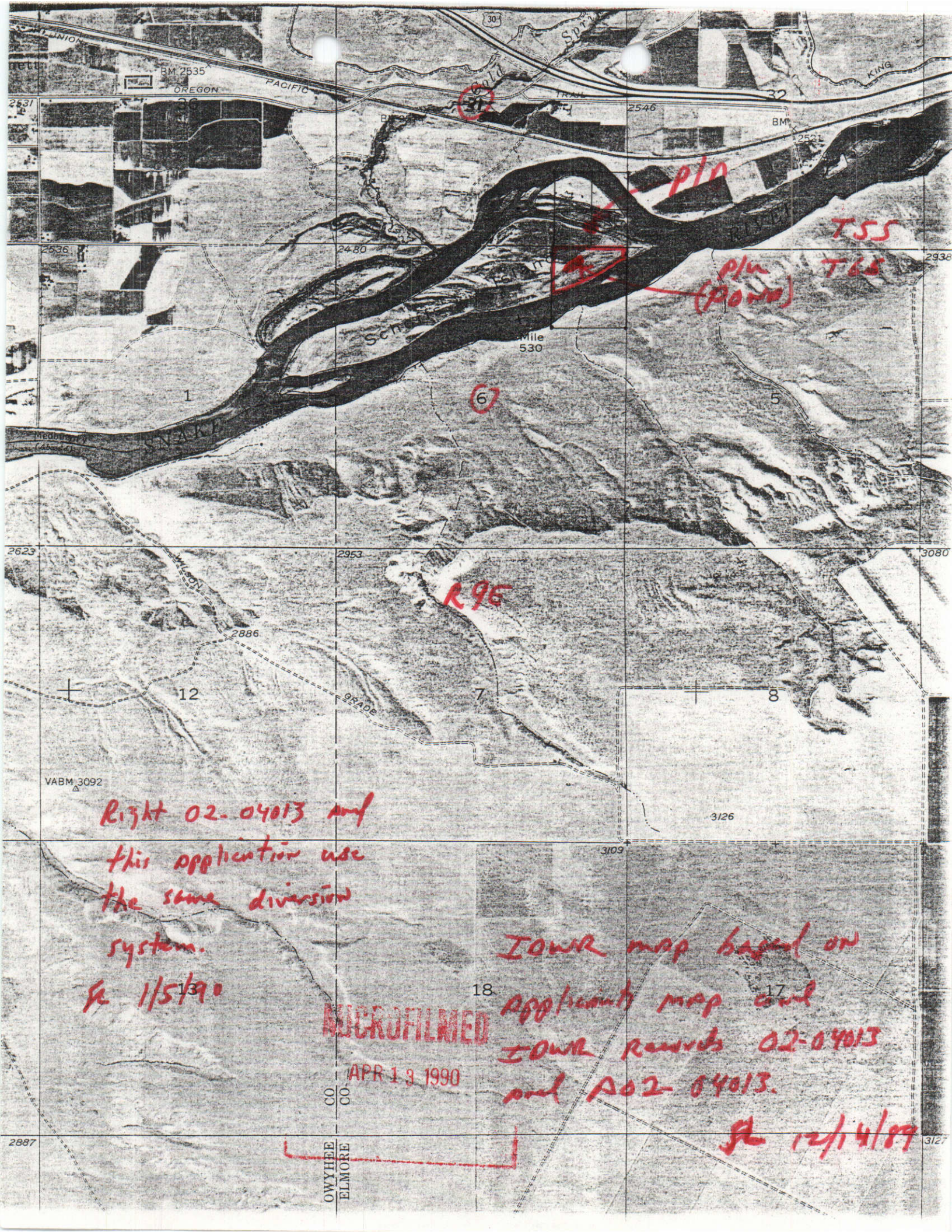




Right 02-04013 and  
this application use  
the same diversion  
system.

SL 1/5/90

MICROFILMED

APR 13 1990

Lower map based on  
Applicants map and  
Lower records 02-04013  
and 002-04013.

SL 12/14/89

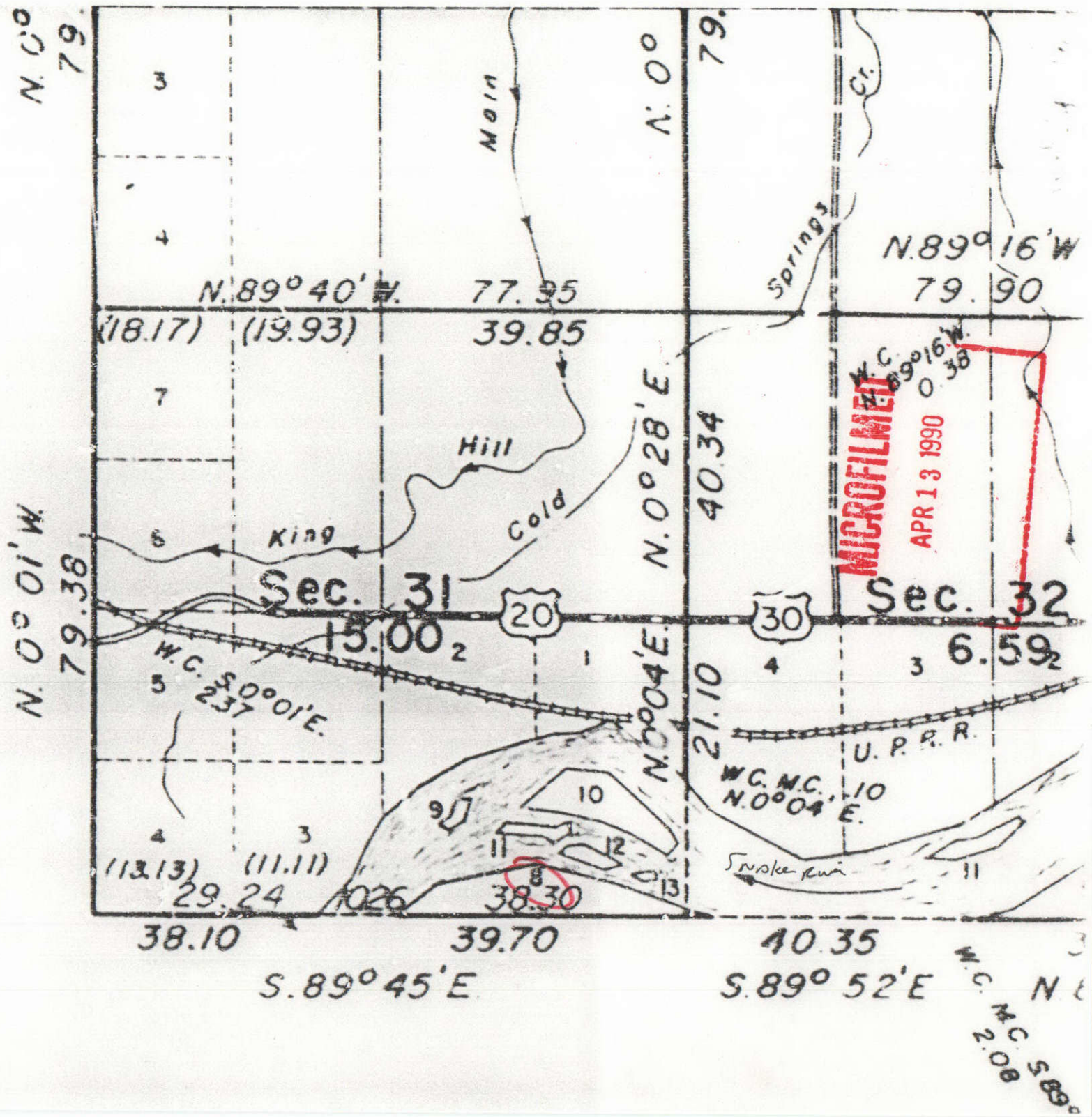
pg 142

T55

R96

S.31

1963 survey



ENLARGEMENT OF PA

5.31

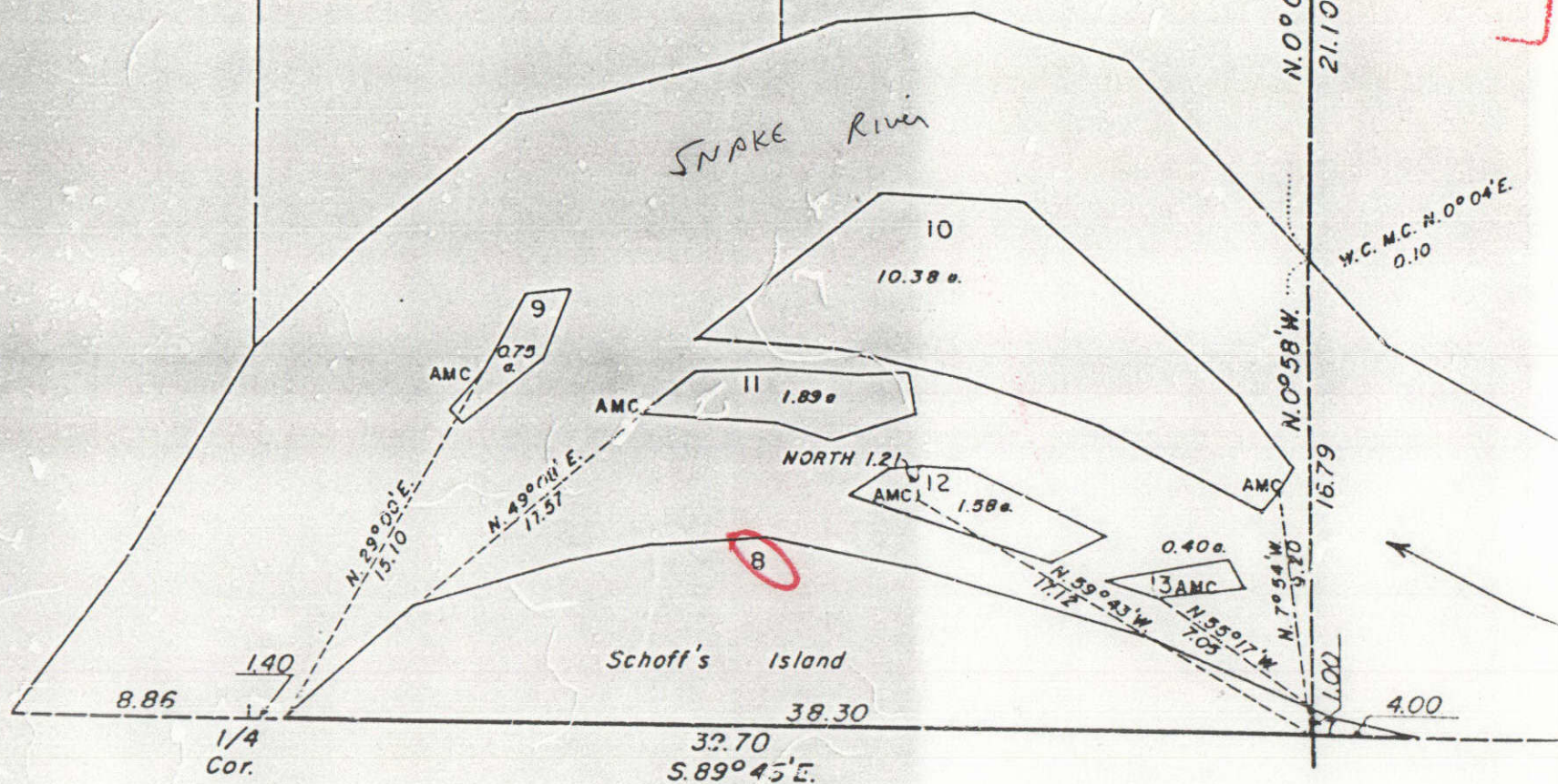
1963 survey

Sec. 31

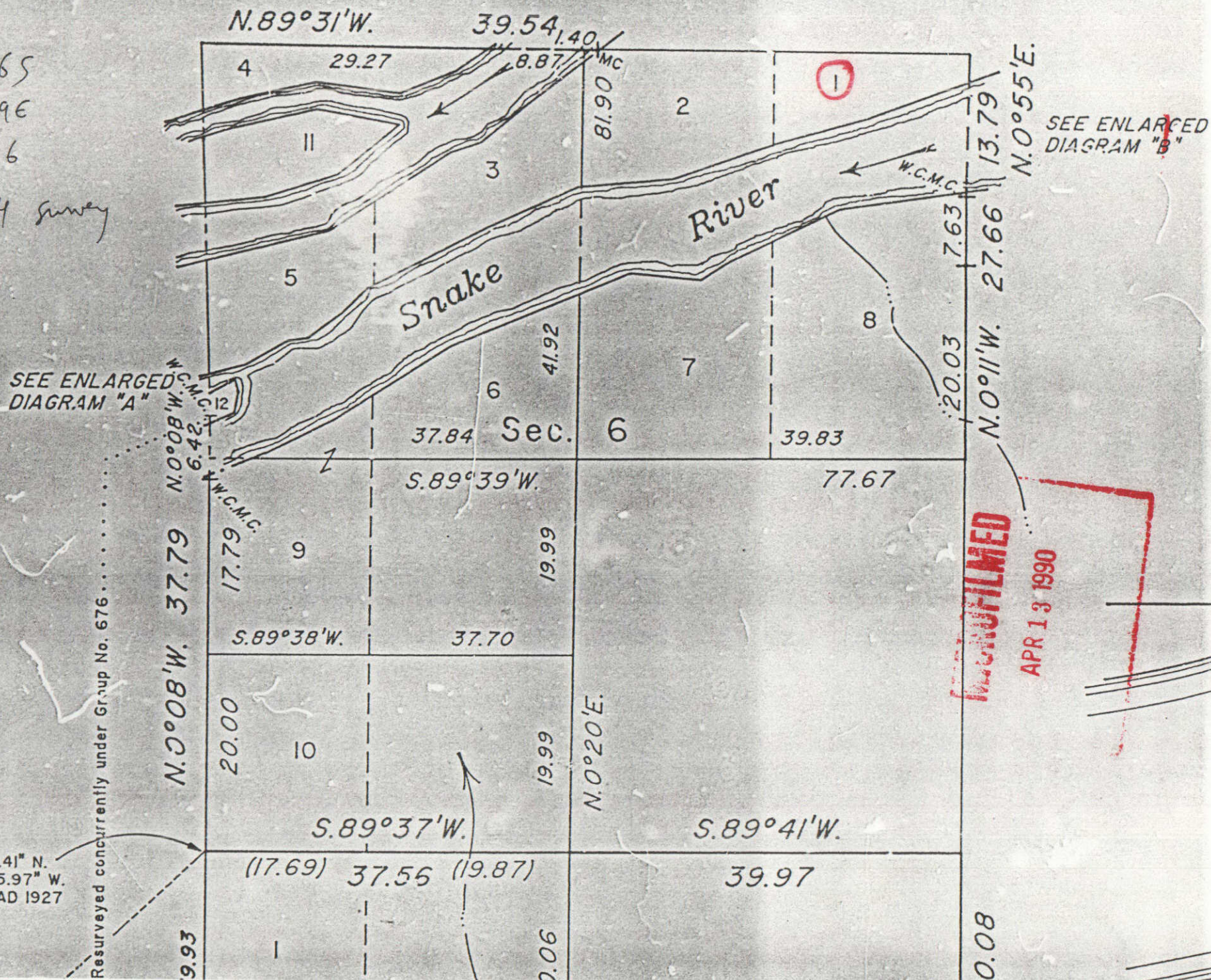
1/4  
Cor.

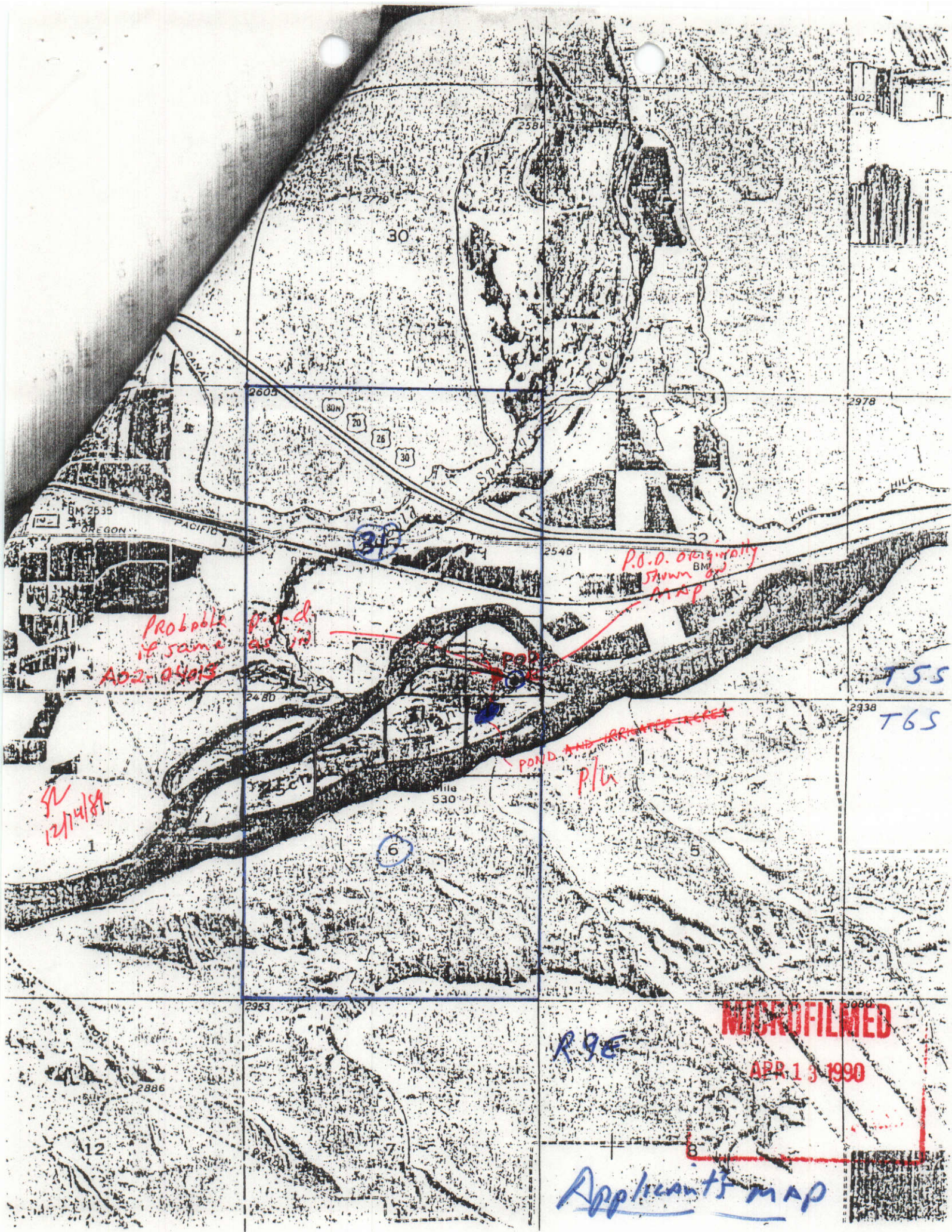
RECEIVED

APR 13 1990

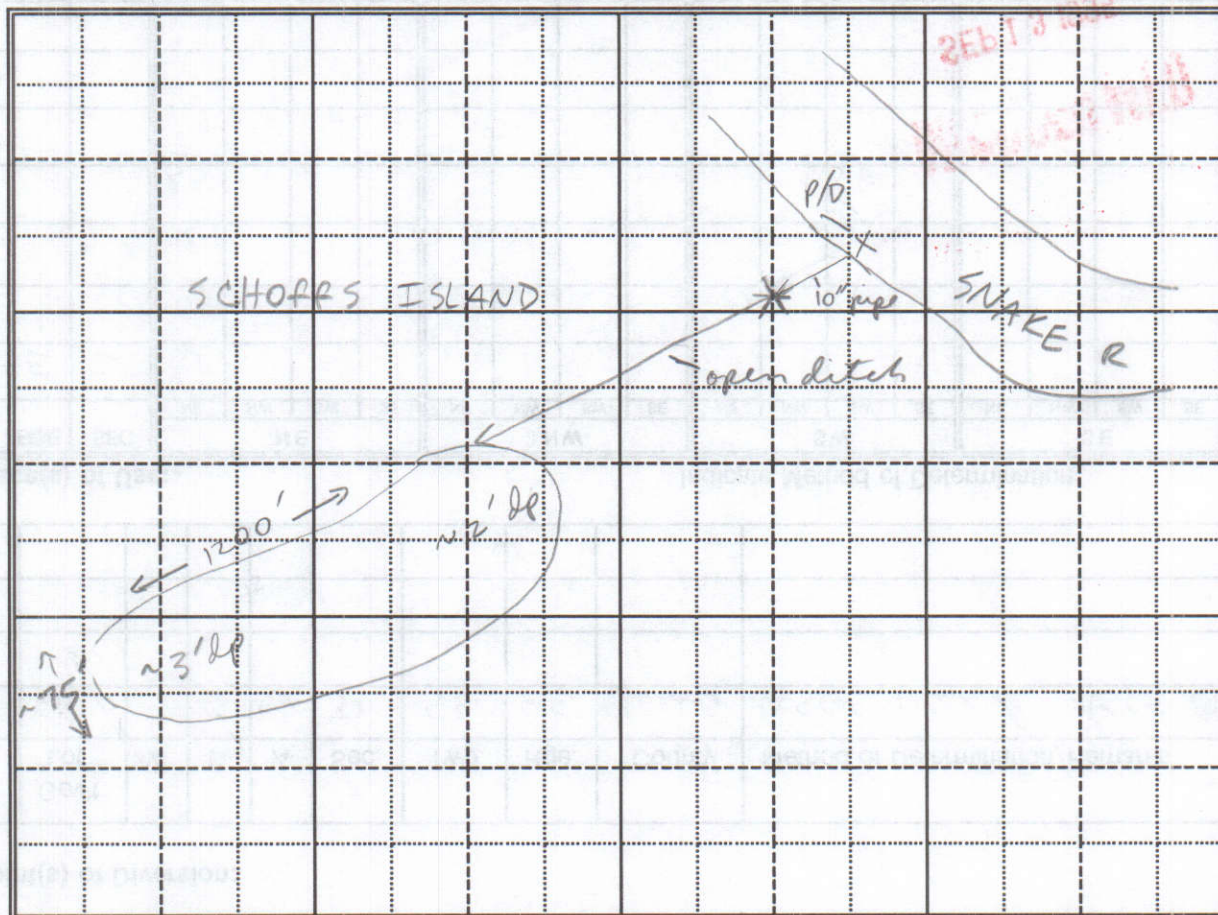


1984 Survey





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



Scale: 1" = \_\_\_\_\_

☐ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | Elektrun   | 15 | 43601            | Parma     |                                   |
|                                       |            |    |                  | lift-per  |                                   |
|                                       |            |    |                  | overner   |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type  | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|-------|------|-----------|------------|------|-------------|
| Current Meters        | Pigmy |      |           |            |      |             |
|                       |       |      |           |            |      |             |

2. Measurements:

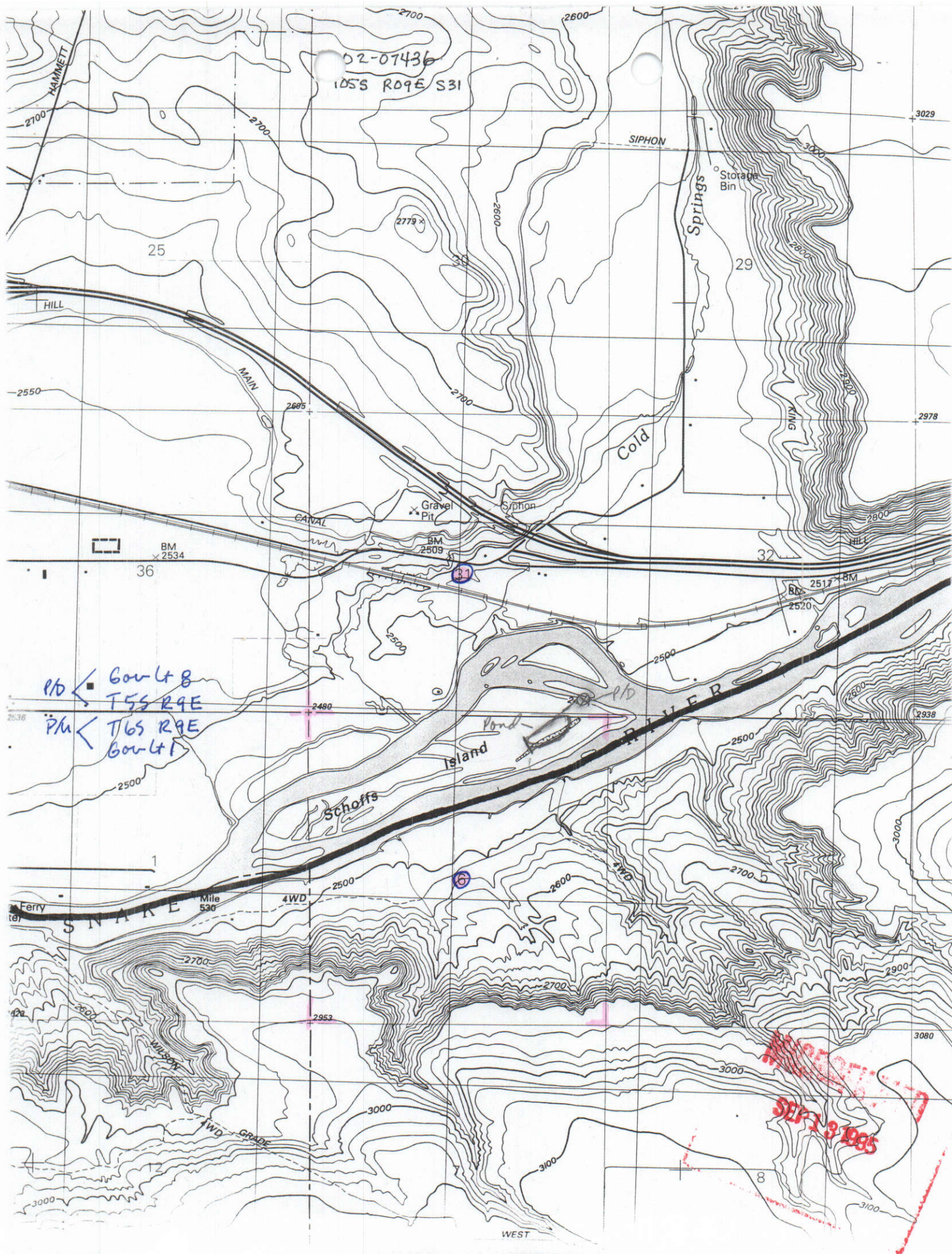
~ 40 yds SW of P/D on ditch

DEC 5 1994

RECEIVED

MICROFILMED

SEP 13 1995



02-07436  
1055 R09E S31

P/D < Gov Lt 8  
T55 R9E  
P/M < T65 R9E  
Gov Lt 1

RECEIVED  
SEP 13 1985



T 182  
182

26.7 NH

T 183

35 NH

NH

4.0 NH

T 178

12.9

1.28

5.34

T 244

171

31.4

145

31

32

6

11.3

14.8

12.4

2.89

T 81

69

12.4

2.89

T 599

517

5 HEL

34.3

T 598

486

23

18

42.0 HEL

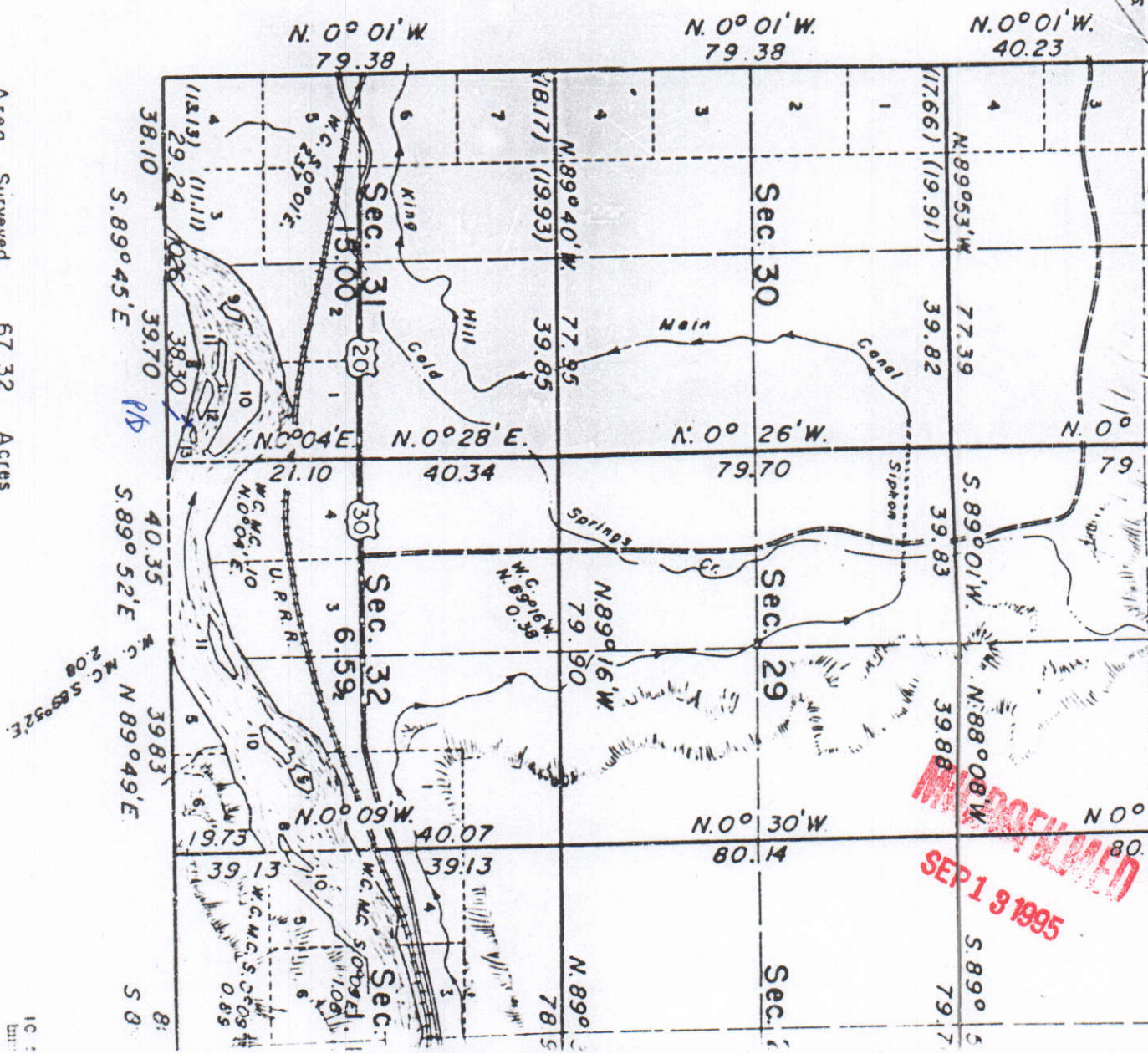
270 HEL

RECEIVED  
SEP 13 1991

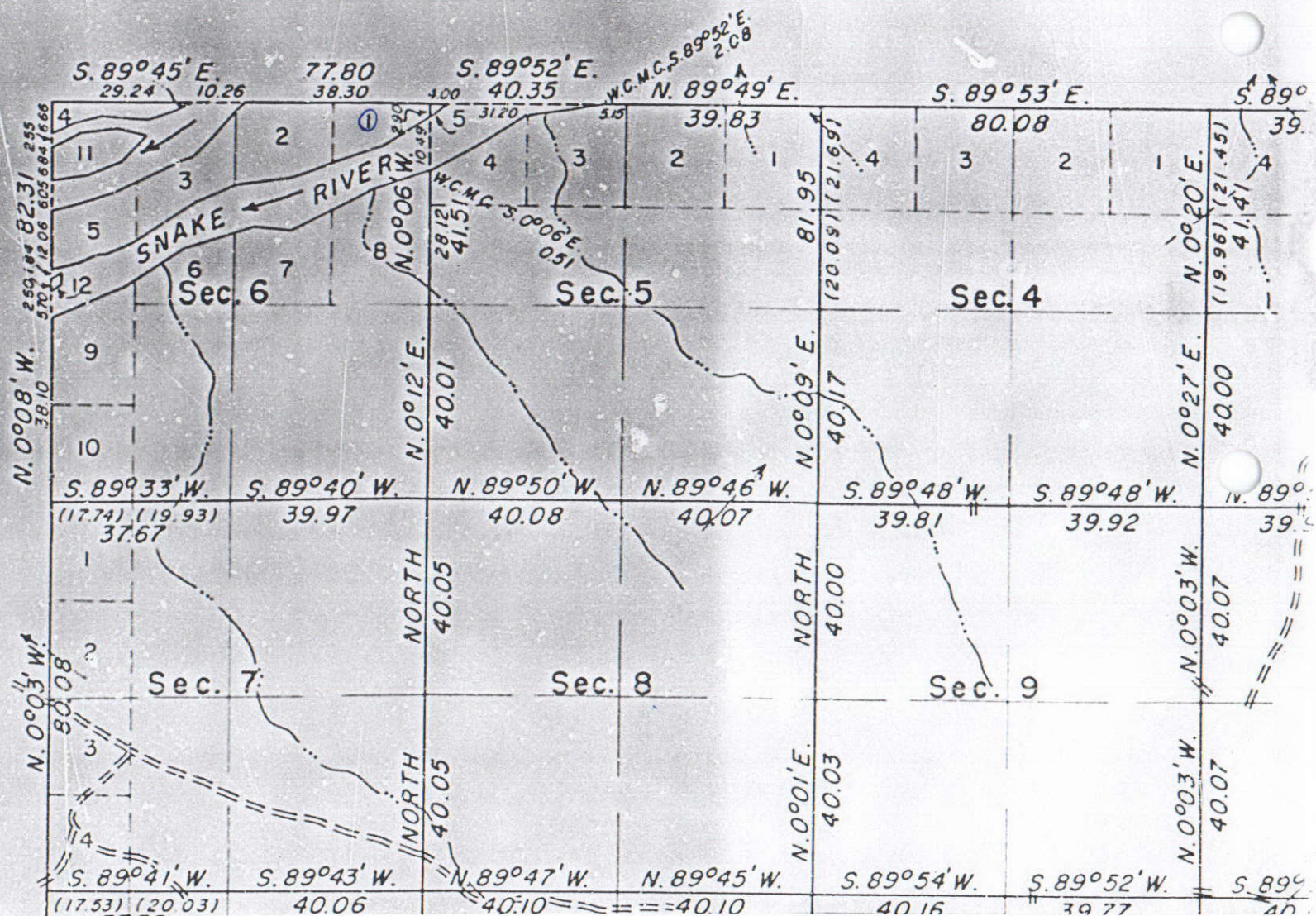
02-07436

True

U.S.C. 86.5  
S 6A 036 N.  
S 6A 1A



DEPE



RECEIVED  
SEP 13 1995

15 HP Parma Lift Pump  
10" intake pipe



1.4 ac pond  
~ 3.5 af (2'-3' deep)

MAINTAINED  
SEP 13 1995



measuring pt -  
~40 yds from  
P/D

pipe to ditch -  
open discharge

ditch flows SW  
to pond

**MICROFILMED**

SEP 13 1995



**NOTICE OF APPLICATIONS  
FOR WATER RIGHTS**

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

02-07436 *49*

SIFCO FARMS

504 N. PHILLIPPI

BOISE, ID 83706

Source: SNAKE RIVER; Tributary:  
COLUMBIA RIVER

Diversion Pt: LOT 8 (SESE) Sec 31 T  
05S R 09E

Use: WILDLIFE (2.200 CFS); WILD-  
LIFE STORAGE (9.00 AF); RECREA-  
TION (2.200 CFS); RECREATION  
STORAGE (9.00 AF); DIVERSION TO  
STORAGE (2.200 CFS); Total Diver-  
sion: (2.200 CFS) (9.00 AF)

Date Filed: 10/27/1989

In: T06S R09E S06 Lot 1 (NENE)

61-07630

J.R. SIMPLOT CO.

P.O. BOX 27

BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: LOT 1 (NENE) Sec 4 T  
06S R 08E

Use: COMMERCIAL (.122 CFS); To-  
tal Diversion: (.120 CFS)

Date Filed: 12/06/1989

In: T06S R08E S04 Lot 1 (NENE)

The permits will be subject to all  
prior water rights. Protests must be  
filed with the Director, Dept. of Water  
Resources, Western Region, 2735 Air-  
port Way, Boise, Idaho 83705 on or be-  
fore FEBRUARY 5, 1990.

R. KEITH HIGGINSON, Director  
Published 1/17/1990 & 1/24, 1990.

**Affidavit of Publication**

County of Elmore )

) ss.

STATE OF IDAHO )

I, Mike Thornberg do  
solemnly swear that I am the foreman, or publisher of the  
**MOUNTAIN HOME NEWS**

a weekly newspaper of general circulation published  
once a week at MOUNTAIN HOME, IDAHO, that the  
notice attached hereto and which is a part of the proof of  
publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having

been made on the 17 day of January,

1990, and the last publication having been made on

the 24 day of January 1990;

every Wednesday issue of the paper during the period  
and time of publication and that the notice was published  
in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN  
HOME NEWS has been continuously and uninterrupt-  
edly published in said Elmore County during a period of  
78 consecutive weeks prior to the first publication of the  
attached notice.

Mike Thornberg  
STATE OF IDAHO )

COUNTY OF ELMORE )

On this 25 day of Jan in the year of 1990,

before me, a Notary Public, personally appeared

Mike Thornberg, 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 ac-  
knowledgeed to me that he executed the same.

Allen D. Swer  
Notary Public for Idaho

Residing at mtn Home, ID

My commission expires: 2-5-91

**RECEIVED**

JAN 26 1990

Department of Water Resources  
Western Regional Office

**MICROFILMED**

APR 13 1990

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 02-07436

Priority: October 27, 1989

Maximum Diversion Rate: 2.20 CFS

Maximum Diversion Volume: 1597.9 AF

This is to certify, that H W & K PARTNERSHIP

504 N PHILLIPPI

BOISE ID 83706

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 27, 1989; and has submitted Proof of Beneficial Use on March 18, 1991. An examination indicates that the works have a diversion capacity of 3.530 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| WILDLIFE              | 01/01 to 12/31       | 2.20 CFS                 | 1592.7 AF            |
| WILDLIFE STORAGE      | 01/01 to 12/31       |                          | 5.2 AF               |
| RECREATION            | 01/01 to 12/31       | 2.20 CFS                 | 1592.7 AF            |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 5.2 AF               |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 2.20 CFS                 |                      |
|                       | Totals               | 2.20 CFS                 | 1597.9 AF            |

LOCATION OF POINT(S) OF DIVERSION: Lot 8( SESE), Sec. 31, Township 05S, Range 09E  
ELMORE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

06S 09E 6 Lot 1(NENE)

PLACE OF USE:

RECREATION, same as WILDLIFE use

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.

SEP 13 1995

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 02-07436

CONDITIONS/REMARKS:

5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

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 25<sup>TH</sup> day of AUGUST, 1975.

  
Acting for KARL J. DREHER, Director

7-24-75  
02-07436

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 02-07436 Telephone No. (208) 323-7767 (OFFICE)
2. Name(s) of Permit Holder(s): SIFCO FARMS (C/O H. W. & K. PETERSON)
3. Post Office Address: 504 NO. PHILLIPPI BOISE
4. Source of Water: SNAKE RIVER

a. If ground water, well driller's name: \_\_\_\_\_ Date drilled: \_\_\_\_\_

b. Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Irrigation \_\_\_\_\_ (No. of acres)

Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

WILDLIFE / RECREATION & STORAGE

6. Total rate and/or volume for which proof is submitted 2.20 cfs 9.0 acre/feet

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

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

OR

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

8. Fee Enclosed: \$ NONE (See License Examination Fee Schedule)

AS PER TELEPHONE CONVERSATION 3/14/91, WITH IDWR.

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

ALLAN HUMPHRIES OR GERALD WALLER 323-7767 (OFFICE)

Name

Telephone No.

504 NORTH PHILLIPPI, BOISE, IDAHO, 83706

Address

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

Date

3/14/91

Signature (and title if on behalf of a company or organization)

Gerald A. Waller

MAY 03 1991

# WATER RIGHT SUMMARY

| ACTION               | RIGHT NO. | NAME                 | AMOUNT CFS |
|----------------------|-----------|----------------------|------------|
| Original Application | 02-7436   | Sifco Farms          | 2.20       |
| Full Assignment      | 02-7436   | H, W & K Partnership | 2.20       |

RECEIVED  
MAY 03 1991

State of Idaho  
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED  
APR 09 1991

Department of Water Resources

I, SIFCO FARMS, hereby assign to H.W & K Partnership  
of 504 N. Phillippi Boise, ID 83706  
Address

All my right, title, and interest in and to Permit No. 02-7436  
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and  
to Permit No. 02-7436 to appropriate the public waters of the  
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage  
within each 40 acre subdivision, the point of diversion and the amount of  
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 8th day of April, 19 91.

Bernard A. Warren  
Permit Holder

\_\_\_\_\_  
Spouse of Permit Holder

State of Idaho )  
County of Ada ) ss

On this 8th day of April, 19 91, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged  
to me that he ~~(she)~~ ~~(they)~~ executed the same.

Julie A. Humphries

s e a l

Notary Public residing at  
Boise, Idaho

My commission expires:  
August 1992

RECORDED  
MAY 03 1991

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 02-07436

Proposed Priority: October 27, 1989      Maximum Diversion Rate: 2.20 CFS  
This is to certify, that **SIFCO FARMS**

504 N. PHILLIPPI  
BOISE, ID 83706

has applied for a permit to appropriate water from:

**SNAKE RIVER**

tributary of **COLUMBIA RIVER**

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| WILDLIFE              | 01/01 to 12/31       | 2.20 CFS                 |                      |
| WILDLIFE STORAGE      | 01/01 to 12/31       |                          | 9.0 AF               |
| RECREATION            | 01/01 to 12/31       | 2.20 CFS                 |                      |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 9.0 AF               |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 2.20 CFS                 |                      |
|                       | Totals               | 2.20 CFS                 |                      |

LOCATION OF POINT(S) OF DIVERSION: LOT 8( SESE), Sec. 31, Township 05S, Range 09E  
ELMORE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

06S 09E 6 LOT 1(NENE)

PLACE OF USE: WILDLIFE STORAGE, same as WILDLIFE use

PLACE OF USE: RECREATION, same as WILDLIFE use

PLACE OF USE: RECREATION STORAGE, same as WILDLIFE use

PLACE OF USE: DIVERSION TO STORAGE, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1991**.
2. Subject to all prior water rights.
3. Use of water under this permit shall be non-consumptive.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Water shall not be diverted under this permit unless the flow of the Snake River exceeds prior rights and established downstream minimum stream flows.

**MICROFILMED**

APR 13 1990

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 02-07436

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

3<sup>rd</sup> day of April, 1990.

*for* J. Glen Saxton  
R. Keith Higginson, Director

RECORDED

APR 13 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

(a partnership, successor in  
interest to Fernald H. Bradbury)

1. Name of applicant SIFCO FARMS Phone \_\_\_\_\_  
Post office address 504 N. Philippi - Boise, ID. 83706
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is \_\_\_\_\_ 1/4 of SE 1/4 of SE 1/4, Govt. Lot 8  
Sec. 31 Township 55 Range 9E B.M. E/more County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes: \*
- |                                                                  |                                    |                                          |                        |
|------------------------------------------------------------------|------------------------------------|------------------------------------------|------------------------|
| Amount <u>2.2</u><br><small>(cfs or acre-feet per annum)</small> | for <u>Diversions to storage</u>   | purposes from <u>1/1</u> to <u>12/31</u> | (both dates inclusive) |
| Amount <u>2.2</u><br><small>(cfs or acre-feet per annum)</small> | for <u>Wildlife</u>                | purposes from <u>1/1</u> to <u>12/31</u> | (both dates inclusive) |
| Amount <u>2.2</u><br><small>(cfs or acre-feet per annum)</small> | for <u>Recreation</u>              | purposes from <u>1/1</u> to <u>12/31</u> | (both dates inclusive) |
| Amount <u>9.0</u><br><small>(cfs or acre-feet per annum)</small> | for <u>Wildlife Storage</u>        | purposes from <u>1/1</u> to <u>12/31</u> | (both dates inclusive) |
|                                                                  | <u>9.0 a.f. Recreation Storage</u> | <u>1/1</u> <u>12/31</u>                  |                        |
5. Total quantity to be appropriated is (a) 2.2 cubic feet per second and/or (b) 9.0 acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Pump from river, pipeline, ditch,  
headgate and 9 a.f. pond.
- b. Height of storage dam N/A excavated pond feet; active reservoir capacity 9.0 acre-feet; total  
reservoir capacity 9.0 acre-feet; period of year when water will be diverted to storage:  
1/1 to 12/31 inclusive.
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? APR 13 1990
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
1 years (minimum 1 year).

\* period of use changed from 9/1-12/31 to 1/1-12/31 per letter of  
1/3/90 from applicant's attorney. Irrigation deleted (see original pg 112)  
per same letter. PL 1/5/90

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

- a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e. Other; describe fully. wildlife / recreation pond

9. Description of place of use:

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 65  | 9E    | 6    | W   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      | R   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      | 2.1 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

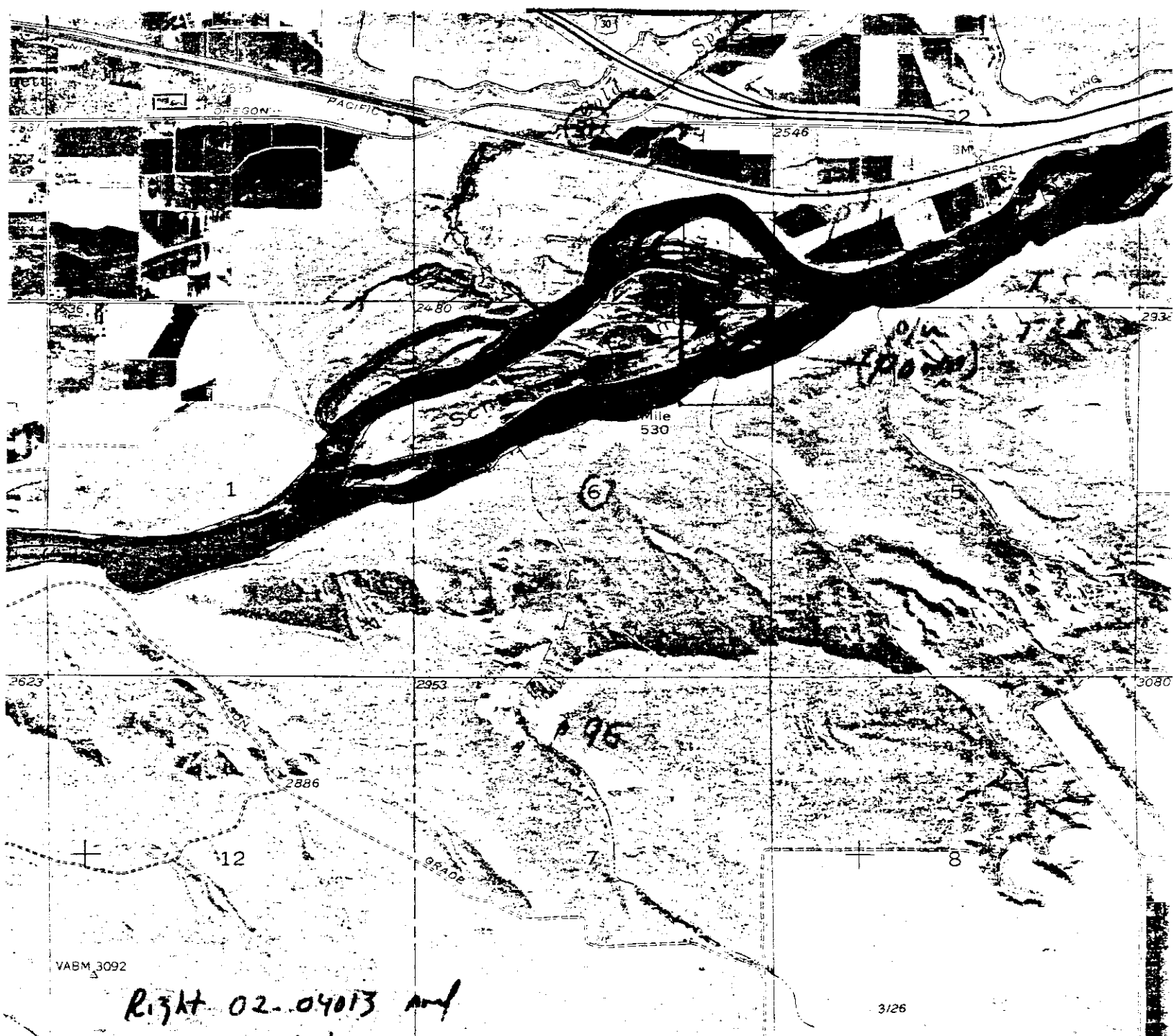
Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. NONE  
(A02-04013 covers irrigation of all the land within 2.1 NENE 5.6 plus other land).
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_

**MICROFILMED**

APR 13 1990



Right 02-04013 and  
this application use  
the same diversion  
system.

SL 1/5/90

Lower map based on  
apparently map and  
Lower records 02-04013  
and 02-04013.

SL 12/4/89

APR 13 1990  
OWYHEE  
ELMORE

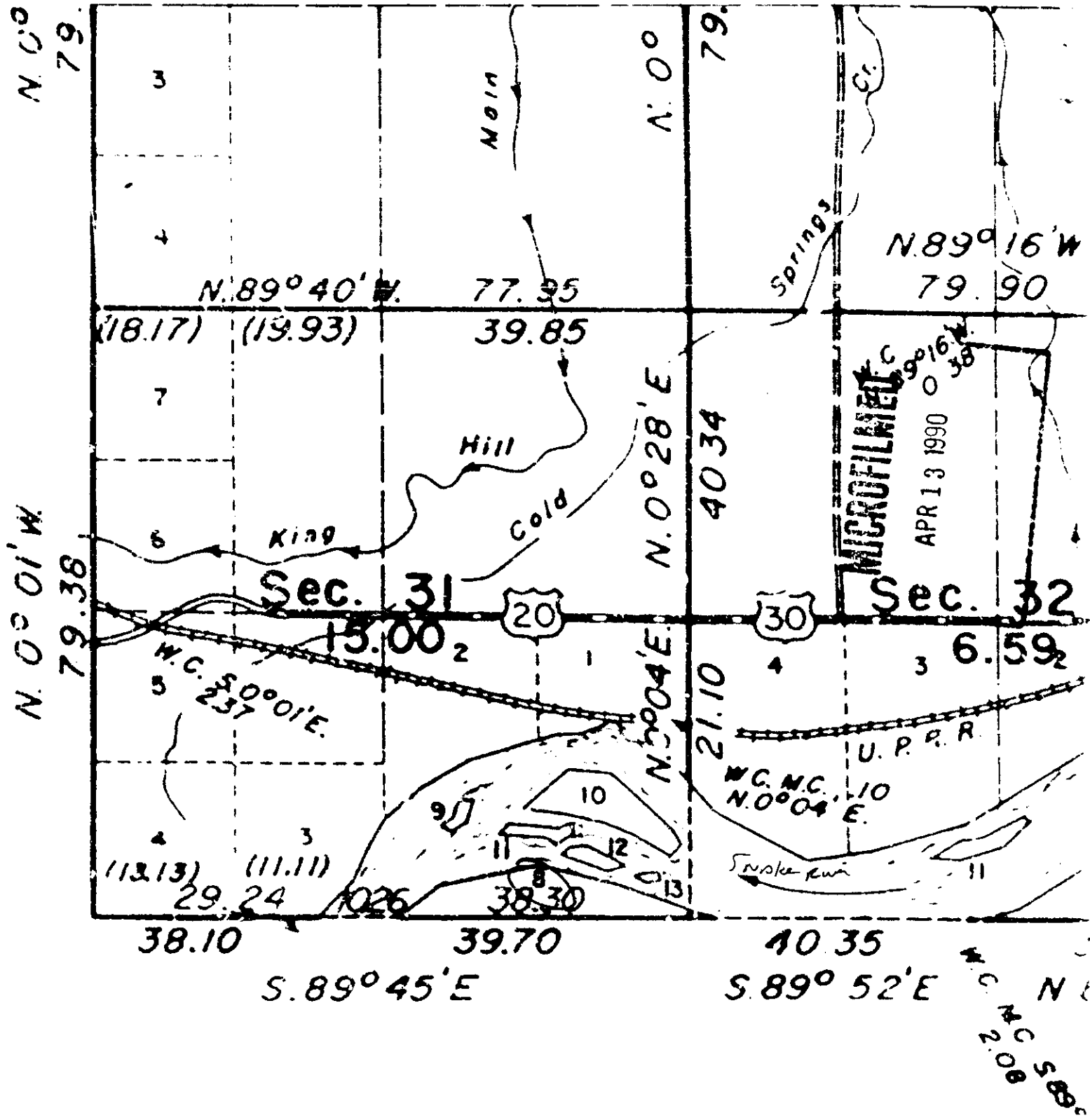
pg 142

T55

129E

5.31

1963 June



ps 2062

ENLARGEMENT OF PA

TSS

R96

S.31

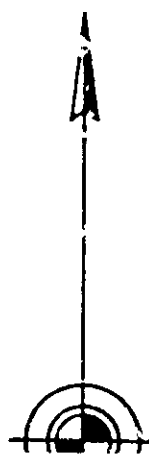
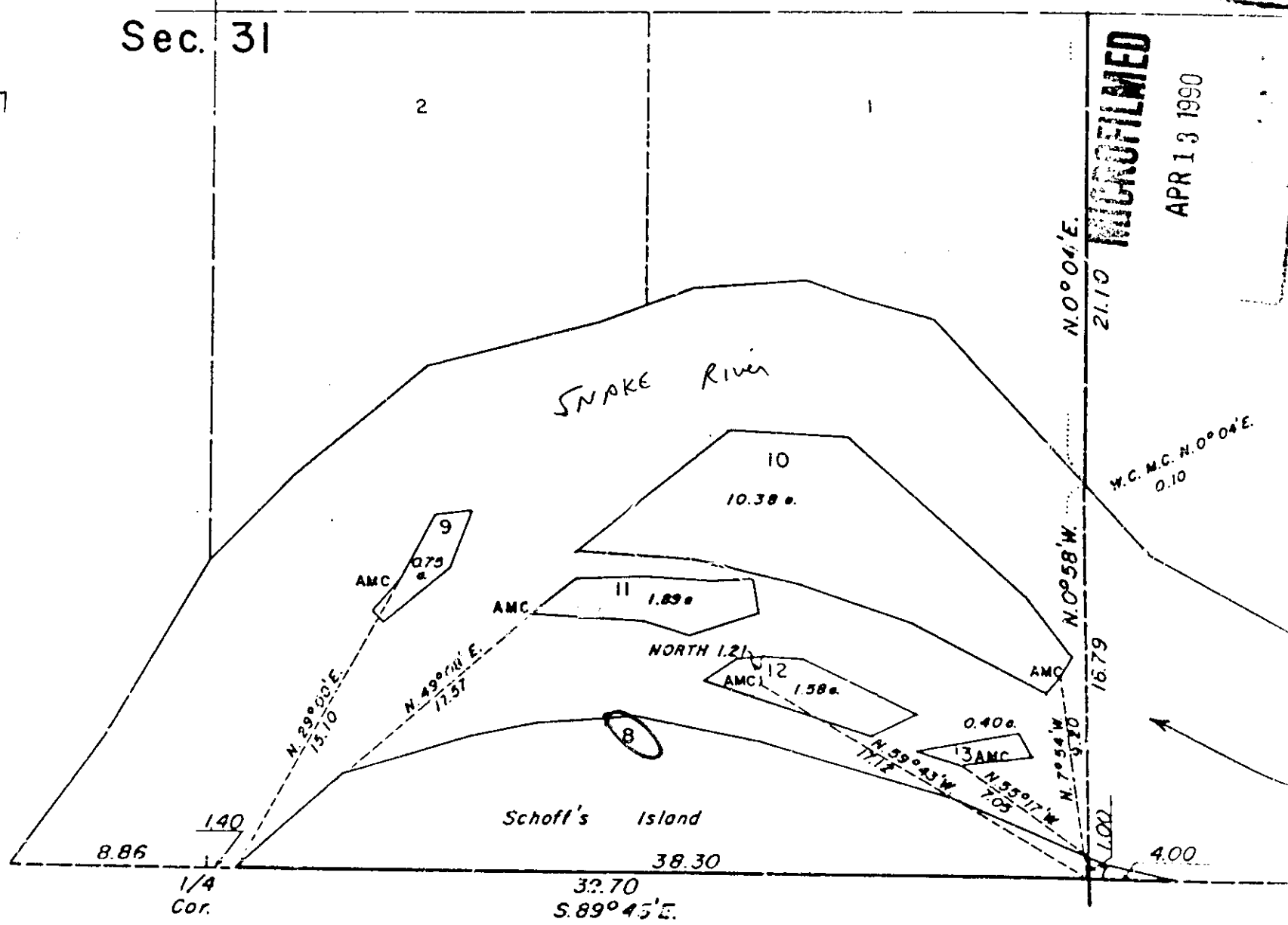
1963 survey

Sec. 31

1/4  
Cor.

MICROFILMED

APR 13 1990



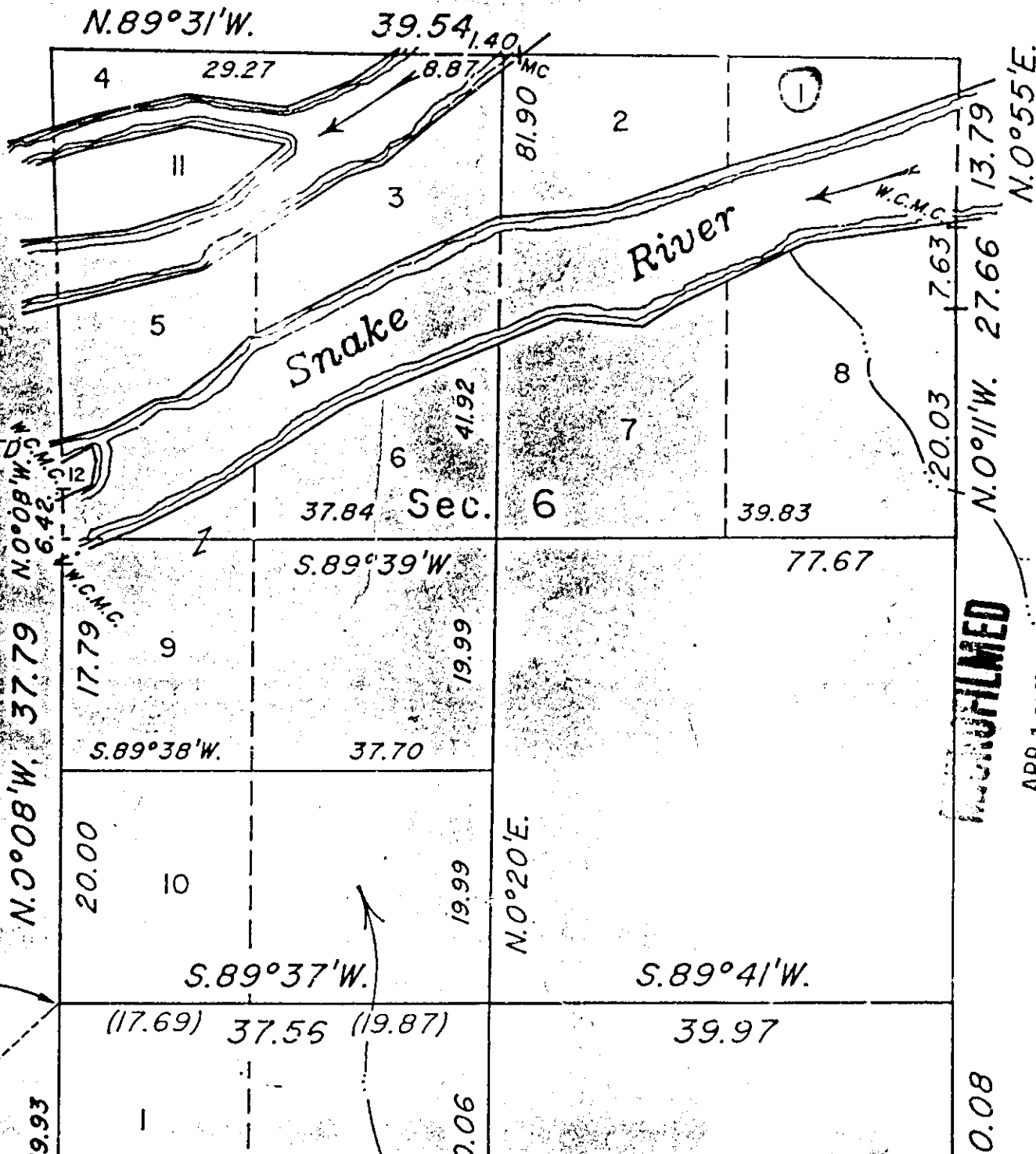
T65  
R9E  
S. 6

1984 survey

SEE ENLARGED  
DIAGRAM "A"

Latitude 42°55'25.41" N.  
Longitude 115°26'25.97" W.  
NAD 1927

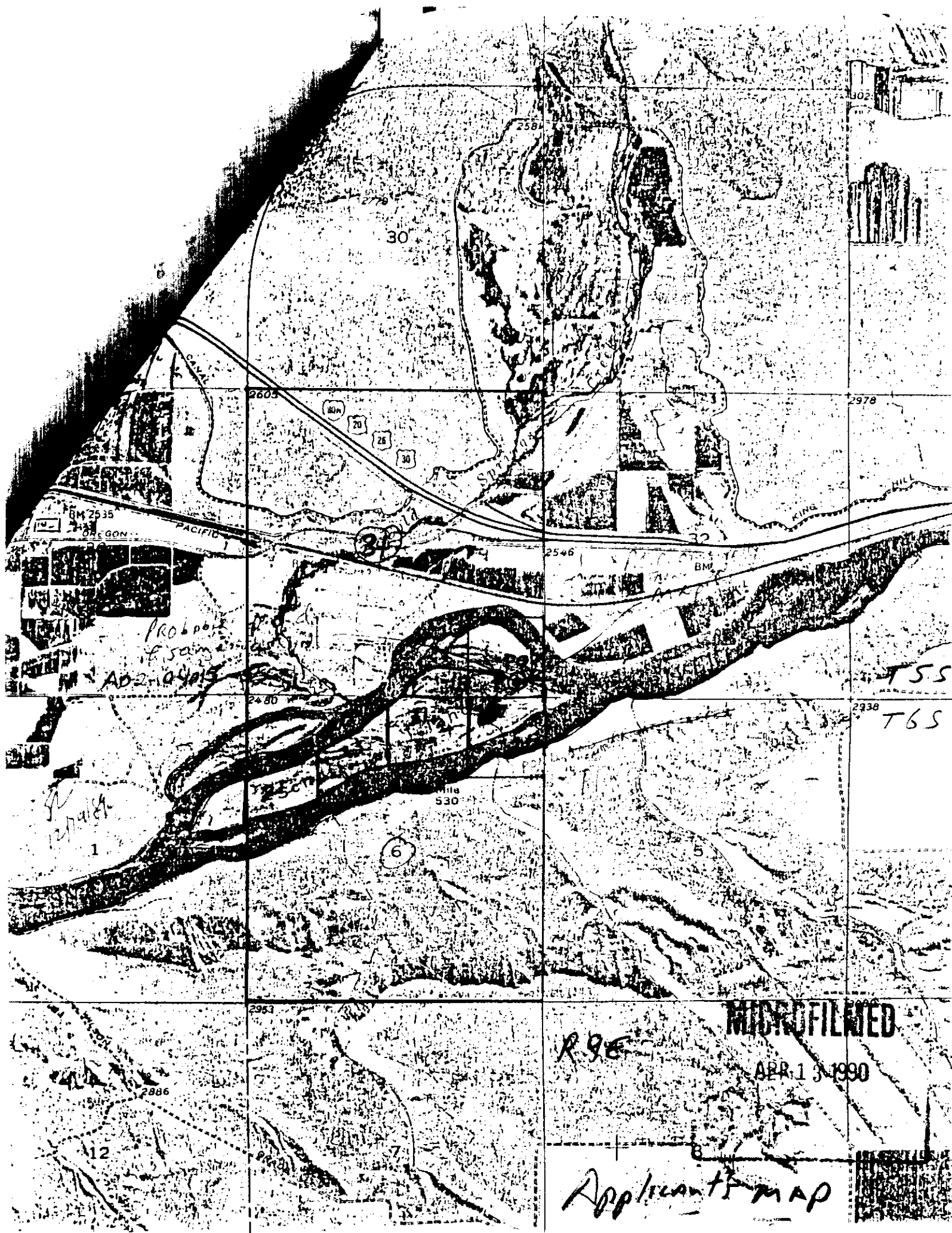
Resurveyed concurrently under Group No. 676



SEE ENLARGED  
DIAGRAM "B"

RECORDED

APR 13 1990



*See attached maps*

**MICROFILMED**

APR 13 1990

See attached maps

**MICROFILMED**

APR 19 1990

Application for permit to appropriate the public waters of  
 STFCO FARMS  
 Israel C. Wiley, GENERAL PARTNER  
 (Applicant)

Received by YE Date 10/27/89 Time 11:15am Preliminary check by SL  
Fee \$ 85.00 Received by SL # W0006564 Date 10-27-89  
Publication prepared by GG Date 1-10-90 Published in Mountain Home News  
Publication approved SL Date 7/21/90  
1/17 & 1/24/90

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.

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

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

e. Other:

**MICROFILMED**

**APR 13 1990**

HAROLD Q. NOACK, JR.  
ATTORNEY AT LAW

345 Bobwhite Court, Suite 110  
Boise, ID 83706  
P.O. Box 875  
Boise, ID 83701

Telephone  
(208) 336-2480  
FAX  
(208) 336-6701

January 3, 1990

RECEIVED  
JAN 05 1990

Steve Lester  
Senior Water Resource Agent  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Department of Water Resources  
Western Regional Office

Re: Sifco Farms

Dear Mr. Lester:

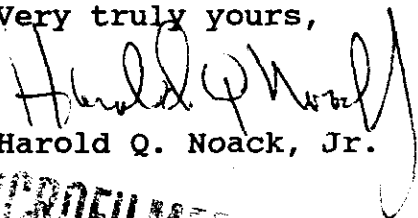
I represent Sifco Farms, a partnership. My clients referred your letter to them of December 14, 1989, to me for response.

For convenience, I am enclosing a copy of your letter to Sifco Farms. The following paragraph numbers correspond to your paragraph numbers.

1. The names of the partners of Sifco Farms are Rocky Mountain Pizza Huts, Inc., an Idaho corporation, 504 N. Phillippi, Boise, ID 83706; Thomas R. Kruzich, an individual, 331 N. Allumbaugh, Boise, ID 83704; and H W & K Company, a partnership consisting of Allan D. Humphries, Gerald A. Waller, and Thomas R. Kruzich, 504 N. Phillippi, Boise, ID 83706.
2. Yes, the diversion works are the same as the ones described in right 02-04013 and its related adjudication claim A02-04013.
5. Yes, the period of use should be changed to be from January 1 through December 31.

If you have additional questions concerning this matter, please contact Jeff Peppersack of your office. Mr. Peppersack is familiar with this claim and helped my clients prepare their claim.

Very truly yours,

  
Harold Q. Noack, Jr.

HQN:dsg  
Enc.

cc: Jerry Waller  
Jeff Peppersack, w/enc.

MICROFILMED

APR 13 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

a partnership, Successor in Interest - NO copy  
to Ferrel H. Bradbury attached, SL  
(see copy of tax statement attached) 11/3/89

1. Name of applicant SIFCO Farms Phone \_\_\_\_\_  
Post office address 504 N. Phillippi Boise, ID 83706
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot 8  
Sec. 31 Township 5S Range 9E B.M. ELMORE County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes: \* ADDITIONAL uses listed in remarks
- Amount 2.2 for WILDLIFE purposes from 9/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount 2.2 for RECREATION purposes from 9/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount 2.2 for IRRIGATION purposes from 9/1 to 12/31 (both dates inclusive) \*\*  
(cfs or acre-feet per annum)
- Amount 2.2 for Diversion to storage purposes from 9/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.2 and/or (b) 9.0 \*  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PUMP FROM RIVER  
PIPELINE, DITCH, HEADGATE + POND ≈ 9 AF

b. Height of storage dam N/A, excavated pond feet; active reservoir capacity 9 acre-feet; total \*  
reservoir capacity 9 acre-feet; period of year when water will be diverted to storage:  
9/1 to 12/31 inclusive.

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is APR 13 1990 feet.

d. Is ground water with a temperature of greater than 90°F being sought? \_\_\_\_\_

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

\* added per info in items 4 & 6. Standard irrig. season begins 4/1, pond  
use through 12/31. Standard irrig season is 4/1-11/1.

\*\* deleted per IOWR 12/14/89 letter to applicant. -SL

-SL 11/3/89

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

[illegible]

Total number of acres to be irrigated 4

- (A02-04013 covers irrigation including all 17 Acres that compose L.1 NENG S.6)

11. a. Who owns the property at the point of diversion? APPLICANT  
b. Who owns the land to be irrigated or place of use? APPLICANT  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: Additional uses for item 4 added per 11/3/89, SL:
- |                                          |                        |
|------------------------------------------|------------------------|
| <del>9 a.f. Irrigation Storage</del>     | <del>4/1 - 12/31</del> |
| <del>9 a.f. Irrigation for Storage</del> | <del>4/1 - 12/31</del> |
| 9 a.f. Wildlife Storage                  | 4/1 - 12/31            |
| 9 a.f. Recreation storage                | 4/1 - 12/31            |
- MICROFILMED** APR 13 1990

\* Delete irrigation per letter from Iowa to applicant, see letter of 12/14/69. JL



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 28, 1995

H W & K PARTNERSHIP  
504 N PHILLIPPI  
BOISE ID 83706

RE: WATER RIGHT NO. 02-07436

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

SEP 13 1995



RECEIVED

AUG 21 1995

Department of Water Resources

Pizza Hut of Idaho, Inc. / Rocky Mountain Pizza Huts, Inc. / 504 N. Phillippi St. / Boise, Idaho 83706 / Phone 208-323-7767 / FAX # 208-323-7851

August 17, 1995

Mr. Shelley W. Keen  
Water Rights Supervisor  
Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, Idaho 83720-9000

RE: PERMIT NO. 02-07436  
\$150.00 FEE

Dear Mr. Keen,

Enclosed is a check for \$150.00, as requested per your letter dated August 14, 1995.

Why the fee was not paid, I don't remember. My records show I talked to Nina, who worked for Rita Fleck at that time. My records also show that checks for \$88.00, \$51.00, and \$160.00 were deposited for filing fees. I cannot remember why, but \$88.00 was refunded. My notes show I talked to a Nina and I feel sure I was told that the fees were paid, but an inspection would be required.

If \$150.00 is needed to make all correct then the enclosed check should satisfy our requirement.

Sincerely,

Gerald A. Waller  
General Partner  
H W & K Partnership

Enclosure  
GAW/pjf

RECEIVED  
SEP 13 1995



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 14, 1995

H W & K PARTNERSHIP  
504 N PHILLIPPI  
BOISE ID 83706

RE: Permit No. 02-07436

Dear Permit Holder(s):

Permit No. 02-07436 is currently being reviewed for licensing. Our review has revealed an issue that you need to address.

When development of a permitted water use is complete, the permit holder is required to submit a statement called Proof of Beneficial Use to IDWR. Along with the proof form, the permit holder must also submit a statutory defined examination fee. When Proof of Beneficial Use was submitted to us for your permit in 1991, there was a notation on the form that no fee was due "per 3/14/91 telephone conversation with IDWR". We have no record of the conversation in our file, nor is there anything in the file to justify non-payment of the fee. I have enclosed a copy of the Proof of Beneficial Use for your reference.

If you want your water right license to reflect the 2.20 cfs found by the field examiner, you must submit the examination fee of \$150.00 required for a diversion of 2.20 cfs within 30 days. If we receive the examination fee after 30 days from the date of this letter, the priority date of your right will be advanced in accordance with Section 42-217 of the Idaho Code.

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

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

Enclosure

**RECEIVED**

SEP 13 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**RECEIVED**  
**DEC 27 1994**

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 02-07436

1. Owner: H W & K PARTNERSHIP Phone No. 323-7767

Current Address: 504 N PHILIPPI BOISE ID 83706

2. Accompanied by: Gerald Waller EXAM DATE: 10/19/94

Address: same Phone No. \_\_\_\_\_

Relationship to Permit Holder: part owner

3. Source: Snake R tributary to Columbia R

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 02-04013

2. Other water rights with the same point of diversion: 02-04013

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           | 8         |     | SE  | SE  | 31   | 55   | 9E   | Elmore | USGS Quad, ASCS Photo           |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

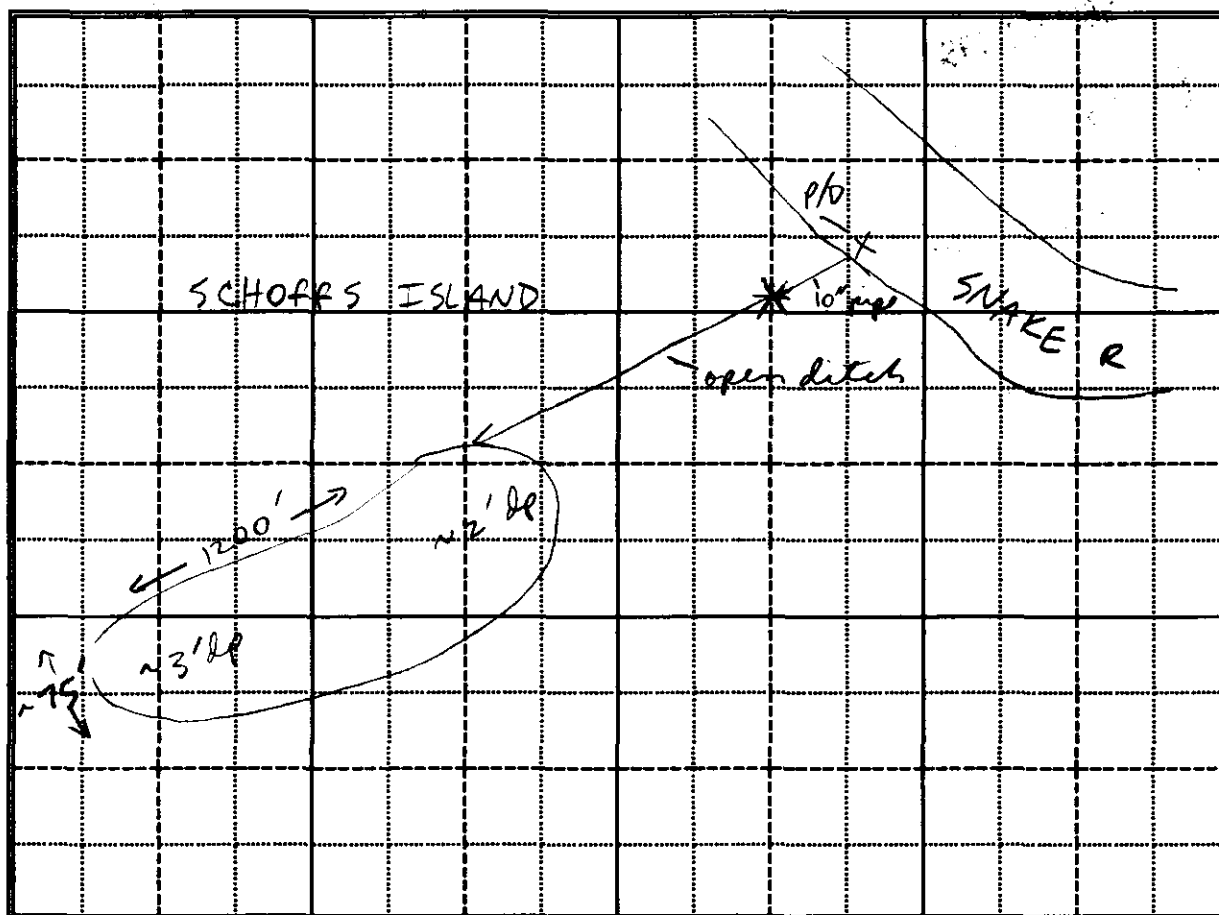
2. Place(s) of Use:

Indicate Method of Determination

| TWP | RGE | SEC | NE      |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|---------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE      | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 6S  | 9E  | 6   | G1<br>W |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     | WS      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     | R       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     | RS      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |         |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |         |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |         |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |         |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |         |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**RECEIVED**  
**SEP 13 1995**

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



Scale: 1" = \_\_\_\_\_

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make    | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|--------------|-----------------------------------|
|                                       | Elektrun   | 15 | 43601            | Parma        |                                   |
|                                       |            |    |                  | lighter pump |                                   |
|                                       |            |    |                  |              |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type  | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|-------|------|-----------|------------|------|-------------|
| Current Meters        | Pigmy |      |           |            |      |             |
|                       |       |      |           |            |      |             |

2. Measurements: ~ 40 yds SW of P/O on ditch

DEC 11 1964

RECEIVED

NOV 19 1964

ORD 1 2 1045

E. NARRATIVE/REMARKS/COMMENTS

A 15 HP pump supplies Snake River water to a 5.2 ac pond via 10" pipe + ditch. The surface area of the pond is ~2 ac and the depth varies between 2' and 3' throughout. Outflow from the pond is directly tributary to the Snake River (there is no constructed outflow point). Water at 02-04013 uses the same pump and source for irrigation. During the irrigation season, the pond collects the run-off water from the gravity irrigation system. No other water rts are used.

NOTE: The owner did not pay a proof fee per referenced tele con 3/14/91 — nothing found in records documenting contents of conversation or reason proof fee was not paid.

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

RECEIVED

SEP 1 2 1995

## F. FLOW CALCULATIONS

Measured Method:

11

Additional Computation Sheets Attached

3.53 cfs per current meter, mean  
(allow 2.2 cfs per permit)

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$\text{Theo: } 15 \text{ HP} \times 8.8 \times 1.7 = 4.62 \text{ cfs}$$

10' lift + 10' for friction

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

### 2. Volume Calculations for Other Uses:

$$1200' \text{ L} \times 75' \text{ W} \times 2.5' \text{ D} = 225000 / 43560 = \sim 5.2 \text{ afa}$$

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use           | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|--------------------------|---------------|--------------|------------------------------|--------------------------|
|                          | From          | To           |                              |                          |
| * <u>Wildlife</u>        | <u>1/1</u>    | <u>12/31</u> | <u>2.2</u>                   | <u>5.2</u>               |
| <u>Wildlife Stor</u>     | <u>1/1</u>    | <u>12/31</u> |                              |                          |
| <u>Recreation</u>        | <u>1/1</u>    | <u>12/31</u> | <u>2.2</u>                   |                          |
| <u>Recreation Stor</u>   | <u>1/1</u>    | <u>12/31</u> |                              | <u>5.2</u>               |
| <u>Diversion to Stor</u> | <u>1/1</u>    | <u>12/31</u> | <u>2.2</u>                   |                          |
| Totals:                  |               |              | <u>2.2 cfs</u>               | <u>5.2 afa</u>           |

### 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

## I. AUTHENTICATION

Field Examiner's Name Loi Ganner Date 11/15/94

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

\* See adjustment explanation memo. BC

MAILED  
SEAL

SEP 13 1995

MEMORANDUM

TO: File 02-07436 / H W & L Partnership  
FROM: Brenda Chapman  
DATE: July 21, 1995  
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use  | Period of Use | Rate of Div | Annual Vol |
|-----------------|---------------|-------------|------------|
| Wildlife        | 1-01 to 12-31 | 2.2         | 1592.7     |
| Recreation      | 1-01 to 12-31 | 2.2         | 1592.7     |
| Wildlife Stor   | 1-01 to 12-31 |             | 5.2        |
| Recreation Stor | 1-01 to 12-31 |             | 5.2        |
| Div to Storage  | 1-01 to 12-31 | 2.2         |            |

A volume must be assigned in conjunction with the active flow components.

There was no information in the exam on the type of soil surrounding the pond; therefore, the annual diversion volume recommendation is based on rate of flow through the pond rather than evaporation and seepage calculations.

RECEIVED  
SEP 13 1995

### Open Channel Discharge Measurement Note:

### A. GENERAL INFORMATION.

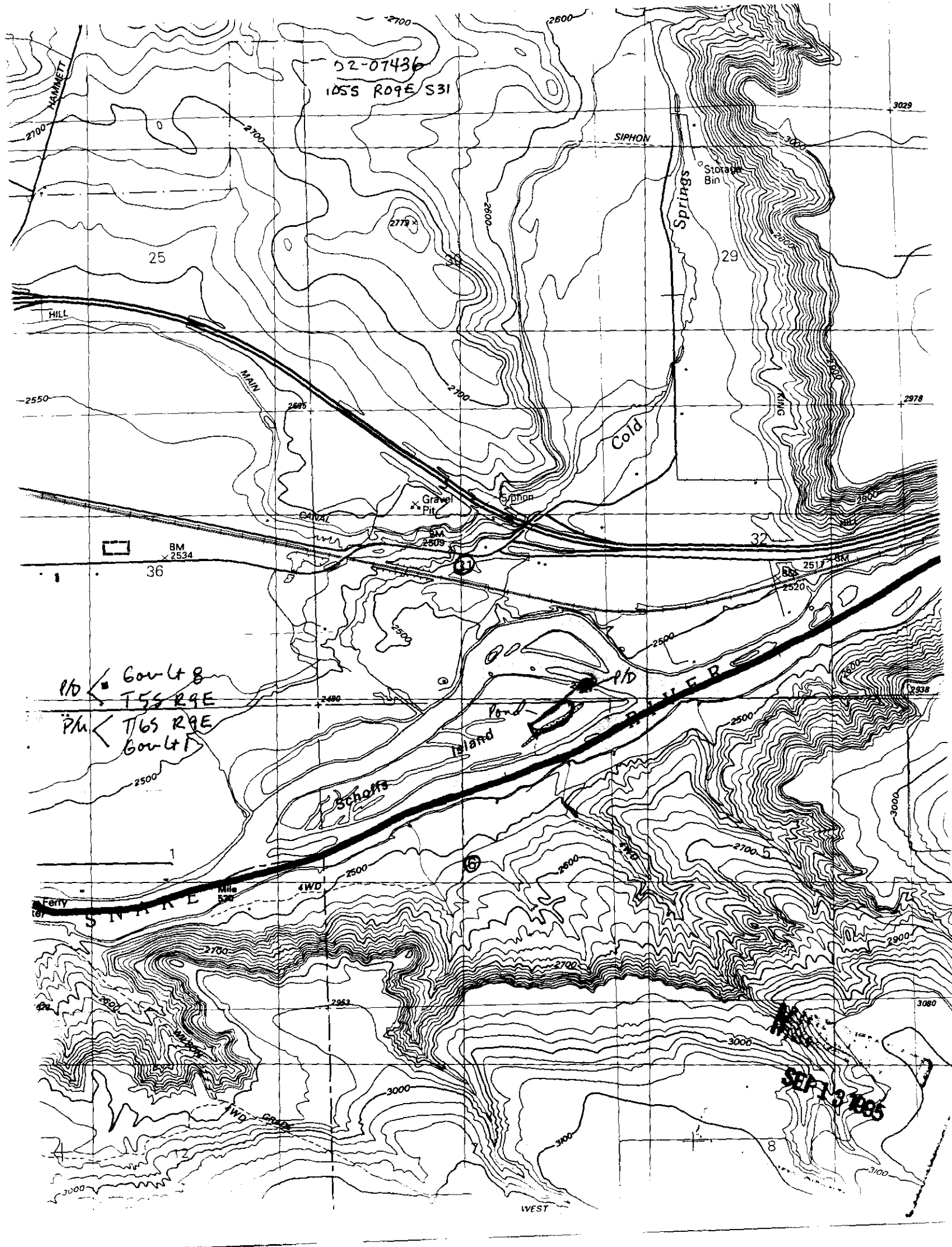
1. Name of stream or ditch: \_\_\_\_\_
2. Location: SS 9E sec 31, SESE, ~ 40 yds SW of pump
3. Person(s) conducting measurement: lg
4. Date of measurement: 10/19/94
5. Weather conditions: GREAT
6. Measuring device size and ID no.: Pizmy current meter
7. Spin test before: 1.3 after: 1.25
8. Purpose of measurement: Flow from SR Pump
9. Cross section description: 

[illegible]

**C. REMARKS**

**SIGNATURE**

for Chance

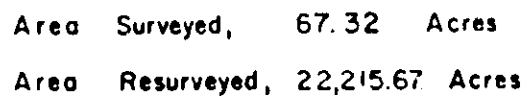
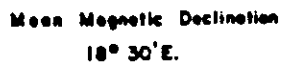


52-07436  
1055 R09E S31

1/2 600-48  
T55 R9E  
1/4 600-48  
T65 R9E  
600-48

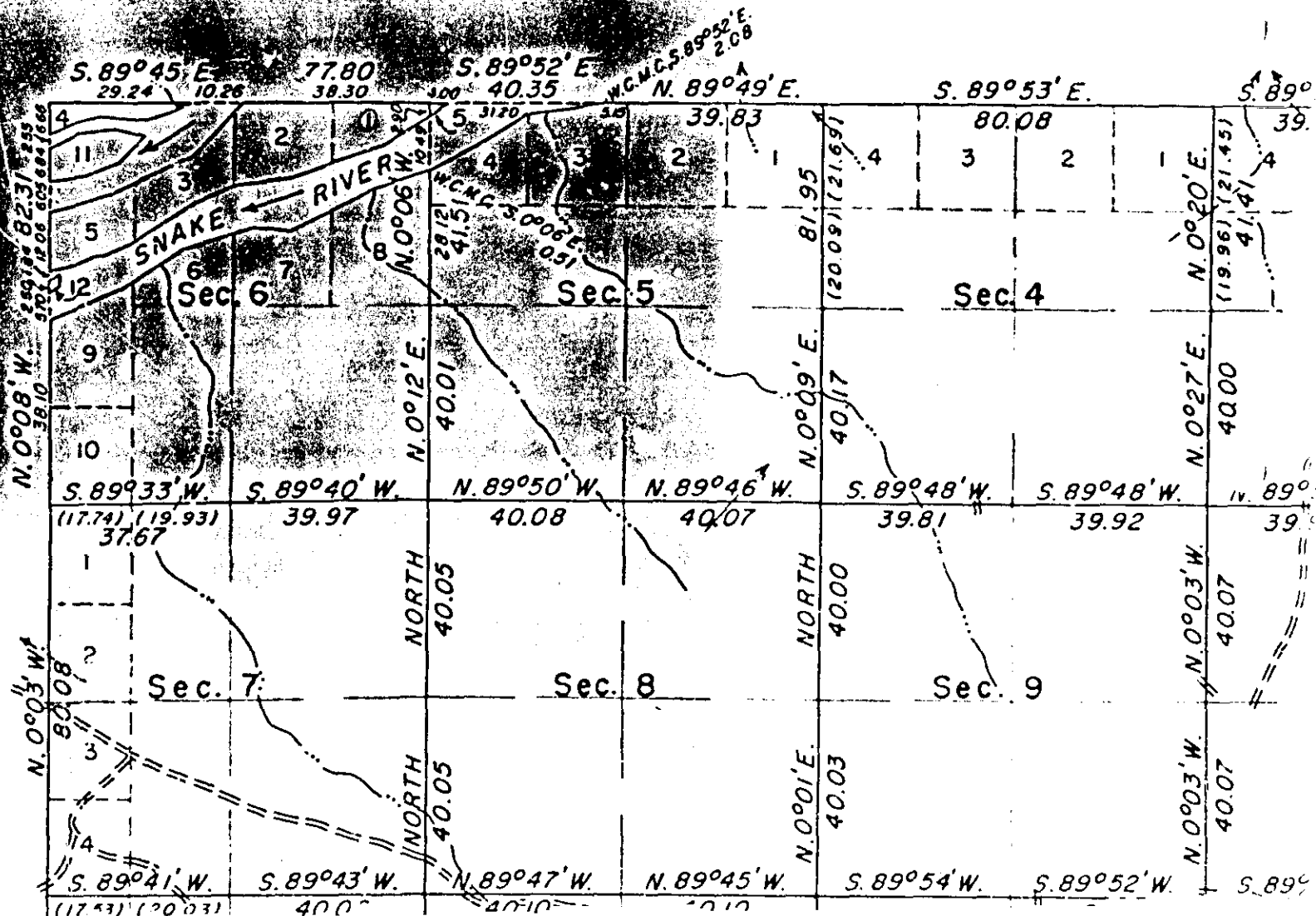
SEP 13 1985





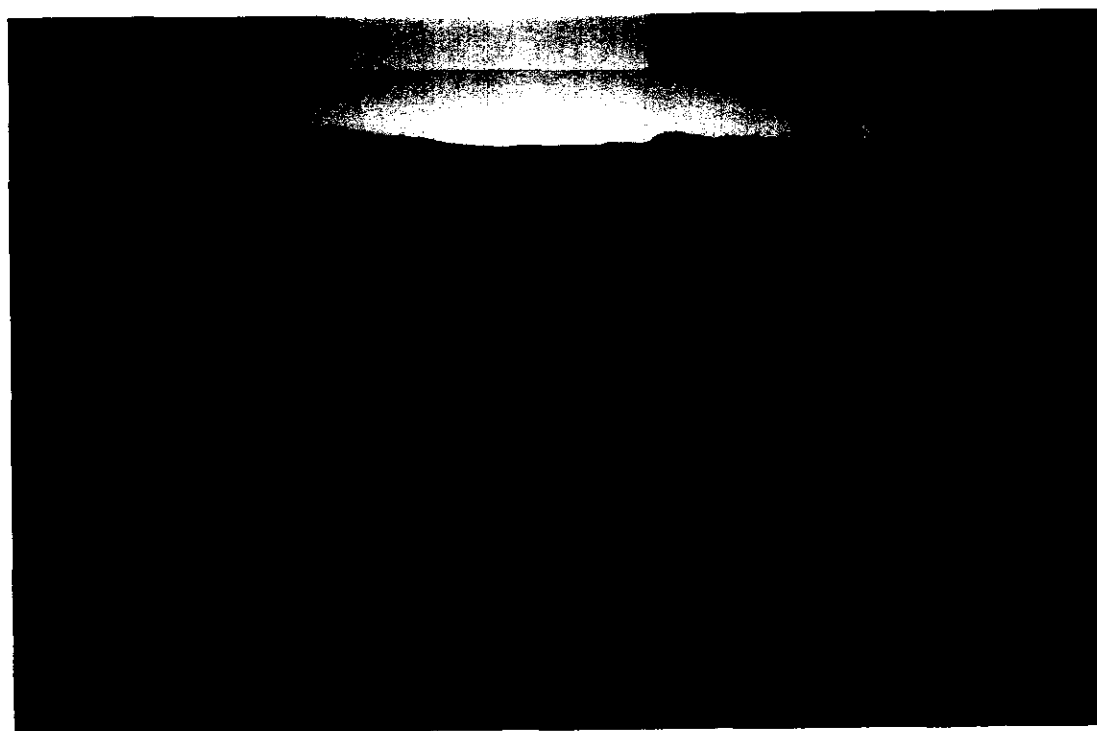
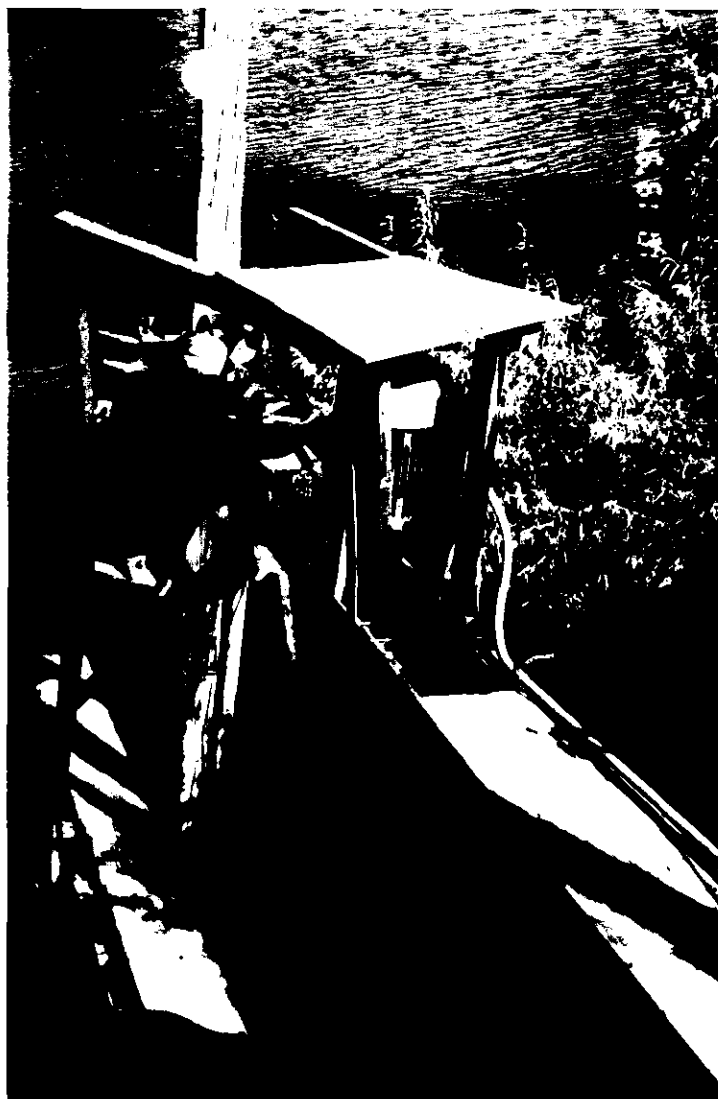
# TOWNSHIP 6 SOUTH, RANGE 9 E.

DEPE



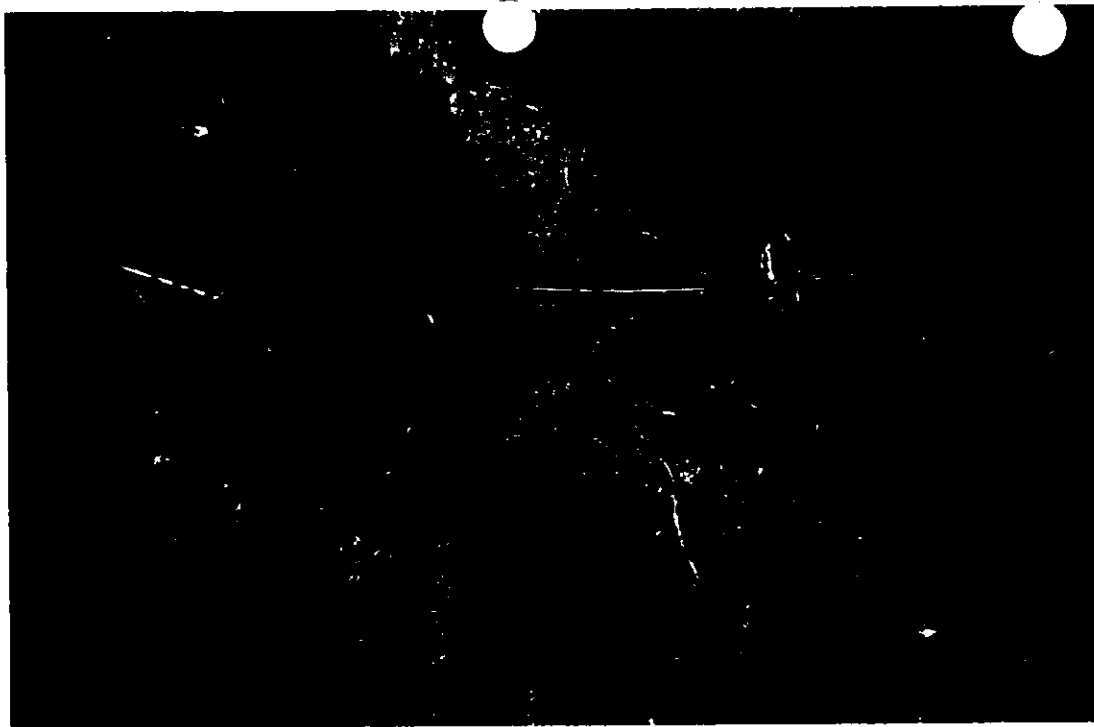
SEP 1 9 1905  
MICROFILMED

15 HP Parma Lift Pump  
10" intake pipe



1.4 ac pond  
~ 3.5 af (2'-3' deep)

SEP 1 3 40 25



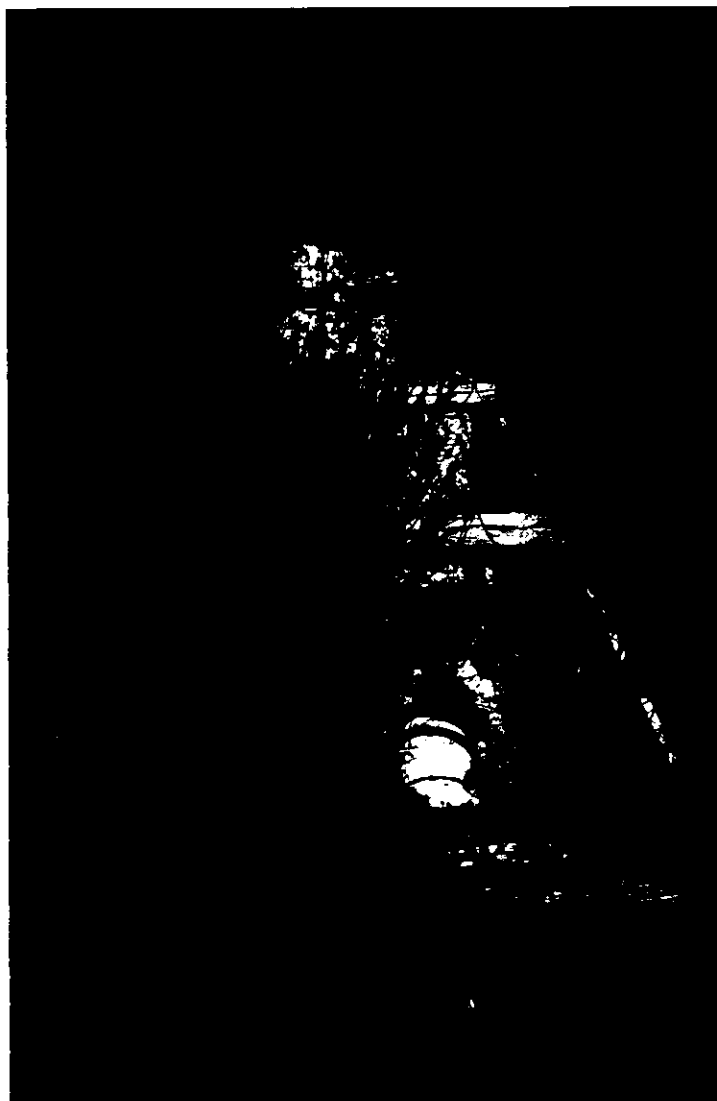
measuring pt -  
~40 yds from  
P/D

pipe to ditch -  
open discharge

ditch flows SW  
to pond

**MICROFILMED**

SEP 13 1995



May 19, 1992

BETTY L. KENT  
P.O. BOX 174  
MARSING ID 83639

RE: Water Right No. 02-07437

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

RECEIVED

SEP 13 1995

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at  
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the  
Student Union Building, Albertson College of Idaho,  
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON  
Chief, Water Allocation Bureau

LGS:klg

SEP 13 1995

April 22, 1991

H W & K PARTNERSHIP  
504 N PHILLIPPI  
BOISE ID 83706

Gentlemen:

Re: Permit No. 02-7436

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the department's records.

The department received the proof of beneficial use form. The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Western Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

*Lb*

MAY 03 1991

3/14/91

Tina -

Would you also send us  
a change of name form.

It was Sifco and now  
is H, W & K Partnership.

It's the same owner, but  
we had two names so  
just cleaned it up -  
mail to:

PIZZA HUT OF IDAHO, INC.

504 N. PHILLIPPI

BOISE, IDAHO 83706

RECEIVED

MAY 03 1991

Thanks -  
Jerry Warren

SIFCO FARMS  
504 N. PHILLIPPI  
BOISE, ID 83706

138093  
February 28, 1991

PROOF DUE NOTICE  
RE: PERMIT NO. 02-07436

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

SINCERELY,

Rita Fleck  
Secretary/Records Manager

Enclosures

MICROFILMED

MAY 03 1991

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

-----

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
April 3, 1990

SIFCO FARMS  
504 N. PHILLIPPI  
BOISE, ID 83706

P E R M I T   A P P R O V A L   N O T I C E

RE: PERMIT NO.      P02-07436

Dear Permit Holder:

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

The information available to us at this time does not warrant refusing to issue you a permit but does merit cautioning you that any permit issued by the Department cannot deprive water users, with earlier rights, of their water supply.

&SKIP

The reason for conditioning the permit and explaining the potential interference problem is to make you aware that future tests may definitely show that diversion of water from your well should be administered together with the older surface water priorities of the river and it's tributaries. If this were to occur, it would essentially mean that there would not be water available for a diversion from your well since the surface water system is fully appropriated. By locating your well as far from the river as possible and by casing out upper water producing zones as the well is constructed, you may be able to reduce the amount of interference with the river.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

**NOTIFIED**

APR 13 1990

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

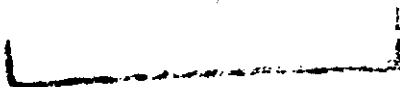
Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**MICROFILMED**

APR 13 1990



**NOTICE OF APPLICATIONS  
FOR WATER RIGHTS**

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

**SEPCO, INC.**  
504 N. HILLMAN  
BOISE, IDAHO  
Source: SHANE RIVER, Tributary:  
CONTRIBUTORY  
Diversion Pt: LOT 5 (SE) Sec 31 T  
6S R 02E  
Use: WILDLIFE (1,200 CFS); WILD-  
LIFE STORAGE (200 CFS); IRRIGA-  
TION (2,000 CFS); RECREATION  
STORAGE (200 CFS); SUPPLEMENT TO  
STORAGE (200 CFS); FISH DIS-  
SEM: (1,500 CFS); FISH  
DRAINAGE (1,000 CFS)  
In: TOWN OF SEC 31 T 6S R 02E

**J.R. SANDERSON**  
P.O. BOX 22  
BOISE, IDAHO  
Source: GROUNDWATER  
Diversion Pt: LOT 1 CORNER Sec 4 T  
6S R 02E  
Use: COMMERCIAL (123 CFS); To-  
tal Diversion: 123 CFS  
In: TOWN OF SEC 4 T 6S R 02E  
The system will be subject to all  
rules, provisions, orders, and be  
subject to the rules of the  
Department of Water Resources  
for the purpose of the  
Public Trust.

**Affidavit of Publication**

County of Elmore )  
 ) ss.

STATE OF IDAHO )

I, Mike Thornberry do  
solemnly swear that I am the foreman or publisher of the  
**MOUNTAIN HOME NEWS**

a weekly newspaper of general circulation published  
once a week at MOUNTAIN HOME, IDAHO, that the  
notice attached hereto and which is a part of the proof of  
publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having  
been made on the 17 day of January,  
1990, and the last publication having been made on  
the 24 day of January, 1990,  
every Wednesday issue of the paper during the period  
and time of publication and that the notice was published  
in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN  
HOME NEWS has been continuously and uninterrupt-  
edly published in said Elmore County during a period of  
78 consecutive weeks prior to the first publication of the  
attached notice.

STATE OF IDAHO )  
COUNTY OF ELMORE )

On this 25 day of Jan in the year of 1990

before me, a Notary Public, personally appeared  
Mike Thornberry, 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 ac-  
knowledgeed to me that he executed the same.

Clarence O. Swen  
Notary Public for Idaho

Residing at Mountain Home, ID

My commission expires: 2-5-91

**RECEIVED**

JAN 26 1990

Department of Water Resources  
Western Regional Office

**MICROFILMED**

APR 13 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Region  
2735 AIRPORT WAY

---

Boise, Idaho 83705  
(208) 334-2190

JANUARY 10, 1990

Mountain Home News  
Drawer 0  
Mountain Home, ID 83647

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before FEBRUARY 5, 1990.

Yours truly,

GAIL GARRETT  
Secretary

Encl.

**MICROFILMED**

APR 13 1990

02-07436

SIFCO FARMS  
504 N. PHILLIPPI  
BOISE, ID 83706

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 8 (SESE) Sec 31 T 05S R 09E

|                      |              |            |
|----------------------|--------------|------------|
| Use: WILDLIFE        | ( 2.200 CFS) |            |
| WILDLIFE STORAGE     |              | ( 9.00 AF) |
| RECREATION           | ( 2.200 CFS) |            |
| RECREATION STORAGE   |              | ( 9.00 AF) |
| DIVERSION TO STORAGE | ( 2.200 CFS) |            |
| Total Diversion:     | ( 2.200 CFS) | ( 9.00 AF) |

Date Filed: 10/27/1989

In: T06S R09E S06 Lot 1 (NENE)

**MICROFILMED**

APR 13 1990



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

December 14, 1989

Sifco Farms  
504 N. Phillippi  
Boise, ID. 83706

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Re: Application for Permit

Dear Applicant:

Your recent application to divert Snake River water for irrigation of five acres, wildlife, and recreation uses was received and reviewed. Several items need attention before processing continues.

✓ 1) Please provide the names and addresses of all partners and any officers for Sifco Farms.

yes 2) Are the diversion works the same as the one described in right 02-04013 and its related adjudication claim A02-04013?

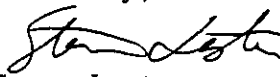
OK ✓ 3) Irrigation use was deleted from the application. The adjudication claim A02-04013 filed to retain the irrigation right from the Snake River included a transfer for irrigation of 17 acres in Lot 1, NENE S.6. Prior to filing the adjudication claim, seven acres in Lot 1 were covered by water right 02-04013. By filing claim A02-04013, water right coverage was transferred to cover the acres described in the adjudication claim. These 17 acres represent all of the irrigatable area in Lot 1, and a full miner's inch per acre is allotted. The department cannot approve new rights from the same surface water source beyond one inch per acre (the full duty of Snake River water is already appropriated for the land in Lot 1).

OK ✓ 4) Therefore, the application covers wildlife and recreation uses but not irrigation. Based on the information in your application, the uses of water are described as follows: diversion to storage 2.2 cfs, wildlife 2.2 cfs, recreation 2.2 cfs, wildlife storage 9.0 af, and recreation storage 9.0 af; the total is 2.2 cfs and 9.0 af. and no additional fee is needed.

all year ✓ 5) The period of use for wildlife and recreation was shown as 9/1-12/31. However, unless the pond is drained and kept empty outside of those dates, an additional period will be needed. Generally, we see such uses from 1/1-12/31 although you may, of course, limit your future right to any specified period within the year. Do you want to change the period to all year to provide maximum flexibility in your right?

After your reply, the application will be advertised. Please respond within 30 days. Additional help is available from this office.

Sincerely,

  
Steve Lester  
Sr. Water Resource Agent

SL: sl

**MICROFILMED**

APR 13 1990