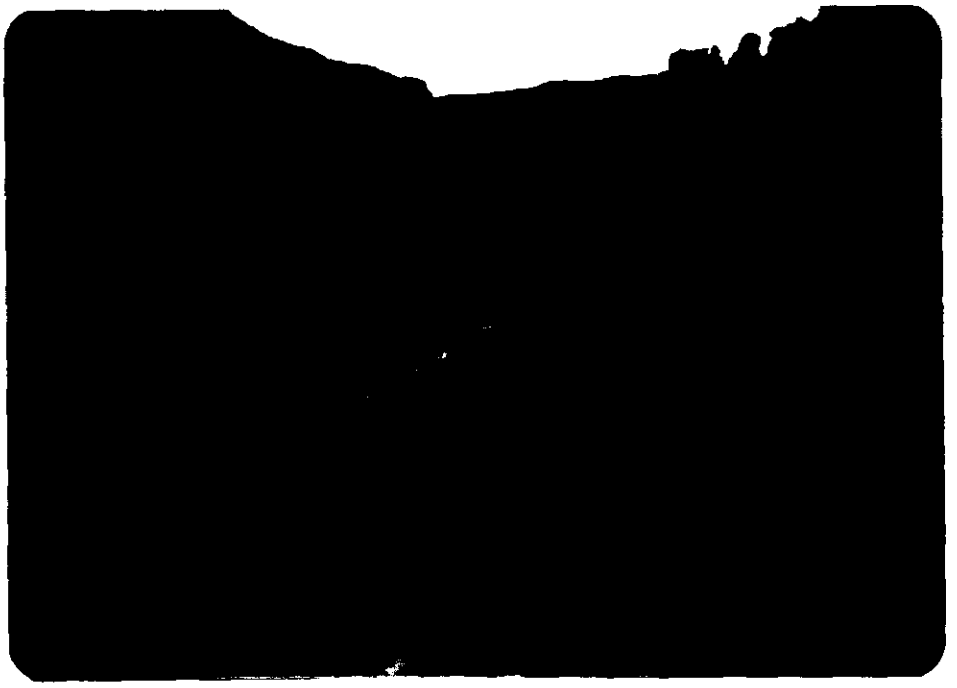

photos back
fiction front

December 5, 1980

Gene Babin
Bureau of Land Management
550 West Fort
Boise, ID 83720

Dear Gene:

Enclosed is a copy of approved Application for Permit No. 47-7565 along with a copy of the Memorandum Decision and Order, pursuant to your request.

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

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

MICROFILMED

December 5, 1980

Jean L. Marshall
185 Blair Drive
Twin Falls, ID 83301

Dear Ms. Marshall:

Re: Application for Permit No. 47-7565

Enclosed is a copy of the approved Application for Permit No. 47-7565 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the order.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are the specifications for the installation of an access port.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: William L. Nungester
William F. Ringert
Magic Water Co., Inc.
David A. Slavin

MICROFILMED

MEMORANDUM

TO: Bob Fleenor
FROM: Paul Castelin PMC
DATE: October 15, 1980
SUBJ: PROTESTED WATER RIGHT APPS. 47-7614, 7615, 7616, 7617 & 7618 (EASTERDAYS) AND 47-7565 (MARSHALL) RELATING TO CONDITION NO. 3 MEMORANDUM DECISION AND ORDER

I agree with the intent of the condition, but as is usual in things geologic, it isn't that simple.

The "first aquifer" referred to in the memorandum decision I assume to be sands and gravels overlying the major aquifers in the area; the Banbury basalt and Idavada volcanics (rhyolite). Most high-yield wells are in the Idavada Volcanics, some in the Banbury, and most groundwater moving to Salmon Falls Creek would move through these units.

Specifically, to avoid any interference with groundwater flows reaching Salmon Falls Creek from the east wells would have to withdraw water from below a confining layer in the Idavada volcanics with an elevation no greater than 3100 feet. Unperforated casing would need to extend to and be sealed into this confining layer. Even then, if significant artesian pressure was encountered below the confining layer, a certain amount of naturally-occurring upward leakage that had been taking place would be reduced by pumpage withdrawals, thus reducing recharge to the shallower system anyway.

By requiring this type of construction the impacts will be minimized on Salmon Falls Creek, especially if well spacing of 0.5 mile or greater between the proposed wells is also considered. Financial costs to the applicants, however, will be greater due to the need to drill to a depth of at least 500 feet and case a like depth.

I hope these comments clarify your question regarding condition No. 3; if not, we can discuss it further.

MICROFILMED

47-7565 - Marshall, Jean L.

9S, 13E

32: NENW (02-7100, use = A)
NWNW 02-7100
SWNW 02-7100
SENW 02-7100
NESW 02-7100
NWSW 02-7100
SESW 02-7100

47-7618 - Eastaday, Lorene I.

9S, 13E.

34: NENE 02-7100, (47-7573, use = B)
NWNE 02-7100, 47-7573
SWNE 02-7100, 47-7573
SENE 02-7100, 47-7573
NENW 02-7100, 47-7573
SENW 02-7100, 47-7573
NESE 02-7100, 47-7573
NWSE 02-7100, 47-7573

MICROFILMED

47-7614 - Easterday, Janet M.

9S, 13E

34: NESW 02-7100, (47-7654, use = A)
SESW 02-7100, (47-4015, use = A)

10S, 13E

3: NENW (L.3) 02-7100, 47-4015
NWNW (L.4) 02-7100
SWNW 02-7100
SENW 02-7100, 47-4015
NESW 02-7100, 47-7654
NWSW 02-7100

47-7616 - Easterday, Elden B.

9S, 13E

28: NESW 02-7100
SESW 02-7100

33: NENW 02-7100
NWNW 02-7100

47-7615 - Easterday, Lenard

9S, 13E

35: SWNW 02-7100, (47-7572, use = B)
SENW 02-7100, 47-7572
NESW 02-7100, 47-7572
NWSW 02-7100, 47-7572
SWSW 02-7100, 47-7572
SESW 02-7100, 47-7572
34: SESE 02-7100, 47-7572
SWSE 02-7100, 47-7572

MICROFILMED

47-7617- Easterday, La Ray L.

9S, 13E

33: NENE 02-7100, (47-4174, use = A)
NWNE 02-7100, 47-4174
SWNE 02-7100, 47-4174
SENE 02-7100, 47-4174
SENW 02-7100

34: NWNW 02-7100
SWNW 02-7100

MICROFILMED

A ~~02-7100~~ ✓

B ~~47-7573~~ ✓

A 47-7654 ✓

A 47-4015 needs data entry correction

B ~~47-7572~~ ✓

A 47-4174 ✓

MICROFILMED

13106[illegible]50 Salmon Falls Creek near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long 1[illegible].51'15", in SW¼SE¼SE¼ sec.30, T.6 S., R.14 E., Gooding County, on left bank 25 ft upstream from U.S. Highway 30, at mile 1.9, and 8.5 miles south of Hagerman.

DRAINAGE AREA.--2,120 sq mi, approximately.

PERIOD OF RECORD.--April to September 1970.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft (from topographic map).

EXTREMES.--Maximum discharge during period, 254 cfs June 17 (gage height, 5.10 ft); minimum, 32 cfs July 15 (gage height, 3.07 ft).

REMARKS.--Records excellent. Flow completely regulated by Salmon River Canal Co. reservoir 44 miles upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Discharge measurements made prior to beginning of continuous discharge record

Date	Discharge (cfs)	Date	Discharge (cfs)
Nov. 5, 1968....	206	Feb. [illegible], 1[illegible]....	159
Apr. 14, 1969....	166	Apr. [illegible]....	140
Sept. 15.....	172		

NOTE.--Discharge measurements made prior to 1968 are listed in "Miscellaneous Streamflow Measurements in Idaho, 1894-1967", p. 147.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

3.1	36	4.0	121
3.5	70	4.8	216

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1969 TO SEPTEMBER 1970

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1							-	150	105	133	97	160
2							-	144	90	111	105	154
3							-	143	87	89	98	167
4							-	150	82	84	92	167
5							-	138	86	85	92	185
6							172	147	75	81	92	208
7							182	192	78	71	89	203
8							205	183	108	82	53	196
9							197	172	130	70	86	185
10							190	200	167	64	90	180
11							188	211	169	53	85	175
12							185	195	170	59	78	176
13							184	195	196	61	81	182
14							183	195	215	52	84	186
15							180	178	212	57	74	178
16							178	177	192	49	72	184
17							177	156	203	55	74	198
18							180	147	174	48	70	203
19							192	144	155	41	83	205
20							199	139	146	56	83	220
21							195	148	98	67	78	224
22							186	148	82	68	82	223
23							167	139	81	71	89	215
24							163	151	72	75	101	213
25							159	148	94	68	111	216
26							191	119	58	77	96	208
27							228	100	70	97	99	202
28							205	109	98	104	102	201
29					-------		196	99	125	105	110	207
30					-------		155	89	135	120	112	207
31		-------			-------	-------		101	-------	113	167	-------
TOTAL							-	4,707	3,713	2,359	2,855	5,828
MEAN							-	152	124	76.1	92.1	194
MAX								211	215	133	167	224
MIN								89	54	41	70	154
AC-FT							-	9,340	7,360	4,680	5,660	11,560

47-7571
47-7565
47-7669
47-7572
47-7573
Applicants Ex A.

MICROFILMED

13106500 Salmon Falls Creek near Hansen, Idaho

LOCATION.--Lat 42°41'47", long [illegible]°51'15", in SW¼SW¼ sec.30, T.9 S., R.14 E., Twin Falls County, on left bank 25 ft upstream from U.S. Highway 30, at mile 1.4, and 4.5 miles south of Hansen.

DRAINAGE AREA.--2,120 sq mi, approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,[illegible] ft (from topographic map).

EXTREMES.--Current year: Maximum discharge, 1,360 cfs Jan. 19 (gage height, 9.04 ft); minimum, 44 cfs July 9 (gage height, 3.19 ft).
Period of record: Maximum discharge, 1,360 cfs Jan. 19, 1972 (gage height, 9.04 ft); minimum, 32 cfs July 15, 1970 (gage height, 3.07 ft).

REMARKS.--Records excellent. Flow completely regulated by Salmon River Canal Co. reservoir 44 miles upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

[illegible]	44	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
4.[illegible]	[illegible]24	[illegible]	1,[illegible]
[illegible]	[illegible]20	[illegible]	[illegible]

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR [illegible]OCTOBER 1971 TO SEPTEMBER 1972

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	261	254	215	176	158	32[illegible]	161	218	86	60	119	179
2	267	247	204	176	159	29[illegible]	161	210	78	59	116	179
3	272	241	209	175	161	521	157	202	82	58	118	178
4	272	242	217	173	161	496	144	194	83	54	108	178
5	263	237	212	167	156	[illegible]34	144	186	90	63	102	197
6	245	231	211	164	161	5[illegible]	144	178	114	62	101	201
7	229	234	198	173	172	[illegible]91	149	177	144	53	102	199
8	231	236	170	181	165	[illegible]67	153	170	180	54	105	207
9	233	235	163	180	162	[illegible]04	159	176	222	44	100	207
10	227	230	165	177	159	471	190	173	176	61	107	216
11	224	226	[illegible]95	176	161	[illegible]67	[illegible]11	[illegible]64	171	[illegible]53	107	233
12	225	224	[illegible]95	256	161	[illegible]58	210	[illegible]04	142	54	108	243
13	237	225	190	191	168	[illegible]62	226	184	173	53	104	[illegible]19
14	236	227	169	178	173	[illegible]67	246	168	170	53	116	226
15	245	220	186	170	173	[illegible]65	216	167	169	55	127	216
16	262	218	182	169	[illegible]17	264	[illegible]03	166	162	61	123	226
17	264	220	181	172	229	265	207	164	150	53	120	240
18	265	221	161	360	[illegible]38	253	214	164	136	62	126	251
19	262	217	173	1,160	228	224	221	163	137	63	129	257
20	261	224	175	517	231	221	229	[illegible]62	112	51	129	263
21	259	222	173	260	240	[illegible]17	[illegible]51	145	130	53	132	270
22	255	221	184	249	[illegible]63	18[illegible]	232	162	98	56	130	277
23	251	219	187	243	242	166	[illegible]46	148	100	[illegible]5	136	283
24	248	217	184	[illegible]07	244	165	236	144	94	[illegible]5	130	290
25	251	219	183	182	242	168	[illegible]34	144	92	[illegible]2	126	297
[illegible]	256	[illegible]25	196	[illegible]41	[illegible]67	163	[illegible]52	142	[illegible]7	[illegible]6	[illegible]43	304
[illegible]7	[illegible]56	[illegible]28	179	178	[illegible]67	163	[illegible]51	145	[illegible]2	[illegible]4	143	311
29	262	[illegible]19	176	175	[illegible]63	161	[illegible]3	144	87	[illegible]2	157	319
27	256	[illegible]17	171	185	[illegible]27	163	[illegible]10	145	72	[illegible]7	157	327
30	248	216	172	[illegible]90	------	156	[illegible]28	122	[illegible]3	[illegible]4	161	335
31	259	------	177	156	------	163	------	[illegible]8	------	1[illegible]4	173	------
TOTAL	7,793	6,811	5,813	7,239	5,[illegible]98	7,[illegible]32	[illegible],[illegible]49	5,[illegible]67	3,754	2,[illegible]22	5,85[illegible]	7,[illegible]19
MEAN	251	227	184	233	20[illegible]	253	202	18[illegible]	125	65.[illegible]	124	244
MAX	272	254	215	1,160	327	52[illegible]	[illegible]46	218	222	1[illegible]5	173	335
MIN	224	216	171	156	156	161	144	[illegible]5	71	[illegible]3	100	178
AC-FT	15,460	13,510	11,530	14,360	11,70[illegible]	14,950	11,[illegible]00	[illegible],[illegible]30	7,450	4,[illegible]10	7,640	14,520

CAL YR 1971 TOTAL 66,664 MEAN 183 MAX 673 MIN 45 AC-FT 132,200
WTR YR 1972 TOTAL 69,156 MEAN 189 MAX 1,16[illegible] MIN 44 AC-FT 137,2[illegible]

Below Salmon Falls Creek, near Hagerman, Id.

LOCATION.--Lat 42°41'42", long 114°51'[illegible]", in SW¼NE¼ sec. [illegible], T. [illegible] S., R.11 E., Twin Falls County, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1. [illegible] km), and 8. mi (13.' km) south of Hagerman.

DRAINAGE AREA.--2,120 sq mi (5,490 sq km), approximately.

PERIOD OF RECORD.- April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,495 ft (760 m) from topographic map.

EXTREMES.--Current year: Maximum discharge, 498 cfs (14 cu m/s) Oct. 7 (gage height, 5. 3 ft or 1,6[illegible] m), minimum, 21 cfs (0.60 cu m/s) July 7 (gage height, 2. [illegible] ft or 0.[illegible] m).
Period of record: Maximum discharge, 1,460 cfs (41 cu m/s) Jan. 19, 1972 (gage height, 6.04 ft or 2.[illegible] m); minimum, 21 cfs (0.60 cu m/s) July 7, 1973 (gage height, [illegible] ft or [illegible] m).

REMARKS.--Records good except for October and November, which are fair. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13104500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Jan. 13 to Feb. 16, Apr. 11 to May 17, July 18-[illegible], Aug. 30 to Sept. 30)

1	11	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	4[illegible]
4.	[illegible]		

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1972 TO SEPTEMBER 1973

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	342	226	216	190	179	153	158	174	114	57	91	189
2	350	226	216	185	176	162	157	149	120	49	85	197
3	358	228	216	187	175	169	156	140	126	61	90	201
4	352	244	199	181	178	171	154	149	119	49	98	199
5	362	235	149	173	176	167	154	158	111	43	97	199
6	370	229	143	176	175	159	153	153	105	40	105	180
7	378	253	141	173	180	157	157	155	99	36	106	174
8	343	251	144	175	178	161	168	151	93	36	102	161
9	352	255	145	181	175	175	161	155	93	36	101	167
10	372	260	144	182	177	176	143	147	87	44	112	177
11	344	256	136	182	180	175	154	139	100	50	115	174
12	333	258	135	191	180	169	154	136	98	33	110	168
13	301	255	135	255	177	167	150	108	100	37	108	181
14	316	255	139	242	174	163	138	119	113	40	132	180
15	335	255	143	214	173	161	139	93	120	40	95	181
16	343	253	146	207	172	162	2[illegible]	74	125	39	39	193
17	298	251	152	323	171	164	21[illegible]	69	134	50	134	205
18	282	247	146	307	169	166	207	62	146	51	99	225
19	283	253	161	198	170	168	202	65	145	57	100	233
20	283	255	171	190	169	168	209	93	140	47	108	224
21	283	247	165	184	169	168	220	83	108	68	115	236
22	281	242	164	177	170	167	220	87	91	73	109	238
23	282	237	165	182	169	168	210	81	75	87	115	237
24	283	237	154	183	171	163	198	75	73	88	121	239
25	289	240	155	186	170	161	187	85	69	46	133	252
26	291	247	158	185	170	161	177	91	60	48	140	254
27	276	237	196	169	169	173	154	107	64	84	141	248
28	269	238	194	175	162	173	149	113	64	87	143	246
29	261	229	193	174	-------	165	157	110	64	90	144	236
30	254	216	187	180	-------	162	180	134	48	97	133	224
31	242	-------	185	183	-------	159	-------	101	-------	100	139	-------
TOTAL	9,726	7,317	5,120	5,917	4,851	5,[illegible]	5,357	4,584	2,957	1,847	3,460	6,223
MEAN	314	244	167	191	173	166	179	116	98.6	59.6	112	207
MAX	378	260	216	255	180	176	220	174	146	100	144	254
MIN	242	216	135	173	162	159	143	68	44	40	85	161
AC-FT	19,290	14,510	10,250	11,740	9,620	10,[illegible]	10,630	9,110	5,[illegible]3	3,[illegible]9	6,860	12,340

CAL YR 1972 TOTAL 70,962 MEAN 194 MAX 1,160 MIN 4 AC-FT 140,8[illegible]
WTR YR 1973 TOTAL 61,552 MEAN 16[illegible] MAX 378 MIN [illegible] AC-FT 1[illegible],[illegible]

131[illegible] Salmon Falls [illegible] near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼ NE¼ sec.[illegible], T.6 S., R.14 E., Twin Falls County, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.2 mi (13.2 km) south of Hagerman.

DRAINAGE AREA.--2,120 sq mi (5,490 sq km), approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,960 ft or 850 m [from topographic map].

EXTREMES.--Current year: Maximum discharge, 302 cfs [illegible] Jan. 15 (gage height, 5.35 ft or 1.630 m); minimum, 35 cfs (0.99 cu m/s) June 26 (gage height, [illegible] ft or [illegible] m).
Period of record: Maximum discharge, 1,460 cfs [illegible] Jan. 24, 1972 (gage height [illegible] ft or 2.[illegible] m); minimum, 21 cfs (0.60 cu m/s) July 7, 1971 (gage height, [illegible] ft or [illegible] m).

REMARKS.--Records fair. Flow completely regulated by Salmon River [illegible] reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted [illegible] for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions to canals from the left bank below the dam are used for irrigation of land most of which lies outside the basin.

Water table (gage height, in feet, and [illegible] datum [illegible] of feet per second)

[illegible]

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR [illegible] MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	236	236	221	141	165	158	158	[illegible]	44	[illegible]	42	117
2	240	239	218	174	164	194	156	[illegible]	44	6	45	160
3	237	242	218	174	164	214	154	[illegible]	47	[illegible]	47	169
4	237	241	216	165	164	172	153	[illegible]	34	[illegible]	44	124
5	240	241	219	175	164	164	153	[illegible]	47	[illegible]	43	134
6	240	240	218	176	162	167	151	[illegible]	110	65	47	151
7	240	238	220	174	161	167	151	[illegible]	15	[illegible]	46	179
8	240	240	221	161	162	165	151	[illegible]	141	[illegible]	114	162
9	240	236	217	164	165	161	154	[illegible]	136	51	104	158
10	240	235	209	176	165	159	156	[illegible]	126	[illegible]	111	154
11	238	232	203	165	165	157	156	[illegible]	123	47	113	150
12	240	232	208	174	165	156	154	[illegible]	117	44	110	170
13	240	231	213	174	165	162	153	[illegible]	121	[illegible]	101	174
14	240	231	213	167	165	163	152	[illegible]	111	[illegible]	96	157
15	240	229	210	161	165	161	154	[illegible]	117	[illegible]	93	148
16	241	229	210	165	165	157	156	[illegible]	111	[illegible]	97	216
17	242	229	212	174	165	161	154	[illegible]	111	[illegible]	101	232
18	241	229	201	174	165	172	152	[illegible]	111	[illegible]	98	235
19	240	226	196	170	161	165	152	[illegible]	107	[illegible]	[illegible]	236
20	242	222	194	167	138	159	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	237
21	241	220	187	156	[illegible]	156	[illegible]	[illegible]	[illegible]	[illegible]	134	237
22	241	216	191	152	136	156	[illegible]	[illegible]	[illegible]	[illegible]	149	231
23	240	222	187	152	134	153	[illegible]	[illegible]	[illegible]	[illegible]	153	232
24	241	224	184	154	136	151	[illegible]	[illegible]	[illegible]	[illegible]	146	228
25	242	221	182	154	134	151	152	[illegible]	[illegible]	[illegible]	127	210
26	245	215	181	157	134	151	[illegible]	[illegible]	[illegible]	[illegible]	134	[illegible]
27	246	211	182	[illegible]	134	154	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	212
28	248	209	184	154	134	151	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	214
29	248	210	184	[illegible]	------	148	154			[illegible]	125	215
30	248	217	187	[illegible]	------	154	147	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
31	248	------	182	[illegible]	------	151	------	[illegible]	------	[illegible]	[illegible]	------
TOTAL	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MEAN	240	228	202	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	161
MAX	248	242	221	191	165	172	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MIN	236	209	181	154	134	148	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	112
AC-FT	[illegible]	[illegible]	12,430	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

CAL YR 1973 TOTAL 60,094 MEAN 165 MAX 262 MIN [illegible] AC-FT [illegible]
WTR YR 1974 TOTAL 58,419 MEAN 160 MAX 242 MIN [illegible] AC-FT [illegible]

13108150 Salmon Falls Creek near Hagerman, Idaho

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 E., Twin Falls County, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 sq mi (5,490 sq km), approximately.

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft or 880 m (from topographic map).

AVERAGE DISCHARGE.--5 years, 172 cfs (4.87 cu m/s), 124,600 acre-ft/yr (154 cu hm/yr).

EXTREMES.--Current year: Maximum discharge, 542 cfs (15.3 cu m/s) May 9 (gage height, 6.18 ft or 1.884 m); minimum daily, 25 cfs (0.71 cu m/s) July 9.
Period of record: Maximum discharge, 1,360 cfs (38.5 cu m/s) Jan. 19, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 21 cfs (0.60 cu m/s) July 7, 1973 (gage height, 3.07 ft or 0.899 m).

REMARKS.--Records fair. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which is outside the basin.

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting control method used Oct. 1-20, Aug. 24 to Sept. 30)

3.0	23	4.5	218
3.5	68	5.0	306
4.0	138	5.5	402

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1974 TO SEPTEMBER 1975
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	208	245	183	177	161	171	147	214	102	74	69	162
2	193	238	174	180	162	166	148	221	104	48	60	153
3	190	237	180	180	171	162	144	213	118	46	62	158
4	209	244	195	179	169	153	147	213	129	36	72	165
5	211	259	194	182	166	145	150	230	127	33	67	141
6	211	263	208	196	174	139	148	224	107	28	55	144
7	213	263	208	196	164	142	146	209	93	27	67	155
8	224	259	201	191	166	150	148	209	108	34	61	151
9	231	254	196	188	167	155	148	382	123	25	68	133
10	242	250	191	186	166	155	147	363	114	28	73	123
11	237	244	190	183	164	150	129	297	99	27	86	120
12	231	213	191	179	164	145	121	230	82	31	83	124
13	230	206	193	177	164	141	139	218	71	97	77	138
14	224	203	187	177	163	139	179	180	66	68	74	147
15	224	208	183	179	161	146	180	156	73	65	83	153
16	235	206	190	183	162	135	174	138	79	66	127	164
17	228	208	193	185	161	136	172	138	87	82	99	203
18	230	213	183	188	159	138	183	115	115	112	97	213
19	223	209	183	182	161	139	158	115	118	69	95	211
20	228	209	190	172	167	147	174	132	118	73	104	219
21	245	213	188	174	159	161	211	182	124	91	117	230
22	272	209	187	171	153	161	193	187	129	86	115	238
23	259	209	181	171	148	155	177	196	121	93	115	214
24	254	213	179	171	153	150	176	198	130	101	141	214
25	252	214	177	172	159	150	177	218	142	97	120	211
26	252	211	180	172	159	151	180	214	164	97	107	209
27	250	203	191	169	162	161	183	172	147	97	105	206
28	254	199	190	166	166	151	180	172	127	66	108	204
29	259	198	187	162	---	147	179	167	111	51	118	198
30	250	193	185	162	---	148	181	142	97	48	130	193
31	247	---	179	161	---	147	---	126	---	46	145	---
TOTAL	7216	6691	5844	5461	4540	4618	4932	6176	3325	1941	2914	5295
MEAN	233	223	189	177	162	149	164	199	111	62.6	94.0	177
MAX	272	263	208	196	174	171	211	382	164	112	145	238
MIN	190	193	174	161	148	130	121	115	66	25	60	120
AC-FT	14310	13270	11590	10830	9010	9160	9780	12250	6600	3850	5780	10500

CAL YR 1974 TOTAL 57410 MEAN 157 MAX 272 MIN 39 AC-FT 113900
WTR YR 1975 TOTAL 58973 MEAN 162 MAX 382 MIN 25 AC-FT 117000

13108150 SALMON FALLS CREEK NEAR HAGERMAN, ID

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.30, T.8 S., R.14 E., Twin Falls County, Hydrologic Unit 17040213, on left bank, 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3 km), and 3.5 mi (5.6 km) south of Hagerman.

DRAINAGE AREA.--2,120 mi² (5,490 km²), approximately.

WATER-DISCHARGE RECORDS

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water stage recorder. Altitude of gage is 2,900 ft (884 m) [illegible]

REMARKS.--Records good. Flow completely regulated by Salmon Falls Creek [illegible] dam 44 mi (71 km) upstream (station 13106500). Entire available supply is diverted above the dam for irrigation of [illegible] acres (2,023 ha). Flow from leakage past the dam and return flow from adjacent land. Several [illegible] below the dam are used for irrigation of land most of which is outside the [illegible] regulated during irrigation season by small diversion dams. [illegible]

AVERAGE DISCHARGE.--[illegible] years, 172 ft³/s (4.87 m³/s), 124,600 acre-ft (154 hm³) [illegible]

EXTREMES FOR PERIOD OF RECORD.--Maximum discharge [illegible] (2,035 m³/s) [illegible], 12 ft³/s (0.34 m³/s), [illegible]

EXTREMES FOR CURRENT YEAR.--Maximum discharge, [illegible] ft³/s (2,035 m³/s) [illegible], gage height, 2.[illegible] ft (0.[illegible] m); minimum, 12 ft³/s (0.34 m³/s) [illegible], gage height, 2.[illegible] ft (0.[illegible] m)

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Oct. 1 to Dec. 12, July 31 to Sept. 30)

2.8	14	4.0	138
3.0	23	4.5	218
3.3	46	5.0	306
3.6	81	5.5	402

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1975 TO SEPTEMBER 1976
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	195	247	187	184	167	165	159	174	76	48	36	165
2	206	247	191	186	166	165	159	174	77	48	33	164
3	204	243	190	186	166	165	159	174	80	48	34	165
4	204	238	208	187	171	167	163	174	78	47	34	164
5	206	238	218	189	167	174	165	174	77	47	34	164
6	208	233	245	189	161	174	165	174	77	47	34	164
7	208	228	247	174	158	177	165	174	77	47	34	164
8	208	226	245	175	156	177	165	174	77	47	34	164
9	208	230	243	175	171	174	165	174	77	47	34	164
10	257	231	243	174	175	174	165	174	77	47	34	164
11	261	228	243	174	174	177	165	174	77	47	34	164
12	265	230	243	175	175	177	165	174	77	47	34	164
13	259	226	237	171	177	177	165	174	77	47	34	164
14	261	233	183	171	177	177	165	174	77	47	34	164
15	268	233	174	167	171	174	165	174	77	47	34	164
16	275	235	175	174	177	174	165	174	77	47	34	164
17	281	233	167	174	174	174	165	174	77	47	34	164
18	281	228	150	167	175	174	165	174	77	47	34	164
19	275	226	150	158	177	174	165	174	77	47	34	164
20	284	219	150	174	174	174	165	174	77	47	34	164
21	279	224	150	174	174	174	165	174	77	47	34	164
22	275	216	183	174	177	174	165	174	77	47	34	164
23	269	214	183	177	177	174	165	174	77	47	34	164
24	273	214	183	177	174	174	165	174	77	47	34	164
25	268	213	177	174	169	177	165	174	77	47	34	164
26	261	209	174	174	174	174	165	174	77	47	34	164
27	261	214	177	177	180	174	165	174	77	47	34	164
28	273	209	169	174	208	177	165	174	77	47	34	164
29	268	193	164	169	208	174	165	174	77	47	34	164
30	257	177	177	167	---	177	165	174	77	47	34	164
31	247	---	174	165	---	174	165	---	77	47	34	---
TOTAL	7494	6736	5140	5572	5023	5504	4944	5394	2325	1460	1060	4927
MEAN	242	224	166	180	173	178	165	174	77.5	47.1	34.2	164
MAX	295	247	247	208	208	177	165	174	80	48	36	165
MIN	195	177	150	158	156	165	165	165	76	47	33	164
AC-FT	15000	13350	10190	11050	9970	10920	9810	10700	4610	2900	2100	9770

CAL YR 1975 TOTAL 59990 MEAN 164 MAX 302 MIN 75 AC-FT 119000
WTR YR 1976 TOTAL 53880 MEAN 173 MAX 324 MIN 12 AC-FT 106900

13108150 SALMON FALLS CREEK NEAR HAGERMAN, ID

LOCATION.--Lat 42°41'47", long 114°51'15", in SW¼SE¼SE¼ sec.10, T.8 S., R.14 E., Twin Falls County, Hydrologic Unit 17040211, on left bank 25 ft (8 m) upstream from U.S. Highway 30, at mile 1.9 (3.1 km), and 8.5 mi (13.7 km) south of Hagerman.

DRAINAGE AREA.--2,120 mi² (5,490 km²), approximately.

WATER-DISCHARGE RECORDS

PERIOD OF RECORD.--April 1970 to current year.

GAGE.--Water-stage recorder. Altitude of gage is 2,900 ft or 880 m (from topographic map).

REMARKS.--Records good. Flow completely regulated by Salmon River Canal Co. reservoir 44 mi (71 km) upstream (see sta 13106500). Entire available supply is diverted above the dam for irrigation. Flow below the dam is derived from leakage past the dam and return flow from adjacent land. Several diversions by pumping from the left bank below the dam are used for irrigation of land most of which is outside the basin. Flow past gage is partially regulated during irrigation season by small diversion dam 0.9 mi (1.4 km) upstream.

AVERAGE DISCHARGE.--7 years, 168 ft³/s (4.76 m³/s), 121,700 acre-ft/yr (150 hm³/yr).

EXTREMES FOR PERIOD OF RECORD.--Maximum discharge, 1,360 ft³/s (38.5 m³/s) Jan. 19, 1972 (gage height, 9.04 ft or 2.755 m); minimum, 5.8 ft³/s (0.16 m³/s) July 9, 1977 (gage height, 2.51 ft or 0.765 m).

EXTREMES FOR CURRENT YEAR.--Maximum discharge, 286 ft³/s (8.10 m³/s) Oct. 17 (gage height, 4.99 ft or 1.520 m); minimum, 5.8 ft³/s (0.16 m³/s) July 9 (gage height, 2.51 ft or 0.765 m).

Rating table (gage height, in feet, and discharge, in cubic feet per second)
(Shifting-control method used Oct. 1-22, May 27 to July 2)

2.7	11	3.6	81
2.8	14	4.0	138
3.0	23	4.5	218
3.3	46	5.0	306

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1976 TO SEPTEMBER 1977
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	250	231	194	177	171	166	161	47	75	14	54	106
2	250	231	196	177	175	164	154	56	65	32	53	113
3	275	230	191	186	176	154	150	71	44	24	54	116
4	273	223	191	186	173	151	141	51	32	22	56	127
5	265	223	193	174	172	150	115	59	26	18	77	135
6	257	223	189	175	172	147	99	111	22	28	86	142
7	256	223	191	176	174	146	93	132	33	28	94	134
8	262	219	191	187	174	144	141	141	36	24	98	149
9	252	219	193	190	176	139	139	83	27	21	91	161
10	263	221	196	177	177	150	86	127	72	15	76	96
11	261	219	198	177	177	150	78	137	74	18	59	85
12	258	221	194	175	176	151	74	121	61	17	45	85
13	256	226	198	175	174	151	74	116	105	18	43	89
14	249	231	196	181	178	148	63	69	121	16	39	85
15	262	233	199	182	175	144	66	48	119	18	42	88
16	268	235	201	177	177	139	82	101	140	15	41	106
17	264	233	196	177	178	141	71	95	135	15	35	102
18	256	230	198	177	175	138	66	97	124	17	31	105
19	263	230	191	175	175	134	78	117	99	13	32	104
20	269	230	191	177	174	129	97	106	111	12	30	104
21	256	230	190	176	174	128	94	101	90	19	27	104
22	252	230	185	177	174	124	91	97	83	21	28	105
23	250	226	183	176	166	120	73	109	68	25	33	104
24	249	233	187	176	158	107	58	107	59	28	32	110
25	250	233	183	176	154	101	56	104	53	24	41	114
26	250	223	182	174	147	101	55	106	51	22	74	114
27	257	216	182	161	144	100	57	100	18	24	92	107
28	263	187	187	164	142	100	53	103	14	26	95	109
29	238	182	185	167	---	117	52	104	17	27	97	104
30	231	190	182	167	---	103	44	105	23	27	102	101
31	237	---	179	171	---	118	---	104	---	21	114	---
TOTAL	7802	6881	5935	5384	4823	4411	2846	3014	1963	681	1829	3004
MEAN	252	229	191	174	172	142	94.9	117	65.4	22.0	59.0	100
MAX	275	235	201	187	178	166	161	141	140	32	114	219
MIN	231	182	179	161	154	100	44	47	14	12	27	85
AC-FT	15480	13650	11770	10680	9570	8750	5650	5980	3890	1350	3630	5960

CAL YR 1976 TOTAL 64330 MEAN 176 MAX 326 MIN 14 AC-FT 127600
WTR YR 1977 TOTAL 58903 MEAN 161 MAX 275 MIN 12 AC-FT 116800

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT NO. 47-7565 IN THE NAME OF JEAN L. MARSHALL, 47-7569 IN THE NAME OF HOWARD D. MARSHALL, 47-7571 IN THE NAME OF JOHN M. THOMAS, 47-7572 IN THE NAME OF LENARD EASTERDAY, 47-7573 IN THE NAME OF LORENE EASTERDAY

STIPULATION

We, the undersigned parties to the above referenced matter agree to allow the Department of Water Resources to reach a decision based upon the information obtained at the conference held in Twin Falls, Idaho on November 27, 1979, and the information contained in the records of the Department.

We also agree to waive compliance with the requirements of Idaho Code Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

DANIEL A. SLAVIN
Attorney for Howard D. Marshall and Jean L. Marshall

WILLIAM L. NUNGESTER
Attorney for Magic Water Company, Inc.

WILLIAM F. RINGERT
Attorney for Lenard Easterday, Lorene Easterday and John M. Thomas

MICROFILMED

LAW OFFICES

HEPWORTH, NUNGESTER, AND FELTON

PROFESSIONAL CENTER — 1020 MAIN
Post Office Box 589
BUHL, IDAHO 83316
TELEPHONE (208) 543-4368

JOHN C. HEPWORTH
WM. L. NUNGESTER
MICHAEL H. FELTON
D. BRENT MARTENS
JEFFREY E. ROLIG
JOHN T. LEZAMIZ
JOHN C. HOHNHORST

March 27, 1980

TWIN FALLS OFFICE
Twin Falls Bank & Trust Building
Post Office Box 389
Twin Falls, Idaho 83301
Telephone (208) 734-7510

OUR FILE NUMBER

mar

Mr. Loren O. Holmes
Southern Region Supervisor
State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Applications for Permit
No. 47-7565 - Jean L. Marshall
No. 47-7569 - Howard D. Marshall
No. 47-7571 - John M. Thomas
No. 47-7572 - Lenard Easterday
No. 47-7573 - Lorene Easterday

Dear Mr. Holmes:

With reference to your letter of March 24, 1980, we are returning the stipulation which you sent and which Mr. Nungester has signed.

Very truly yours,

HEPWORTH, NUNGESTER & FELTON

Alta Gannon

Alta Gannon, Secretary

Enclosure

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT NO. 47-7565 IN THE NAME OF JEAN L. MARSHALL 47-7569 IN THE NAME OF HOWARD D. MARSHALL 47-7571 IN THE NAME OF JOHN M. THOMAS 47-7572 IN THE NAME OF LENARD EASTERDAY 47-7573 IN THE NAME OF LORENE EASTERDAY	STIPULATION

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We also agree to waive compliance with the requirements of Idaho Code Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

DANIEL A. SLAVIN
Attorney for Howard D. Marshall and Jean L. Marshall

WILLIAM L. NUNGESTER
Attorney for Magic Water Company, Inc.

WILLIAM F. RINGERT
Attorney for Lenard Easterday, Lorene Easterday and John M. Thomas

MICROFILMED

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS
IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN

March 26, 1980

RECEIVED

Mr. Loren O. Holmes
Southern Region Supervisor
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Mr. Holmes:

Herewith is Stipulation in the matter of Applications for Permit No. 47-7565 et al, which I have signed as requested in your letter of March 24, 1980.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By W. F. Ringert
W. F. Ringert

WFR:am
Enclosure

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED

IN THE MATTER OF APPLICATIONS FOR PERMIT NO.
47-7565 IN THE NAME OF JEAN L. MARSHALL
47-7569 IN THE NAME OF HOWARD D. MARSHALL
47-7571 IN THE NAME OF JOHN M. THOMAS
47-7572 IN THE NAME OF LENARD EASTERDAY
47-7573 IN THE NAME OF LORENE EASTERDAY

STIPULATION

We, the undersigned parties to the above referenced matter agree to allow the Department of Water Resources to reach a decision based upon the information obtained at the conference held in Twin Falls, Idaho on November 27, 1979, and the information contained in the records of the Department.

We also agree to waive compliance with the requirements of Idaho Code Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

DANIEL A. SLAVIN
Attorney for Howard D. Marshall and
Jean L. Marshall

WILLIAM L. NUNGESTER
Attorney for Magic Water Company, Inc.

William F. Ringert

WILLIAM F. RINGERT
Attorney for Lenard Easterday, Lorene Easterday and John M. Thomas

RECORDED

MEMORANDUM

TO: Files

FROM: Bob Fleenor

RE: 47-7565, 47-7569, 47-7572, 47-7573, & 47-7571

On November 27, 1979, a conference was held at Twin Falls to consider the protests by Magic Water Co. against the approval of the above permits.

Attorney, Bill Ringert represented the Easterdays and Mr. Thomas, Dan Slavin represented the Marshalls and Bill Nungester represented Magaic Water Co.

The primary concern is with the diversion to storage that is proposed until June 1 and how that late of a diversion will affect the downstream water rights. The impact of drilling a well under 47-7565 near Salmon Falls Creek is also of major concern.

All the parties agreed to allow the Department to reach a decision based upon the conference, however, an agreement between parties may be possible and, therefore, a decision will be delayed until after June 15, 1980 on 47-7569, 47-7571, 47-7572 and 47-7573 and until after February 15, 1980 on 47-7565 to allow the parties that opportunity.

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- Primary Concern is that the taking of water during the winter will dry up springs that feed S.F. Ck during summer. Bulletin No. 20
- Blue Gulch Creek Report Page 33 indicates well may interfer. 1970 publication
  Well will be about 100 feet from the stream

- Is there sufficient water for the purpose

The ground becomes spongy during the spring

Elev. difference between Marshall and Magic 30 feet

Magic Water 94.56 cfs right →

{ Are there any

Minimum flow in 1977 about 85 cfs = Magic Water

The Watermaster 47C is Louis Larsen -

The early Sept 1 date is OK the late June 1 date is too late
May 15 would be a more acceptable date.
DLEs extended until 1981

- Hearing -
Agree to allow the Dept to reach a decision based upon the conference - if an agreement is not reached in ~~120 days~~ by Jan 15 on Salmon Falls Ck filing and Feb 15, 1979

Nov 27, 1979 Conference

47-7565 Jean Marshall (GW.)
47-7669 Howard Marshall } Daniel Slavin attorney

47-7572 Lenard Easterday
7573 Lorene Easterday } William Ringert attorney
47-7571 John Thomas

Protestant
Magic Water Co. — William Nungester

—Daniel Slavin
Desire to irrigate DLE Land
Howard Marshall — Off season storage - thru exist 27 cfs system
· Diversion thru an existing system to a new reservoir
Jean Marshall —

—Bill Ringert
Three entries — Three reservoirs will be construction
Off season storage
The water would not be diverted
Approximately 40 days of diversion would fill the reservoirs —
There is adequate water most years —
Take notice of flow records — at gage near the highway —

— Wm Nungester —
Shortage of water every year lasting from 2 to 5
PD is 4 or 5 miles about Magic Water - June 20 to July

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Combined Hearing

47-7565 47-7573
47-7569 47-7571
47-7572

Informal Conference

Don Slavin Representing Howard & Jean Marshall

Existing Pumps & Ditches, Pipelines. } Howard Marshall Filing
New Reservoirs, Pipelines will be Req'd }

Jean Marshall filing: well will be on East side of Salmon Falls Creek

Wm Ringert, Representing Reister Days & Thomas.

Diversion to storage would be off-Season

Estimates 40 Days of Diversion Required to Fill

Q by Ringert: How many Reservoirs? A. 4 total

Ringert - water shortage mid June → Mid July.

would off Season Diversion reduce springs & bank storage?

would well E of S.F. Ck. reduce Creek flows? Could water be cased out?

Could well affect Blue Gulch water table?

Magic water P.D is 30 ft lower than Marshall Pumps.

Stream is replenished by Springs on east side

Magic water Right is 94.57 cfs

Wayne Marshall: Existing Pumps have 27 cfs Capacity

Elkon: Does S.F. Creek Replenish Ground water during Winter?

Min Diversion at Magic water was 85 cfs in 1977

Parties will try to reach Aggreements on Applications - by 15 Jan 1980 on off-Season Pumping, 15 Feb 1980 on Jean Marshall well.

if no Aggreement is reached, Dept will make a decision Based upon Conference, Taking Official notice of Streamflow records Submitted & Bulletin #20 (Blue Gulch Study)

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Hearing on Applications for Permit 47-7565
47-7569
47-7572
47-7573
47-7571

NOV. 27, 1979

Roster of Attendance

Name	Representing
DAN SLAVIN	HOWARD MARSHALL
WM. F. RINGERT	JEAN MARSHALL
	LENARD AND LORENE EASTERDAY
	JOHN M. THOMAS
Wm L. Nungester	Magic Water Co.
John M Thomas	Box 446 Caldwell, Ida. 8360
Lenard D Easterday	RT 2 Burley Ida. 83316
LaRay L. Easterday	Lenard D Easterday
	RT 2 Burley Ida 83346
	Lorne Easterday
Wayne R. Marshall	Howard Marshall
	Jean Marshall
Magic Water Co	
Kenneth P Elke (Pres)	
Walter Master 47 &	
Louis E Larsen RT 4 Burl	

MICROFILMED

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

March 24, 1980

William L. Nungester
Attorney at Law
P. O. Box 589
Buhl, Idaho 83316

Re: Applications for Permit No. 47-7565 - Jean L. Marshall
47-7569 - Howard D. Marshall
47-7571 - John M. Thomas
47-7572 - Lenard Easterday
47-7573 - Lorene Easterday

Dear Mr. Nungester:

At the conference on the above referenced applications held in Twin Falls on November 27, 1979, the parties agreed to allow the Department to reach a decision without holding a formal hearing. Although a stipulation to this effect was drafted at the time it was not signed.

The attached stipulation waives the requirment for a formal hearing and also waives the requirement for the Department to issue a proposed decision prior to adopting it as a final decision.

Waiving the proposed decision does not affect any rights to appeal from the final decision.

Please review and sign the stipulation and return it to this office.

If you have any questions regarding this matter, please contact me.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

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

March 24, 1980

Daniel A. Slavin
Attorney at Law
P. O. Box 83
Twin Falls, Idaho 83301

Re: Applications for Permit No. 47-7565 - Jean L. Marshall
47-7569 - Howard D. Marshall
47-7571 - John M. Thomas
47-7572 - Lenard Easterday
47-7573 - Lorene Easterday

Dear Mr. Slavin:

At the conference on the above referenced applications held in Twin Falls on November 27, 1979, the parties agreed to allow the Department to reach a decision without holding a formal hearing. Although a stipulation to this effect was drafted at the time it was not signed.

The attached stipulation waives the requirement for a formal hearing and also waives the requirement for the Department to issue a proposed decision prior to adopting it as a final decision.

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Please review and sign the stipulation and return it to this office.

If you have any questions regarding this matter, please contact me.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

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

March 24, 1980

William F. Ringert
Attorney at Law
P. O. Box 2773
Boise, Idaho 83701

Re: Applications for Permit No. 47-7565 - Jean L. Marshall
47-7569 - Howard D. Marshall
47-7571 - John M. Thomas
47-7572 - Lenard Easterday
47-7573 - Lorene Easterday

Dear Mr. Ringert:

At the conference on the above referenced applications held in Twin Falls on November 27, 1979, the parties agreed to allow the Department to reach a decision without holding a formal hearing. Although a stipulation to this effect was drafted at the time it was not signed.

The attached stipulation waives the requirment for a formal hearing and also waives the requirment for the Department to issue a proposed decision prior to adopting it as a final decision.

Waiving the proposed decision does not affect any rights to appeal from the final decision.

Please review and sign the stipulation and return it to this office.

If you have any questions regarding this matter, please contact me.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one)
- [xx] Show to whom and date delivered ____¢
- [ ] Show to whom, date, and address of delivery ____¢
- [ ] RESTRICTED DELIVERY
  Show to whom and date delivered ____¢
- [ ] RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery $____
  (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Magic Water Co., Inc.
Rt. 3 - Buhl, ID 83316

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	298	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE [ ] Addressee [ ] Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

47-7571-7572-7573

EASTERDAY, THOMAS, MARSHALL 47-7565-47-7565

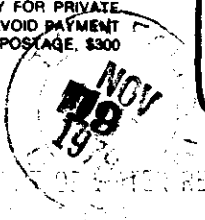
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

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



RETURN TO

[illegible] OF WATER RESOURCES
[illegible]
[illegible] BLVD. NORTH
TWIN FALLS, IDAHO 83301

(Name of Sender)

(Street or P. O. Box)

(City, State, and ZIP Code)

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).
- [X] Show to whom and date delivered ____¢
- [ ] Show to whom, date, and address of delivery ____¢
- [ ] RESTRICTED DELIVERY
  Show to whom and date delivered ____¢
- [ ] RESTRICTED DELIVERY
  Show to whom, date, and address of delivery $____
  (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Howard D & Jean L. Marshall
185 Blair Drive-Twin Falls,ID 83301

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	296	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

POSTMARK

NOV 19 1979

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1978-272-382

Marshall #47-7569 47-7565

INTER-DEPARTMENT MEMO — 1

DATE 12/5/79

FROM Allen

TO Files

SUBJECT 47-7565
47-7569
47-7571
47-7572
47-7573

Send copies of final decisions to:

Gene Babin
B.L.M.
550 West Fort
Boise, Idaho
83724

As per phone request from Jan Grover

AMICROFILMED

SIGNATURE

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL)) OF APPLICATIONS FOR PERMIT:)) No. 47-7565 IN THE NAME OF JEAN MARSHALL) No. 47-7669 IN THE NAME OF HOWARD MARSHALL) No. 47-7572 IN THE NAME OF LENARD EASTERDAY) No. 47-7573 IN THE NAME OF LORENE EASTERDAY) No. 47-7571 IN THE NAME OF JOHN M. THOMAS))	NOTICE OF CONFERENCE AND/OR HEARING

On August 30, 1979, Howard D. Marshall and Jean L. Marshall, Twin Falls, Idaho filed applications with the Department of Water Resources to appropriate the public waters of the State of Idaho. On September 4, 1979, applications were filed with the Department by Lenard Easterday and Lorene Easterday, Buhl, Idaho and by John M. Thomas Caldwell, Idaho.

On September 24, 1979, the Department received protests against approval of said applications from Magic Water Inc., Buhl, Idaho, an Idaho Corporation.

The Department has set the matter of protest for conference and/or hearing for Tuesday, November 27, 1979, at 1:00 p.m., in the class room of the Twin Falls City Police Station, 356 Third Avenue East, Twin Falls, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party desiring the taking of stenographic notes by a qualified court reporter must request such in writing at least five (5) days before the date set for hearing and must submit to the director the name of a qualified reporter who is available on the date set for hearing. The party requesting the reporter shall bear the expense of the reporter's attendance fees. A taped record of the proceedings will be maintained for the appeal period.

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

DATED This 9th day of November, 1979.

Loren O Holmes

LOREN O. HOLMES
SOUTHERN REGION SUPERVISOR

MICROFILMED

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

October 12, 1979

Jean L. Marshall
185 Blair Drive
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7565 - Jean L. Marshall

Dear Mrs. Marshall:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 47-7565. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

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

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

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

5. Will the proposed use conflict with the local public interest?

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

Sincerely,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

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

October 12, 1979

Mr. William L. Nungester
Attorney at Law
1020 Main- Box 589
Buhl, Idaho 83316

Re: Application for Permit No. 47-7565 - Jean L. Marshall

Dear Mr. Nungester:

Your protest against the approval of the above-referenced application submitted in behalf of Magic Water Company, Inc., has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

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

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

2. Is the proposed water supply insufficient for the purpose intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

5. Will the proposed use conflict with the local public interest?

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

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

P R O T E S T

TO. C. Stephen Allred, Director
Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

RE: Jean L. Marshall
Application No. 47-7565

NOTICE IS HEREBY GIVEN that Magic Water Company, Inc., and Idaho corporation, with its principal place of business at Route 3, Buhl, Idaho, does hereby make written protest to the granting of the above referred to application to appropriate water by drilling a well at the bottom of Salmon Falls Canyon. Magic Water Company owns water permit number 24128 for water out of the Salmon Falls Creek and the point of diversion of said water is down-stream from the proposed well site.

This protest is based upon the following:

1. That proposed well would reduce quantity of water available to fulfill Magic Water Company's permit in that said well would reduce the amount of water in Salmon Falls Creek and also inhibit or reduce spring flowing into Salmon Falls Creek.

2. That the water supply is insufficient for the purpose for which it is sought to be appropriated.

3. That the application is not made in good faith.

4. Said application is made for delay and/or speculative purposes.

LAW OFFICES
HEPWORTH
NUNGESTER
and
FELTON

5. That application lack sufficient financial resources to complete the work involved.

DATED this 21st day of September, 1979.

HEPWORTH NUNGESTER & FELTON
1020 Main, Buhl, ID 83316
P.O. Box 589

ATTORNEYS FOR MAGIC WATER COMPANY, INC.

By _____
William L. Nungester

LAW OFFICES
HEPWORTH
NUNGESTER
and
FELTON

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

42-2565

MARSHALL, JEAN L.

185 BLAIR DRIVE, TWIN FALLS, , ID 83301

Source: GROUNDWATER

Date Filed: 08/30/1979

Amount: 5.60 CFS

Diversion Point: SENE Sec 20 T 10S R 13E, TWIN FALLS Co.

Use: IRRIGATION (5.60 CFS) from 03/15 to 11/15

Place of Use: NENW NWNW SWNW SENW NESW NWSW SESW Sec 32 T 09S R 13E
FOR 200 ACRES

Diversion Means: PUMPS, PIPELINES, DITCHES AND SPRINKLER LATERALS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 1, 1979.

C. STEPHEN ALLRED

Director

Published 9/13 & 9/20.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 31, 1979

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 1, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED