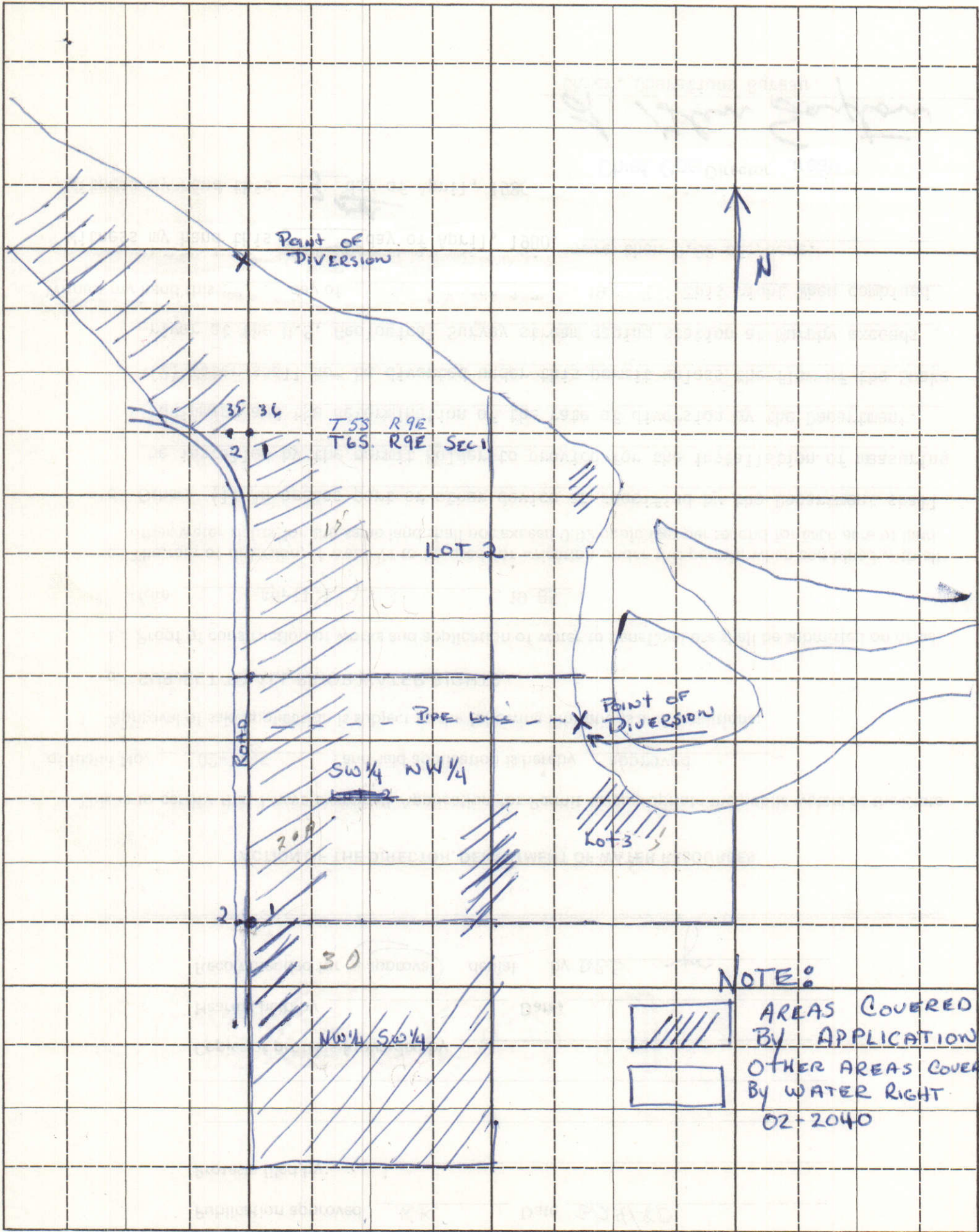


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

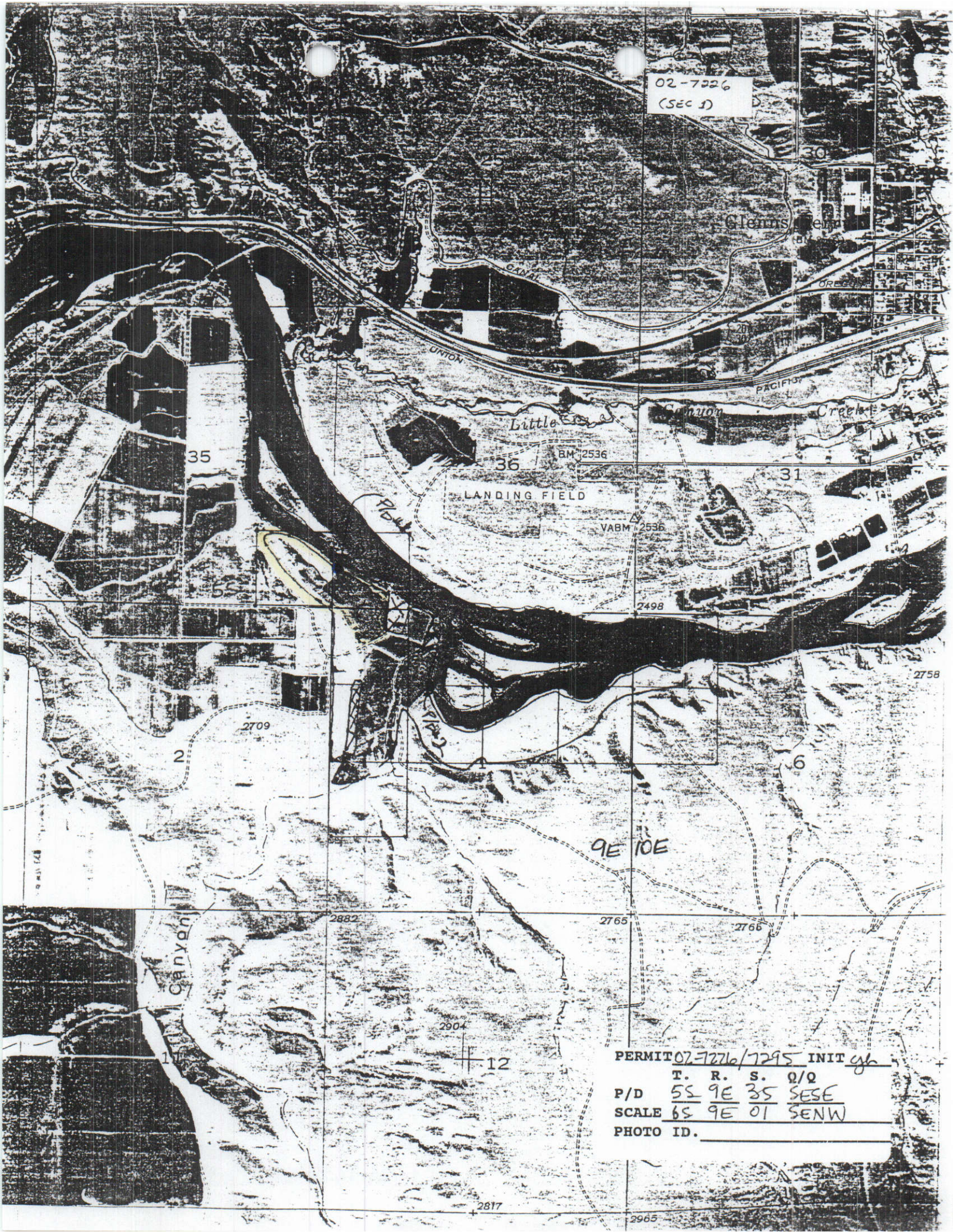


Scale: 2 inches equal 1 mile.

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.

By Rockin S Ranch Inc.  
Dennis C Smith  
(Applicant)

02-7226  
(SEC 1)



PERMIT 02-7226/7295 INIT *gh*  
T. R. S. Q/Q  
P/D 5S 9E 3S SESE  
SCALE 6S 9E 01 SENW  
PHOTO ID. \_\_\_\_\_



# System Map

original see 02.7226

PERMIT 02-7226/7295 INIT gh

T. R. S. Q/Q

P/D 55 9E 35

SCALE 68 9E 01

PHOTO ID.



# Acrage Map

original see 02.7226

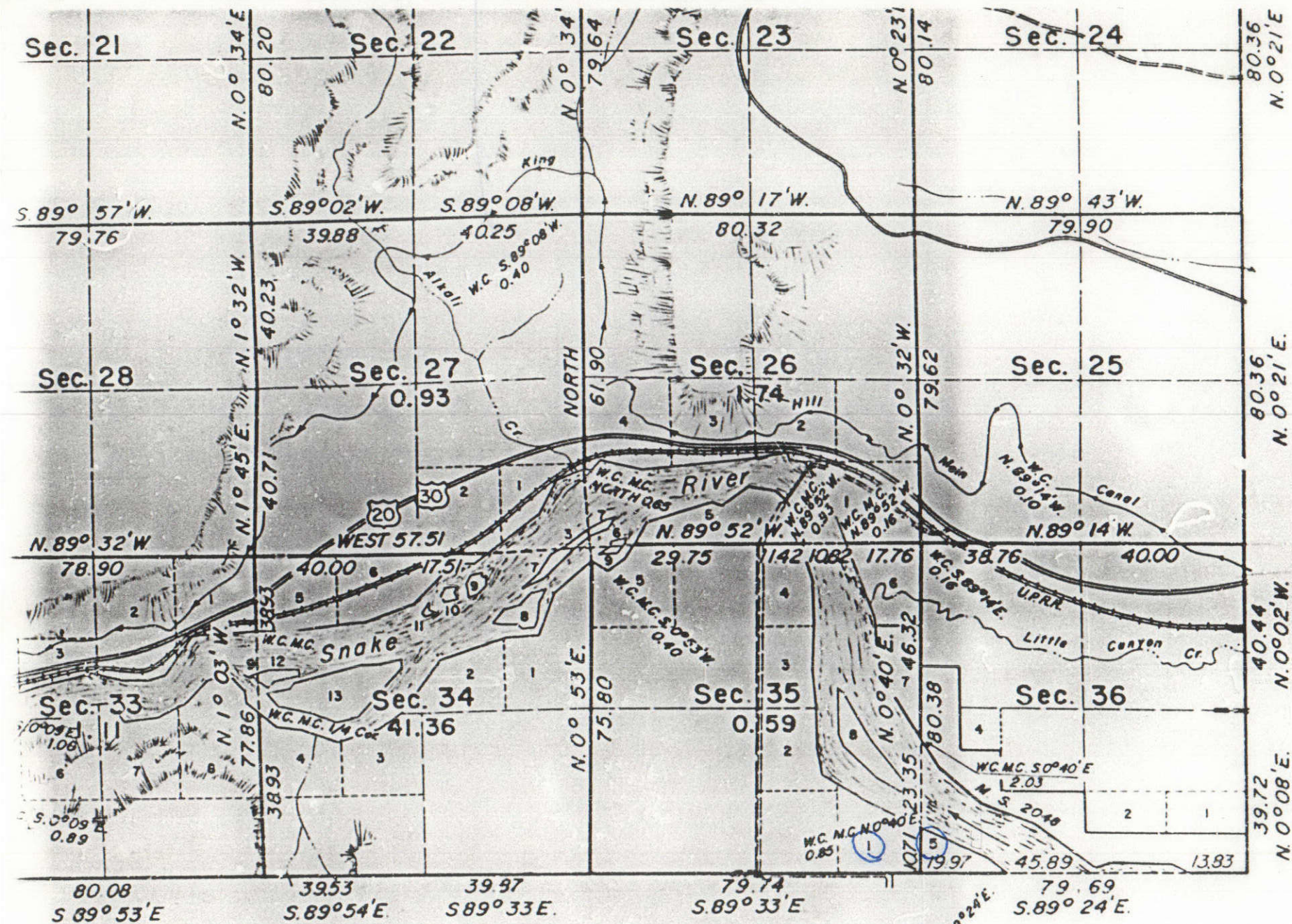
PERMIT 02-7226/7295 INIT *gh*

T. R. S. Q/Q

P/D 559E 35

SCALE 659E 01

PHOTO ID. \_\_\_\_\_



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file  
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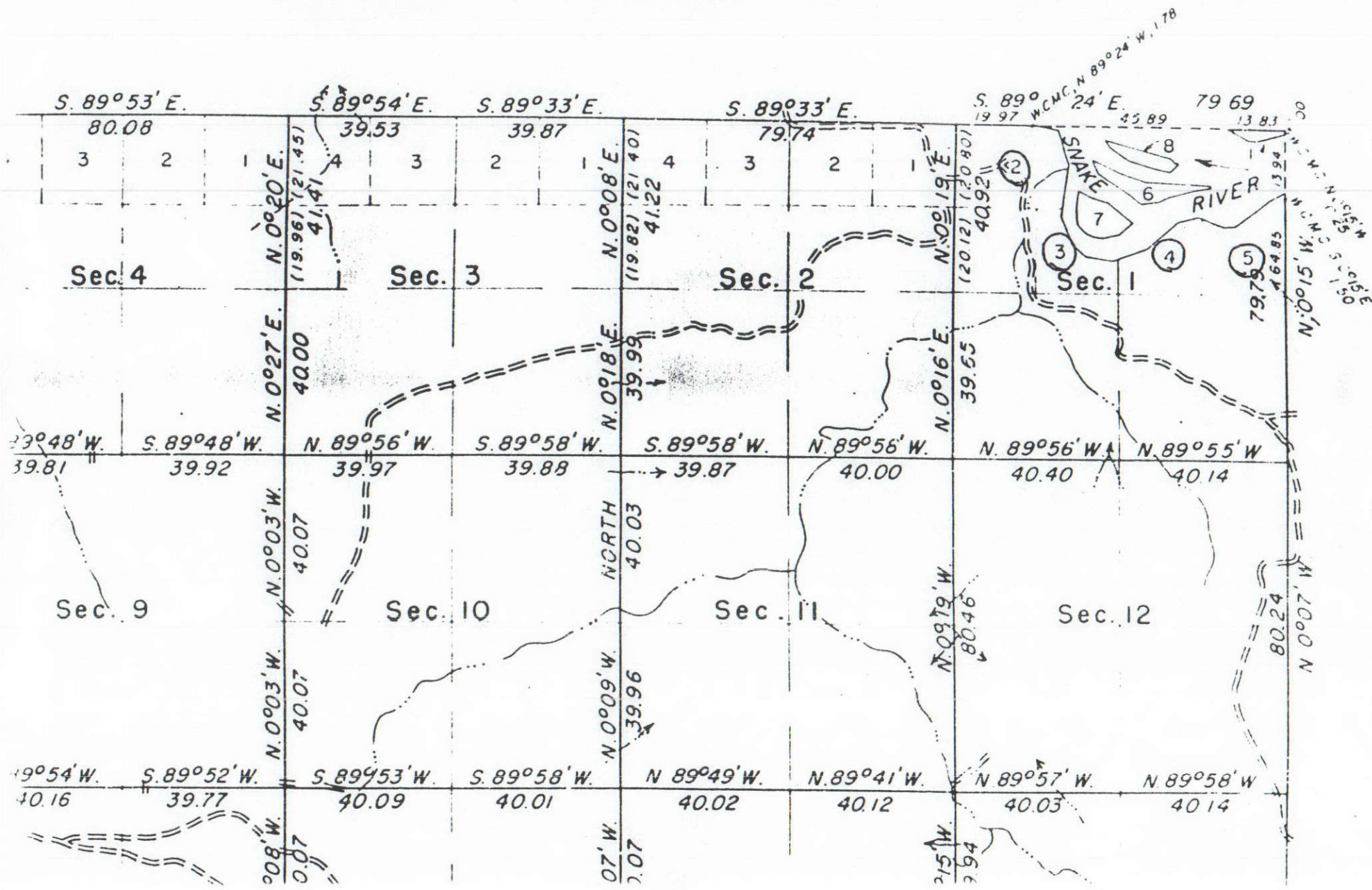
Latitude 4  
Longitude 1

55-9E

# RANGE 9 EAST, OF THE BOISE MERIDIAN, IDA

## DEPENDENT RESURVEY

65-9E



Pump #2 Gravity Line (12") (Same as gravity #1)

Supersedes:

Date 1-20-59

Page 8.52

**BERKELEY PUMP COMPANY**

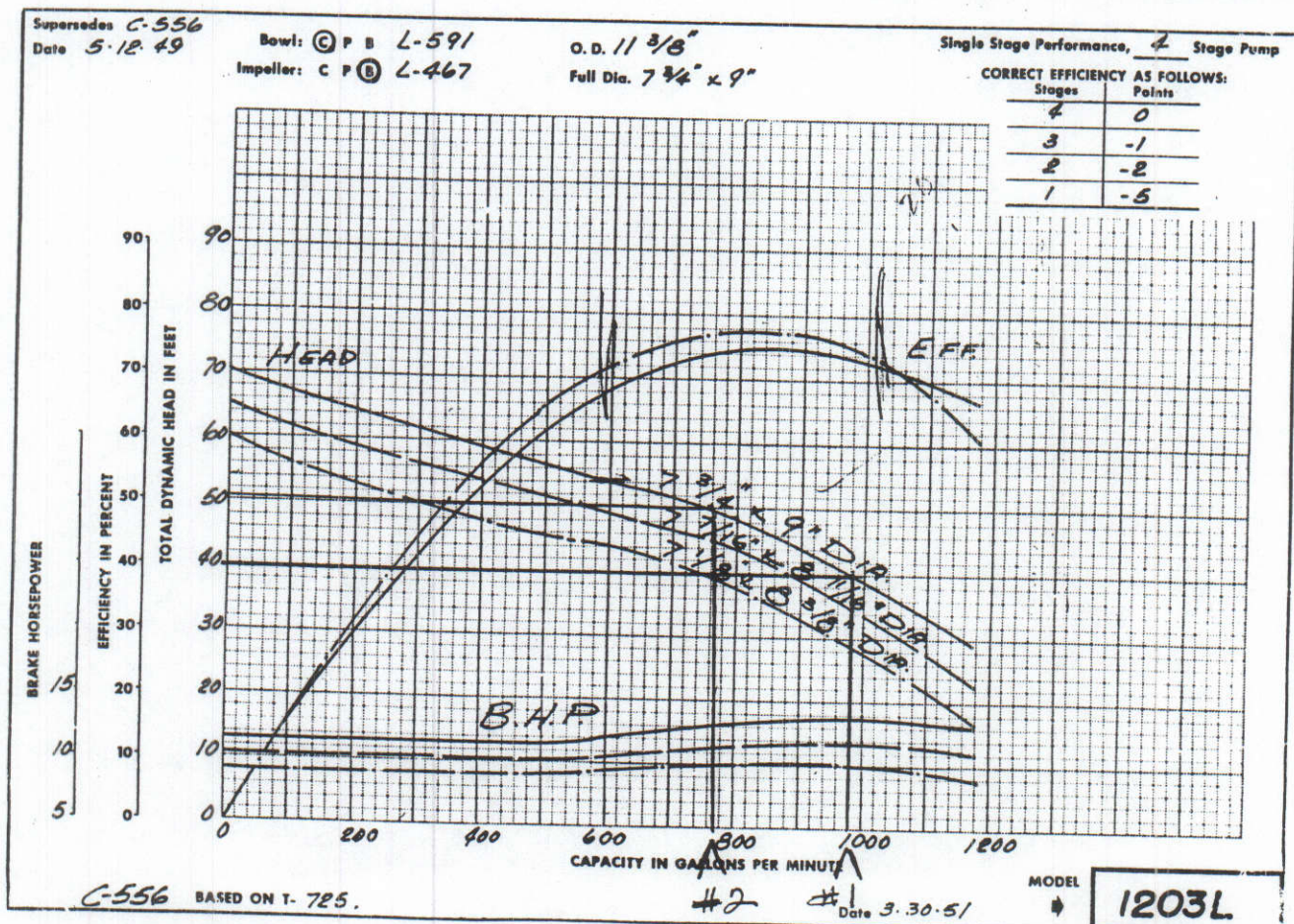
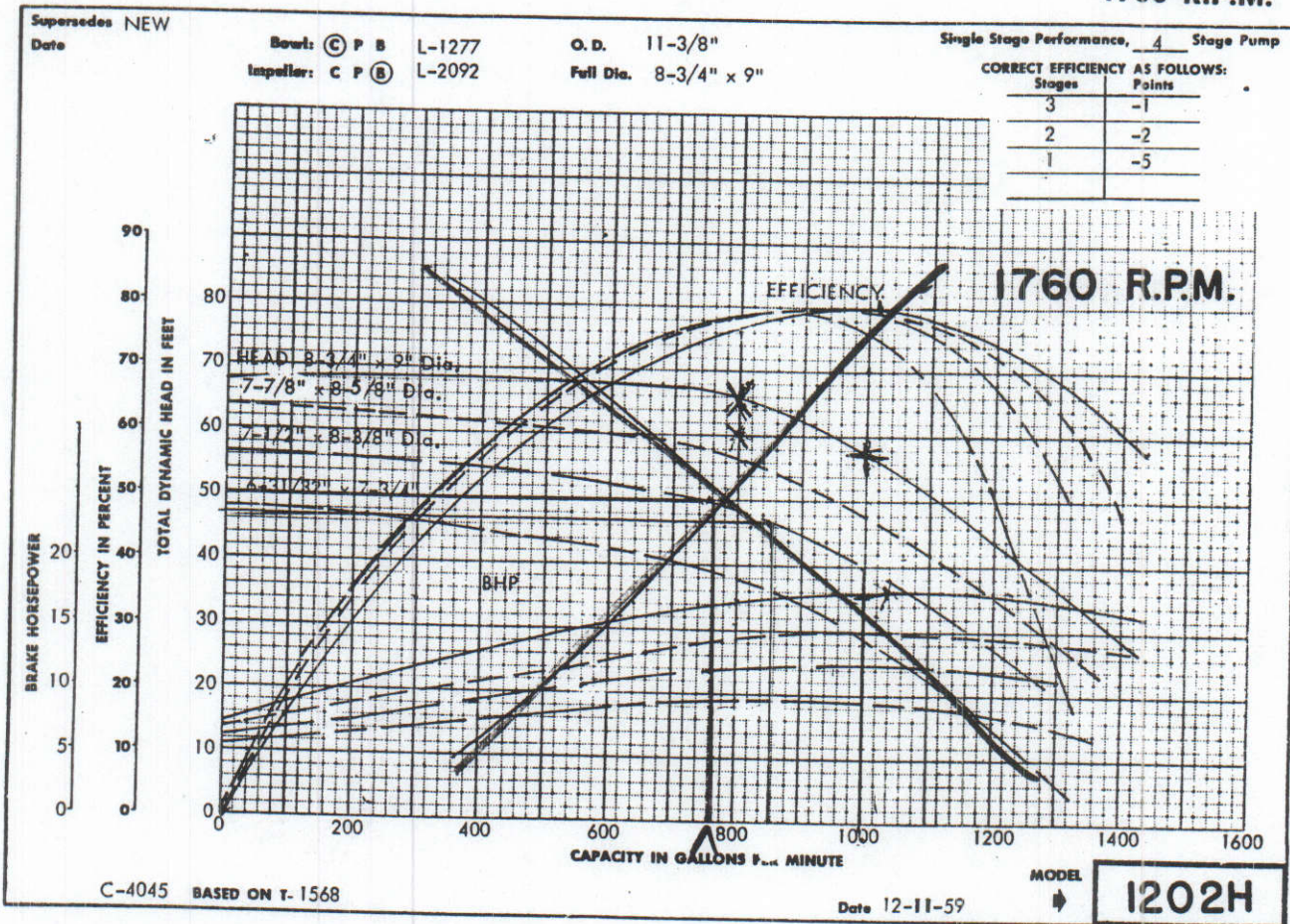
*Deepwell Turbine Rating Curves*

Section 5055

4-15-64 No. 8.52

Enclosed Impeller

1760 R.P.M.



8000pm - 64 1A 224  
B22 04 05 40 228  
EX 10000pm 1001200

100



Place of use - view to S/SW  
Sec 35/36



Sprinkler pump  
←

Pump Station 1



← Gravity System  
(pump out for repairs)

Same as gravity pump in 02-7226

02-7295

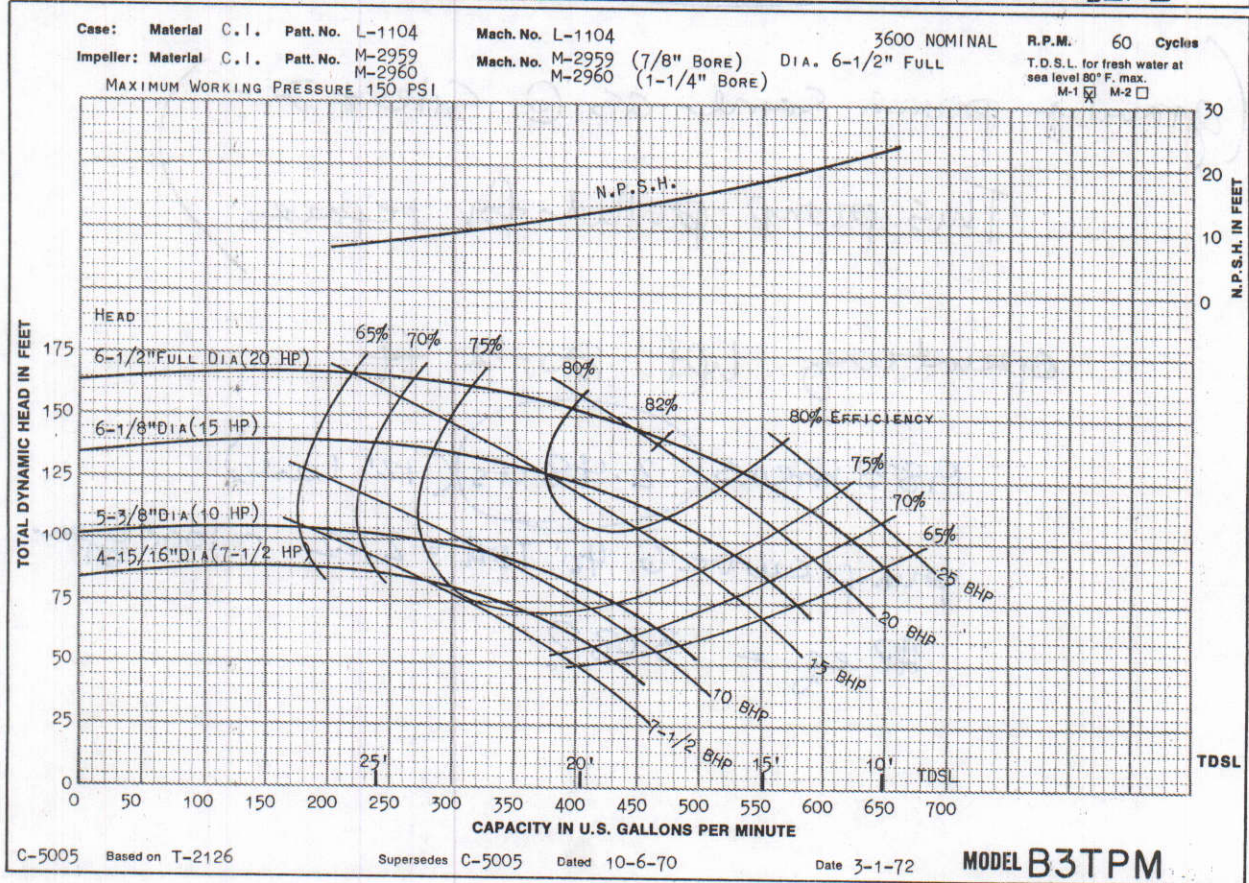
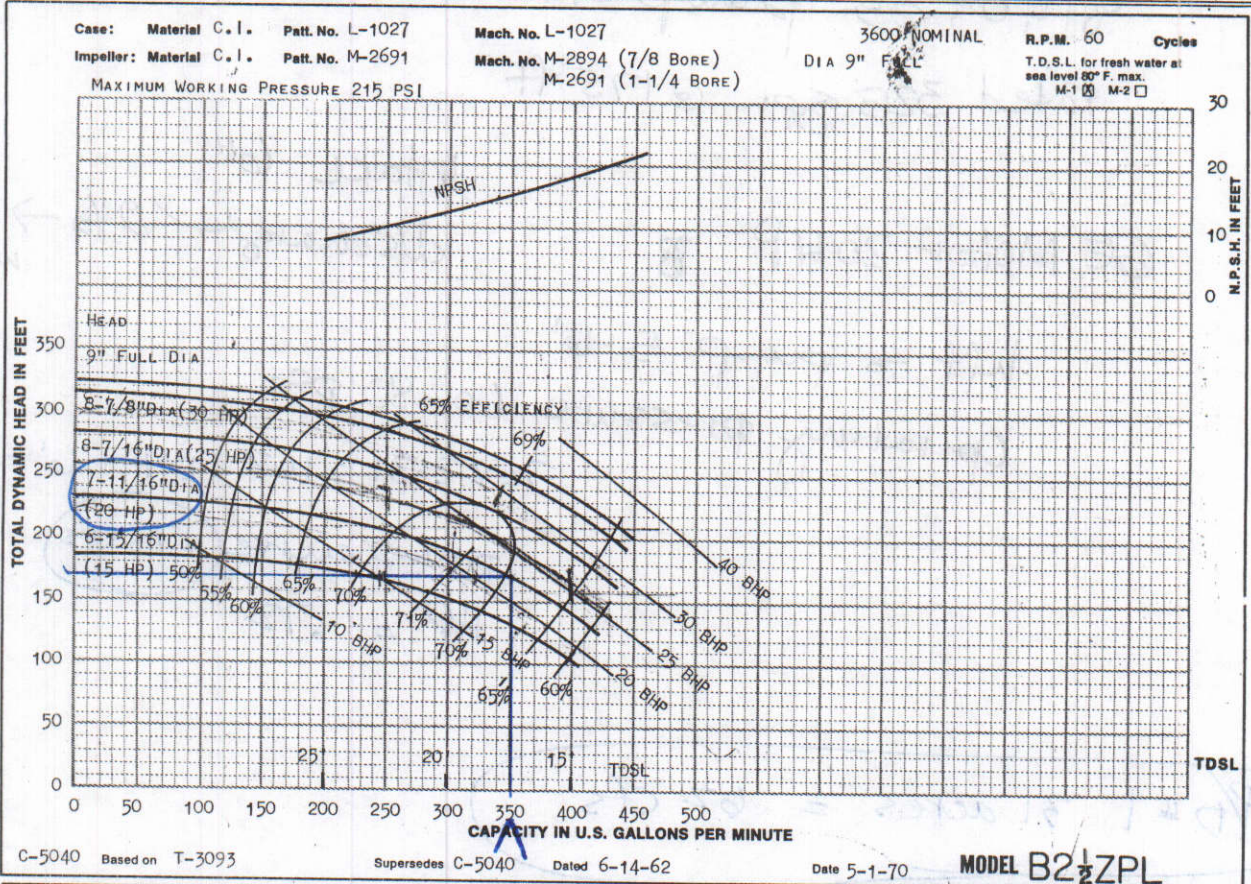
Pump #1 - Sprinkler



BERKELEY PUMP COMPANY

# TYPE "B" RATING CURVES MOTOR DRIVE

|                       |        |
|-----------------------|--------|
| CURVE                 | 4075   |
| DATE                  | 6-1-72 |
| PAGE                  | 3.02   |
| SUPERSEDES            |        |
| All Previously Issued |        |
| 4075 Curves           |        |



**MICROFILMED**

JUN 17 1989

T89  
397

19.7

35.56  
2.1

2 16.0

3 3.9

4 4.6

HEL

6 8.2

9 HEL  
20.8

10 HEL  
45.2

HEL

5 15.9

18 8.2

8 25.6

7 4.7

19 15.6

17 30.5

16 86.1

1984 Flight  
Edmore County A&S Office  
Mary Simpson

**POOR QUALITY**

For Office Use Only  
Fee Received \$125.00  
Date 5/9/89  
Receipt # C006685  
Receipt by [Signature]  
Reviewed by [Signature]  
Sent to region 5-13-89

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 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.

Permit No. 02-7295

Name(s) of Permit Holder: ROCKIN S RANCH INC ✓

Post Office Address: Box 939 ✓ GLENNS FERRY IDAHO

Telephone No. 366-2156

Source of Water: SNAKE RIVER ✓

Extent of Use:

Domestic \_\_\_\_\_ (number of households) Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation 58 ✓ (acres) Other/Remark \_\_\_\_\_

Total rate and/or volume for which proof is submitted 1.16 ✓ cfs \_\_\_\_\_ acre-feet

Show the date water was first diverted and beneficially used under this permit: \_\_\_\_\_

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

Fee enclosed \$ 125.00  
(See License Examination Fee Schedule)

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

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

DENNIS SMITH  
(Name)

366-2156  
(Telephone Number)

\_\_\_\_\_  
(Address)

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.

MAY 9 1989  
Date

[Signature]  
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME  
To provide additional time in which to submit  
proof of beneficial use on a water right permit

For Office Use Only  
Fee Received 1-11-1985  
Date 8/5  
Receipt # 359654

RECEIVED  
JAN 11 1985

Department of Water Resources

Rockin S Ranch Inc. of Box 939, Glenns Ferry, ID 83623  
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder\*, of Permit to Appropriate the Public Water of the State of Idaho No. 02-7295

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 1, 19 85.

That he has heretofore performed the following work described under said permit:  
(This must be filled out! If no work has been completed put none.)

Presently irrigation approximately 25 acres of land

Costing \$ 7,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

The Swan Falls - Idaho Power Litigation has prevented me from developing the remainder of the project.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to April 1, 19 90.  
( 1 yr. minimum, 5 yrs. maximum)

NOTE  
AS OF JULY 1, 1980,  
THERE IS A \$15.00  
CHARGE FOR REQUESTS  
FOR EXTENSION OF  
TIME

Officer of Corporation (Signature)\*

\*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the proof of beneficial use is extended to April 1, 1990.

Signed this 16<sup>th</sup> day of January, 19 85.

L. Glen Saxton  
Chief, Operations Bureau

RECORDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Rockin S Ranch Inc. Phone 366-2156

Post office address Box AB Glenns Ferry, Idaho 83623

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is Lot 3 ~~1/4 of~~ ~~1/2 of~~ Section 1 Township 6S

Range 9E B.M. Elmore County, additional points of diversion if any: \_\_\_\_\_

~~T3S~~ ~~R9E~~ B.M. Sec. 35 Part Lot 1

4. Water will be used for the following purposes:

Amount 1.6 for Irrigation purposes from April 1 to Oct. 15 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 1.6 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The water will be pumped from the Snake River into Sprinkler mainlines.

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 April 1 to Oct. 15 inclusive.  
(Month/Day) (Month/Day)

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 five 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: \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 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: \_\_\_\_\_

**RECORDED**

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

[illegible]

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. There are existing water rights on all of the ground listed ( 02-2040). This water right would cover ground which is not being irrigated at present. Water right ( 02-2040) covers ground which is being irrigated at this time.

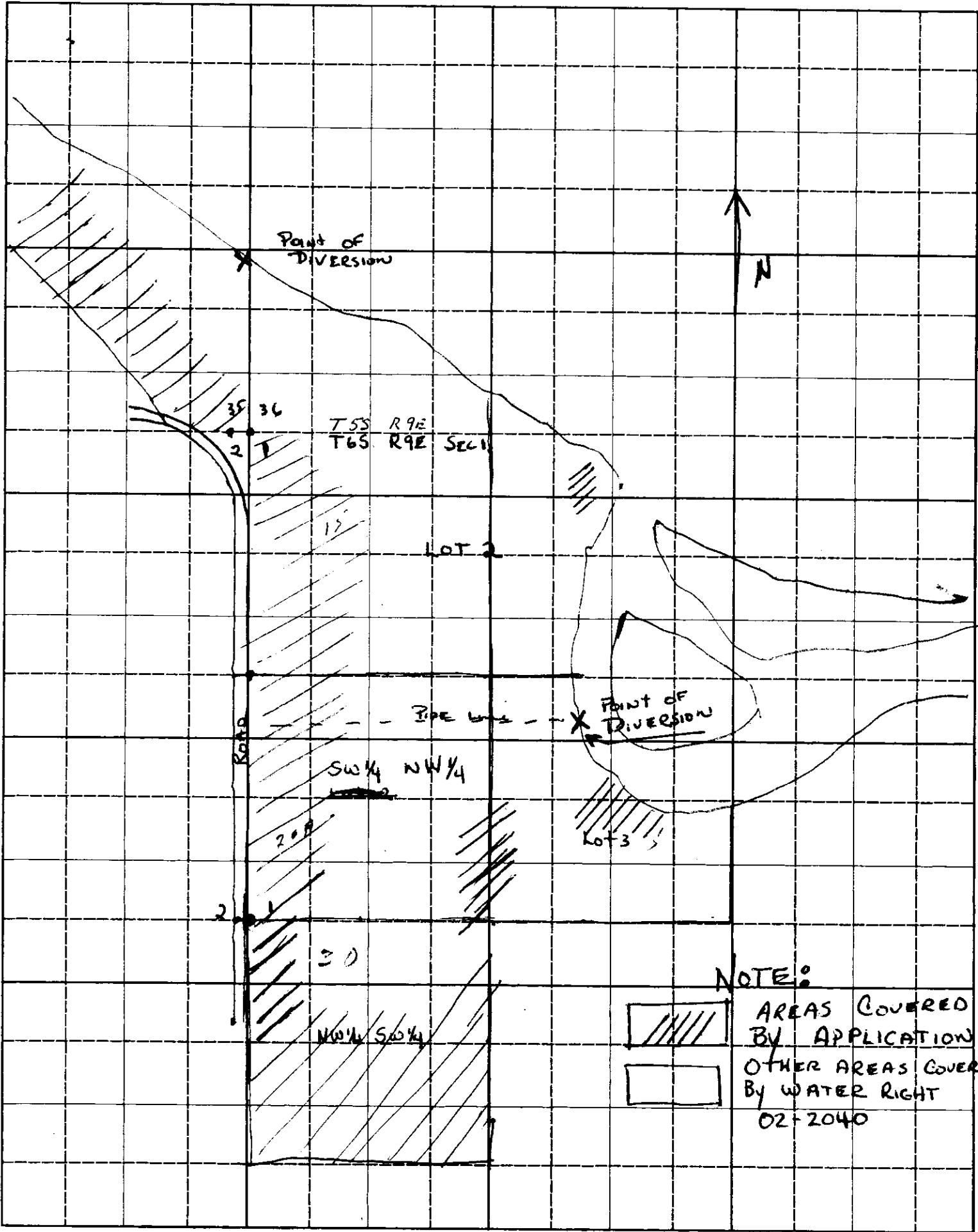
9. a. Who owns the property at the point of diversion Rockin S Ranch Inc.

b. Who owns the land to be irrigated or place of use Rockin S Ranch Inc.

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

### 10. Remarks

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



Scale: 2 inches equal 1 mile.

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

ROCKIN S RANCH INC.  
By Dennis C Smith  
(Applicant)

Proposed Priority 2/20/80

Received by JG Date 2/20/80 Time 10:25 A.M.  
Preliminary check by CWB Fee \$ 45.00 ~~155.00~~ # 15362  
Receipted by KK Date 2/21/80  
Publication prepared by KK Date 2/21/80  
Published in mt Home News  
Publication dates 3/6, 3/13/80  
Publication approved KK Date 3/24/80  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date, \_\_\_\_\_  
Recommended for approval denial by DBS gm

**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. 02-7295, and said application is hereby approved.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 85.
- 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: (1) 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.  
(2) Water shall not be diverted under this permit unless the flow of the Snake river at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s. (3) This right when combined with right No. 02-2040 shall not provide more than 0.02 cfs/acre.

Witness my hand this 3<sup>rd</sup> day of April, 1980.

L. Glen Saxton  
Chief, Operations Bureau

NOTICE OF APPLICATIONS  
FOR WATER RIGHTS

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

02-7295

ROCKINS S. RANCH, INC.  
BOX AB, GLENNS FERRY, ID  
83623

Source: SNAKE RIVER

Date Filed: 02/20/1980

Amount: 1.60 CFS

Diversion Point: LOT 03 Sec 01 T  
06S R 09E LOT 01 Sec 35 T 06S R 09E,  
ELMORE Co.

Use: IRRIGATION (1.60 CFS) from  
04/01 to 10/15

Place of Use: LOT 02 (NWNW)  
SWNW LOT 03 (SESW) NWSW Sec  
01 T 06S R 09E; LOT 01 (SESE) Sec 35  
T 06S R 09E FOR 80 ACRES

Diversion Means: PUMP,  
SPRINKLER & MAINLINES

61-7397

HARDEN, HUGH &/or GLORIA A.  
7425 WEST 36 SOUTH, MOUN-  
TAIN HOME, ID 83647

Source: GROUNDWATER

Dated Filed: 02/22/1980

Amount: 0.74 CFS

Diversion Point: NESW Sec 07 T 04S  
R 06E, ELMORE Co.

Use: IRRIGATION (0.70 CFS) from  
03/15 to 11/15; DOMESTIC (0.04 CFS)  
from 01/01 to 12/31

Place of Use: NESW Sec 07 T 04S R  
06E FOR 35 ACRES

Diversion Means: PUMP &  
SPRINKLER SYSTEM

61-7398

SIMPLIST LIVESTOCK CO.

GRAND VIEW, ID 83624

Source: GROUNDWATER

Date Filed: 02/25/1980

Amount: 4.36 CFS

Diversion Point: SESE Sec 35 T 04S  
R 03E, ELMORE Co.

Use: IRRIGATION (2.00 CFS) from  
03/15 to 11/15; DOMESTIC (0.16 CFS)  
from 01/01 to 12/31; STOCKWATER  
(2.20 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 35 T 04S R  
03E NWNE NENW NWNW Sec 02 T  
05S R 03E FOR 100 ACRES

Diversion Means: WELL, PUMP &  
DISTRIBUTION SYSTEM

If issued, the permits 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,  
92 S. Cole Road, Boise, Idaho 83709 on  
or before MARCH 24, 1980.

C. STEPHEN ALLRED

Director

Published 3/6 & 3/13/80.

Idaho Department of Water Resources  
Regional Office

02-K11  
3/24/80

Affidavit of Publication

County of Elmore }  
STATE OF IDAHO } ss.

I, ..... Vivian M. Waters ..... 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 publica-

tion having been made on the ..6th..... day

of ..... March....., 19.80., and

the last publication having been made on the

.....13th..... day of ...March.....

19.80.....; every Thursday 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 MOUN-  
TAIN HOME NEWS has been continuously and  
uninterruptedly published in said Elmore County  
during a period of 78 consecutive weeks prior  
to the first publication of the attached notice.

.....  
Subscribed and sworn to me this ....13th...

day of ..March....., 19.80.

..... Martha L. Swenson .....  
Notary Public

MICROFILMED

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

RECEIVED  
FEB 20 1996

Department of Water Resources  
Permit No. 02-7295

## A. GENERAL INFORMATION

1. Owner: ROCKIN'S RANCH INC Phone No. 366-2156

Current Address: Box 939 Glenns Ferry ID 83623

2. Accompanied by: DENNIS SMITH EXAM DATE: 6-22-95

Address: above Phone No. \_\_\_\_\_

Relationship to Permit Holder: OWNER

3. Source: SNAKE RIVER tributary to COLUMBIA RIVER

## B. OVERLAP REVIEW

1. Other water rights with the same place of use: 02-2040, 2041, 2016, 7266

2. Other water rights with the same point of diversion: 02-2040, 2041, 2016

### C. DIVERSION AND DELIVERY SYSTEM

**1. Point(s) of Diversion:**

[illegible]

**2. Place(s) of Use:**

**Indicate Method of Determination**

[illegible]

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 |
|---------------------------------------|------------|---------------|------------------|------------|-----------------------------------|
| 1. (gravity)                          |            | 20            | Not Avail.       | Berkeley   | 1203H-1 8"                        |
| (sprinkler)                           | GE         | <del>50</del> | 8140435          | B2 1/2 ZPL | <del>3 1/2</del> 2 1/2"           |
|                                       |            |               |                  |            |                                   |

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

#### D. FLOW MEASUREMENTS

1.

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

2. Measurements: 1983 exams plus pump curves.

Sprinkler pump operates @ 60-80 psi depending on lift  
Gravity pump lift 20-30' 6' lift from river → pump

E. NARRATIVE/REMARKS/COMMENTS

See attached

No meas devices. Measurement possible at point of discharge or w/ polysonic flowmeter

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

## F. FLOW CALCULATIONS

Measured Method:

Gravity pump 1983: 2.48  
1996 pump curve: 2.22

Sprinkler pump 1983: .51  
1996 pump curve: .78

Additional Computation Sheets Attached

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

.10 for 5 acres

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 4 = 20$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .10 \times 214 \times 1.9835 = 42.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 20$$

### 2. Volume Calculations for Other Uses:

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| IRRIGATION     | 4/1           | 10/31 | .10                          | 20                       |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .10                          | 20                       |

### 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 Cindy Hodges Date 2/13/95

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

SEAL

1/30/96 cjh

**SYSTEM DESCRIPTION AND NARRATIVE - 02-07226 AND 02-07295**

Lands recommended for licensing pursuant to the above permits are additional lands developed under systems common to 02-02016, 02040 and 02041. Statutory claims 02-04019 and 04032 also claim these P/D's. Lands are gently rolling or sloping near the river to moderately steep against the hills to the south and west. As irrigation was gradually converted from furrow to sprinkler, new acres were available for cultivation. Typically, new acres found are extensions or expansions of existing fields. Nine acres of new pasture under sprinkler irrigation have been developed in W $\frac{1}{2}$ NW $\frac{1}{4}$  on lands unsuitable for row cropping. Total found acres = 163.

Two pump stations have been established, but are not integrated. Pump station #1, in SESE S35, has dual pumps and mainlines to serve 31 acres. A 20 HP pump discharges to 6" mainline with risers for sprinkler irrigation; a second 20 HP pump discharges to 12" mainline for gravity irrigation on the same acres. The irrigation method varies each season with crop type, although the general trend is towards permanent sprinkler settings. For the 1995 season, alfalfa was planted and only the sprinkler system was operating at station #1. The gravity system pump had been removed for repairs.

Pump station #2, in SENW S01, also has dual pumps and mainlines for the remaining 132 acres. A 40 HP pump into 6" mainline operates the sprinkler system and a 20 HP pump into 12" main operates the gravity system. The trend at this station is also towards sprinkler irrigation. Sprinkler mains (6") are in place for all acres, but gravity delivery through gated pipe is still used close to the pump station (on corn in 1995). There is also a 1.5 HP pump at this station for stockwater; this use is not found on either of the above permits but may be included on SRBA claims.

**OVERLAP REVIEW/SRBA ANALYSIS**

Right nos. 02-02040 and 02-02041 were licensed to the same 90 acres at different DOP and for a total of 0.03 cfs/ac (see files). 02-02016 was developed separately and brought into the system at a later date. The two claims 02-04019 and 02-04032 reference additional acreage with similar DOP. All existing rights and claims have been filed in SRBA and some records have been combined:

**02-02016 and 02-04019 claimed as A02-10022**, with DOP 7-22-1912. Per the permit holder (telecon 2/2/96) the 30 acres claimed under 02-04019 were irrigated in the early 1900's then abandoned from about 1930 until the time Smiths purchased the ranch in 1975. There is also a statement in the 02-02041 B/U exam (in 1944) which references the abandonment of "adjacent acres". A portion of this claim therefore appears invalid unless evidence may be provided which dispels forfeiture. Per my exam, only P/D #1 (S36) is used for acres claimed under 2016.

**02-02040 and 02-04032 claimed as A02-10021**, with DOP 11-4-1939. Claim 4032 is for 10 acres, although only 5 were developed within NWSW S01 with this DOP. See note from D. Shaff in 1980 02 Adjudication file suggesting DOP for 4032 as 1941. For this claim, some acres use P/D #1, rest use P/D #2 (see found acreage chart).

**02-02041 claimed as A02-02041**, DOP 1940. No changes, except for split P/D's, as above.

### SYSTEM CAPACITIES

In 1983, examinations were made on these systems as part of the previous 02 adjudication. At that time, the same dual-pump stations were found. The examiner did not specify whether or not the two pump stations were integrated. Flow at P/D #1 (S35) was measured as 2.48 cfs for the gravity system and .59 cfs for the sprinkler system. Flow at P/D #2 (S01) was measured as 1.73 cfs for the gravity system and 1.37 for the sprinkler system. Pump curves I received generally support these measured amounts under the found pumping conditions, except that curves for sprinkler systems at both P/D's show capabilities for slightly greater rates of flow. This could be attributable to the variable lift under these systems or the stage of the river at the time of measurement. For purposes of recommendation, higher rates are used.

Total station capacities are not really applicable. Due to Idaho Power constraints, only one pump per station may operate at a time.

### RECOMMENDATIONS

#### 02-07295

Under P/D #1, 10 acres in SESE S35 are irrigated under 02-02016; 12 acres in SWSW S36 and 4 acres in NWNW S01 are irrigated under 02-02040/02041. **5 new acres in SESE S35 will be recommended for 02-07295.** Available rate of flow equals total required rate for all acres even when considering the most limiting pump capacity (0.78 cfs): *from pump curve*

| Right No.     | Acres     | Rate                        |
|---------------|-----------|-----------------------------|
| 02-02016      | 10        | 0.20                        |
| 02-02040/2041 | 16        | 0.48 (licensed 0.03 cfs/ac) |
| 02-07295      | 5         | 0.10                        |
| <b>Totals</b> | <b>31</b> | <b>0.78 cfs</b>             |

#### 02-07226

Presently, P/D #2 diverts to 74 acres under 02-02040/02041, the 30 acres claimed on 02-04019 (suspect past forfeiture), 5 acres claimed on 02-04032 (presumed valid), and 23 new acres. Available rate of flow from either pump is now about 1.7 cfs, significantly less than the historical diversions at this site.

Because of the presence of the statutory claims under this system, it is more complicated to make a license recommendation which will

**02-07226 (con't)**

be compatible with future SRBA recommendations. However, to delay licensing until after SRBA review may invite unauthorized expansion and further hinder our ability to produce an accurate record. To the extent practicable, the license should be issued at this time, so that it represents the most recent status of development.

The official verification of rights in Basin 02 will not occur for some time. It is necessary to weigh the possible effect(s), if any, of a 1996 license recommendation on the future SRBA recommendation. Recommendation for 02-07226 must be made around two issues: one of forfeiture and one regarding the reduction in total diverted flows at P/D #2.

RE: Forfeiture. The best information available suggests past forfeiture of 30 acres of statutory irrigation (02-04019) within this system. Since irrigation was resumed on the claimed acres within the development period for permit 02-07226, the acres could legitimately be included in the license recommendation. Obviously this creates a possibility that duplicate rights be rewarded if the claim is substantiated. If, however, the 30 acres are not included in 02-07226 and claim to 02-04019 is disallowed as indicated, the developed right to irrigate those acres would be lost entirely.

RE: Flow reduction. Generally, system measurements are not required in the SRBA for previously verified rights. Based on their licensed rate of flow, right nos. 02-02040/02041 could conceivably be recommended for decree from this P/D for 2.22 cfs (74 ac X 0.03 cfs/ac). It is more likely, however, that this will not happen, for the acres have been successfully irrigated at a lesser rate of flow for nearly 15 years. In fact, the system as found (1.7 cfs) provides an overall application rate of flow equivalent to only 0.012 cfs/ac for all 132 acres. If all 79 SRBA acres (74 from 2040/2041 + 5 from 4032) are recommended for decree at 0.02 cfs/ac (total 1.58 cfs) the present system capacity would not be exceeded. The consideration of new acres on a pro-rata flow basis should have no effect on the anticipated SRBA recommendation.

In conclusion, following is an approach which will allow for timely issuance of water right license 02-07226, and which will not conflict with future SRBA review: include questionable (forfeited) acres from 02-04019 for a total of 53 allowable acres, and calculate a pro-rata flow based on current system configuration and capacity:

|                                              |                                                                                       |
|----------------------------------------------|---------------------------------------------------------------------------------------|
| <u>Old System Rate of Flow:</u>              | 02-02040/02041 - 0.03 cfs/ac<br>02-04032 - 0.02 cfs/ac                                |
| <u>Current System Rate of Flow:</u>          | $1.7/132 = 0.012$ cfs/ac<br>Present rate < Old Rate<br>New acres only at present rate |
| <u>Recommended Rate of Flow:</u>             | 53 new acres @ 0.12 cfs = .67 cfs                                                     |
| <u>Maximum instantaneous diversion rate:</u> | 1.7 cfs                                                                               |

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

| NUMBER       | TNS | RNG | SEC | NE |          |          |          | NW       |          |          |          | SW |    |                             |    | SE |    |    |    | TOTAL | SYSTEM TOTAL       |  |
|--------------|-----|-----|-----|----|----------|----------|----------|----------|----------|----------|----------|----|----|-----------------------------|----|----|----|----|----|-------|--------------------|--|
|              |     |     |     | NE | NW       | SW       | SE       | NE       | NW       | SW       | SE       | NE | NW | SW                          | SE | NE | NW | SW | SE |       |                    |  |
| P/D #1       |     | 5S  | 9E  | 35 |          |          |          |          |          |          |          |    |    |                             |    |    |    |    | 15 | 15    |                    |  |
| 5S9E S35     |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    | 15 |       |                    |  |
| Lot 1 (S35E) |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    | 15 |       |                    |  |
|              |     |     | 36  |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    | 12    |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     | 6S  | 9E  | 01 |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    | 4     | 31                 |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       | *5 new<br>02-7295  |  |
| P/D #7       |     | 6S  | 9E  | 01 | 1        | 22       | 15       | 8        | 27       | 25       | 22       | 1  | 5  | claimed as 10 under 02-4019 |    |    |    |    |    |       | 126                |  |
| 6S9E S01     |     |     |     |    | L.5<br>* | L.4<br>* | L.5<br>* | L.2<br>* | L.3<br>* | L.3<br>* | L.3<br>* |    |    |                             |    |    |    |    |    |       |                    |  |
| Lot 3 (S10W) |     | 6S  | 10E | 06 |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    | 6     | 132                |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       | *53 new<br>02-7226 |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
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|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
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|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
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|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
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|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
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|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
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|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |
|              |     |     |     |    |          |          |          |          |          |          |          |    |    |                             |    |    |    |    |    |       |                    |  |

\* Denotes New Acres for Licensing

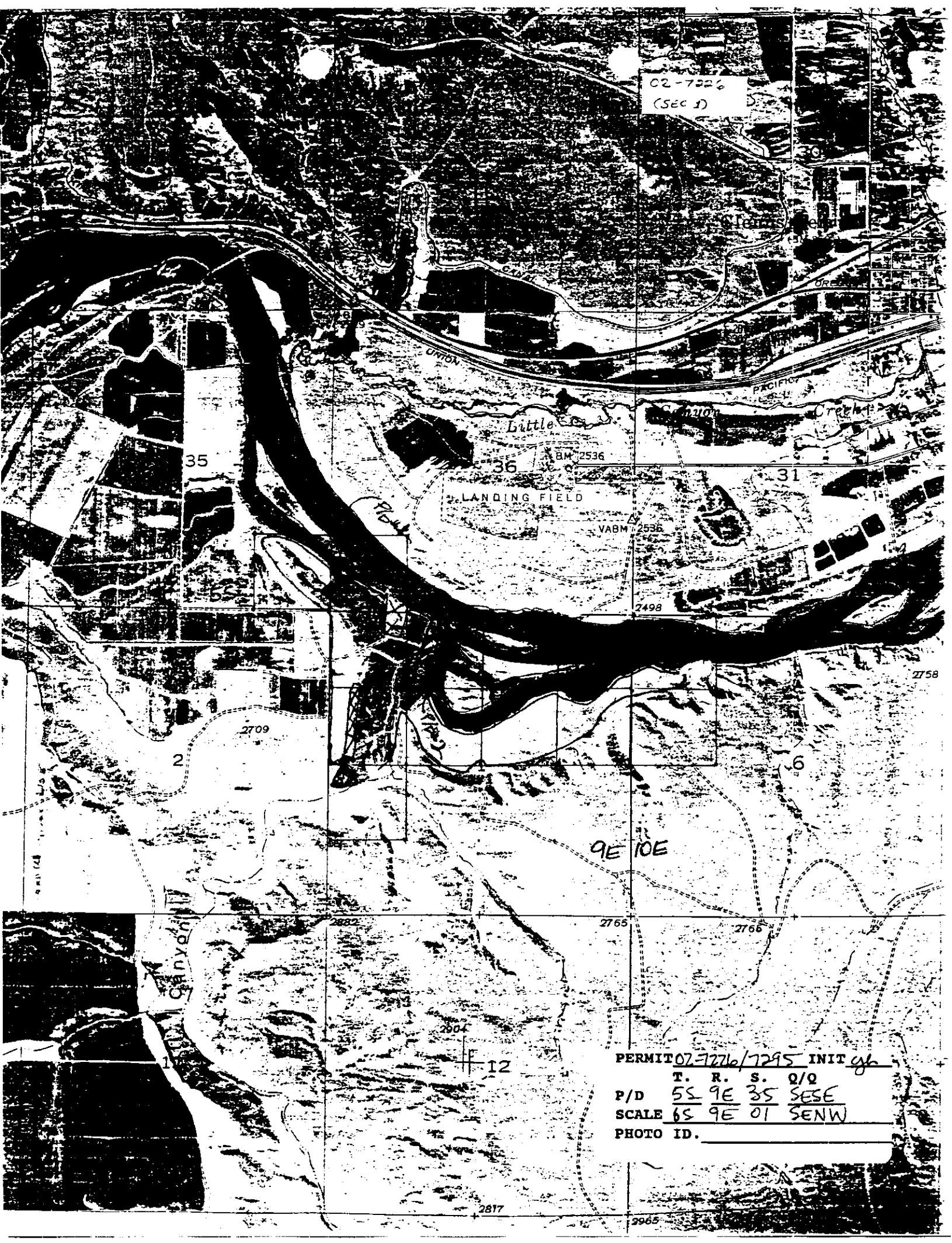
☐ Licensed under 02-2016 (less new acres)

☐ Licensed under 02-2040/2041 (less new acres)

Note: license shows 35 ac in 42(NWNW)  
Should be clarified to show 8 ac in 42(NENW) &

27 ac in 42(NWNW)  
4 of original ac are diverted from P/D #1  
in NWNW

02-7526  
(SEC 1)



9E 10E

PERMIT 07-7276/7295 INIT gh

|           | T. | R. | S. | Q/O  |
|-----------|----|----|----|------|
| P/D       | 5S | 9E | 3S | SESE |
| SCALE     | 6S | 9E | 01 | SENW |
| PHOTO ID. |    |    |    |      |



T68  
54

1 NHEL  
37.6

13 NHEL  
21.7

22.7 NHEL

AIR PORT

T84  
397 NHEL  
19.1

6 NHEL  
79.9

System

NHEL  
16.0

NEW  
13.9

10 NHEL  
45.2

NEW

# System Map

original see 02.7226

PERMIT 02-7226/7295 INIT gh

T. R. S. Q/Q

P/D 58 9E 35

SCALE 68 9E 01

PHOTO ID.



# Acrage Map

original see 02.7226

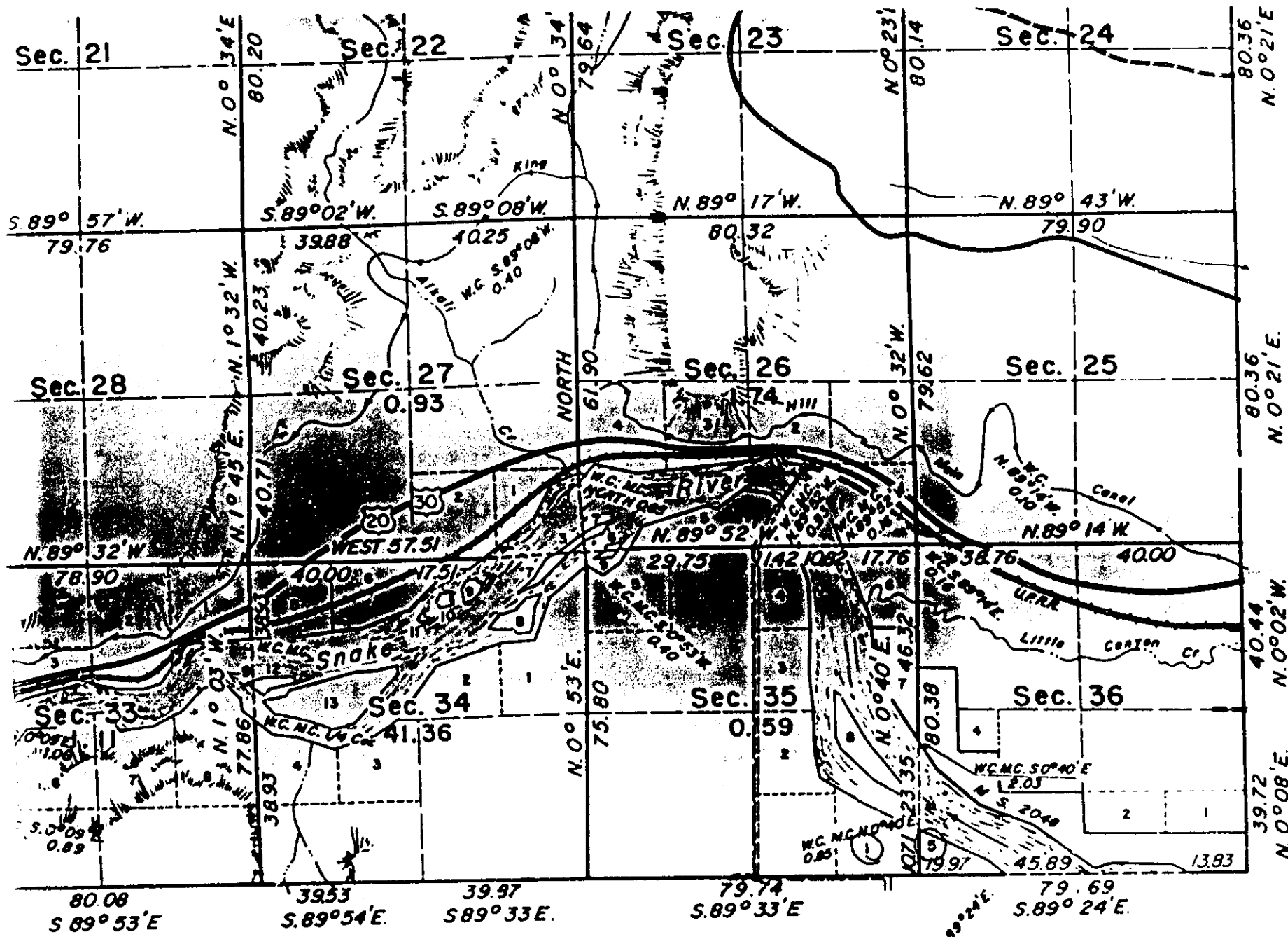
PERMIT 02-7226/17295 INIT *gh*

T. R. S. Q/Q

P/D 559E 35

SCALE 659E 01

PHOTO ID. \_\_\_\_\_



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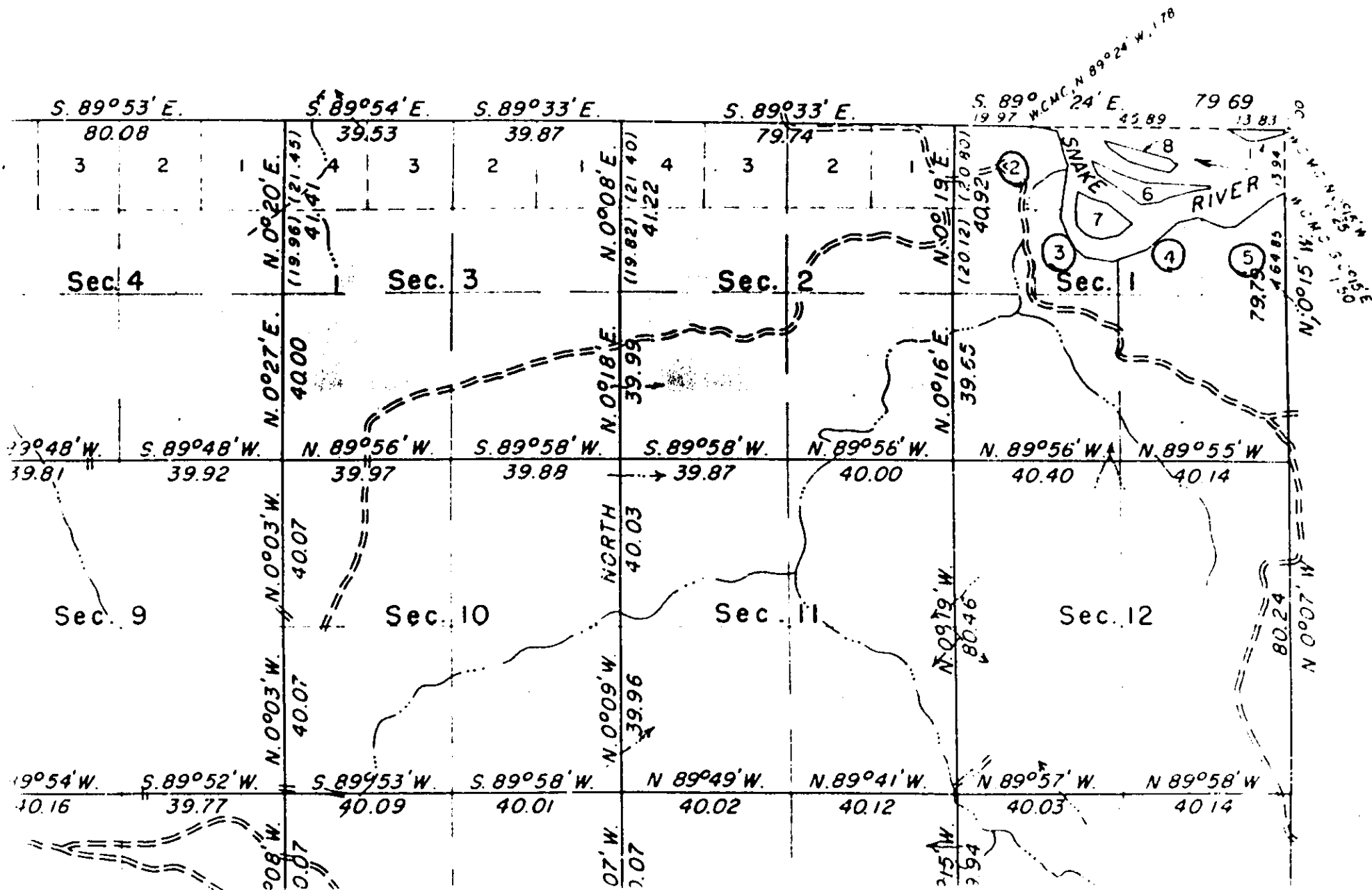
Latitude ~  
Longitude 1

5S - 9E

# RANGE 9 EAST, OF THE BOISE MERIDIAN, IDA

## DEPENDENT RESURVEY

65-9E



Pump #2 Gravity Line (12") (Same as gravity #1)

Supersedes:

Date 1-20-59

Page 8.52

**BERKELEY PUMP COMPANY**

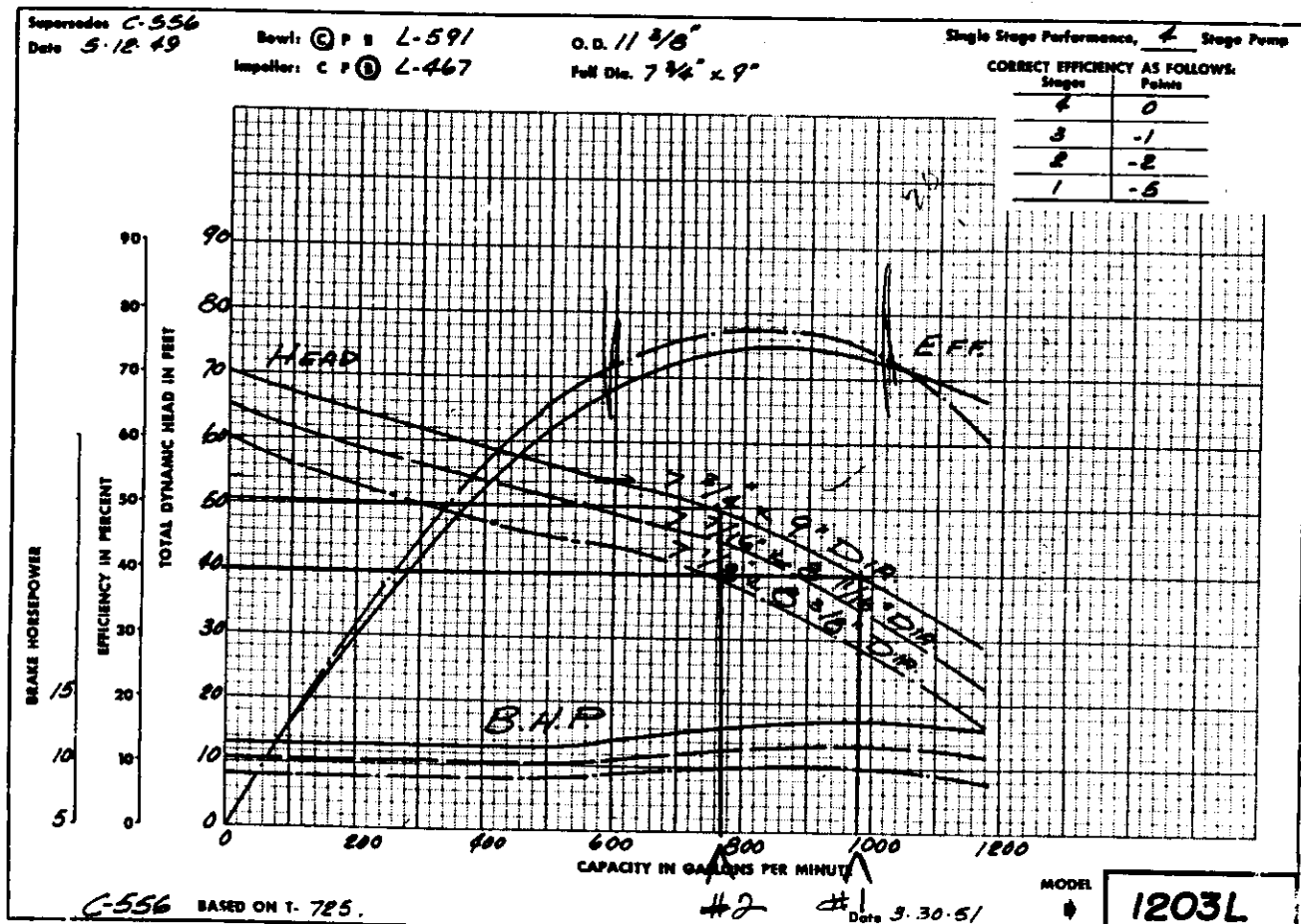
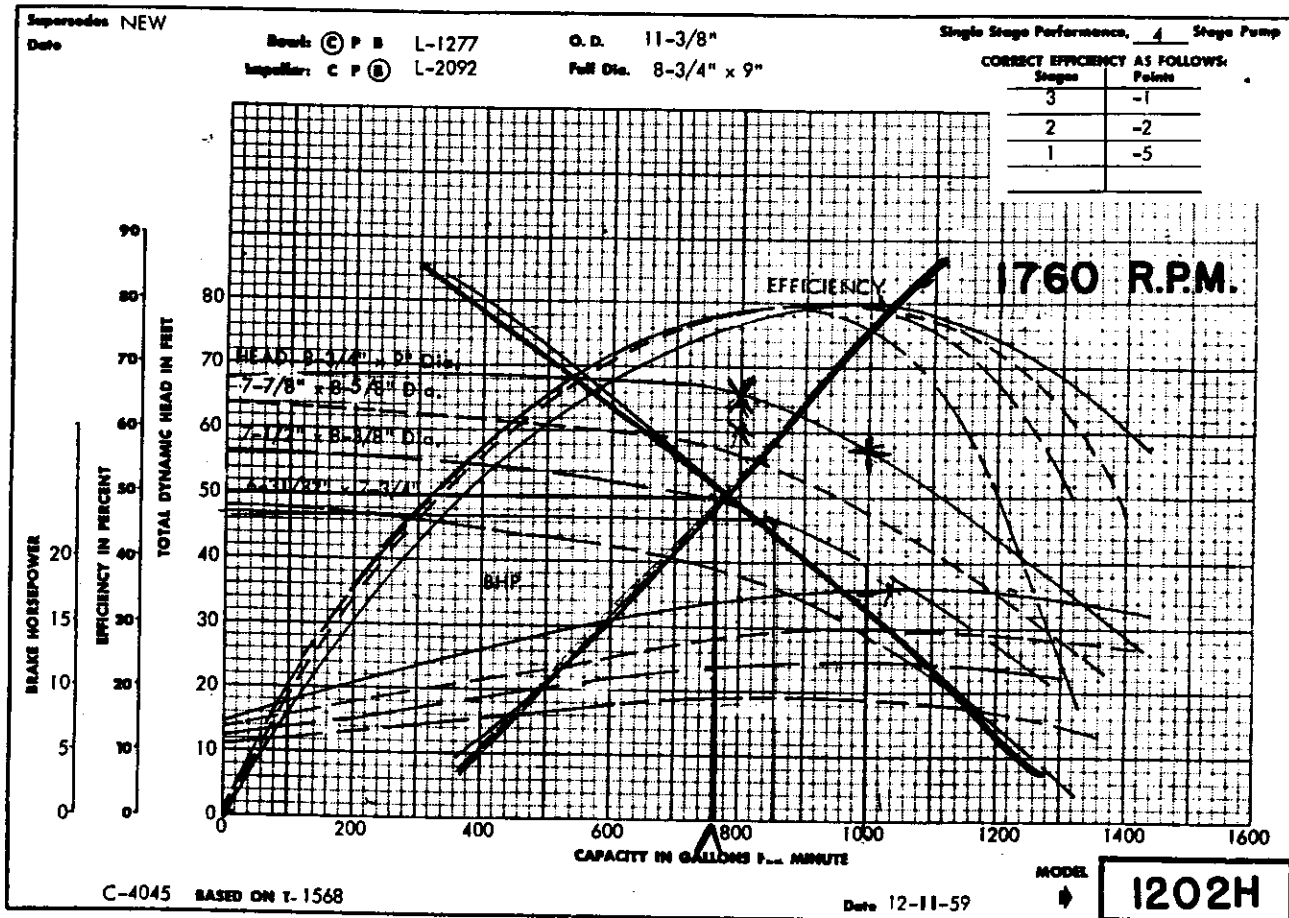
*Deepwell Turbine Rating Curves*

Section 5055

4-15-64 No. 8.52

Enclosed Impeller

1760 R.P.M.



800624 - 64 1A 264  
172 41 05 40 228  
EX 1000000 101  
1200

11  
44

1007



Place of use - view to S/SW

Sec 35/36



Sprinkler pump  
←



← Gravity System  
(pump out for  
repairs)

Same as gravity  
pump in 02-7226

02-7295

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

Measured by: John K. Moyer

Date 8/30/83

Owner: Hockin S. Inc.

Permit No. 02-2040 Lic

02-2041 "

02-4019

02-4032

02-7295 Permit

Description of well &/or measuring site

- Include any clarifications of the sketch

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

Berkley Pump 620883.7 U.S. Motor 20 H.P.

3372022 Gravity flow irrigation

P.D. 6. SESE Sec 35 T5R9E

Measured inside diameter of pipe in inches

(A) 10.02" I.D. 10 O.D.

Size of Annubar used in test 10.020

State ID No. 091424

Model No. of Annubar Meter Used \_\_\_\_\_

(Model No. = 75 for 6" and larger)

(Model No. = 73 for 4")

Size Eagle Eye Meter Used 0-10

State ID No. 091470

Date of Last Calibration of Meter 4/27/83

Observed inches of H<sub>2</sub>O read on Meter

(B) 9.0

Flow Correction Factor (From Calibration Graph)  
(Use 1 if Error is  $\pm 2\%$  at observed pressure)

(K) .961

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION:  $K \frac{(A^2) (\sqrt{B})}{448.8} C = \frac{(961)(10.02)(3)(3.85)}{448.8} = \underline{\underline{2.48}}$  cfs measured

SKETCH (If not shown on Field Report):

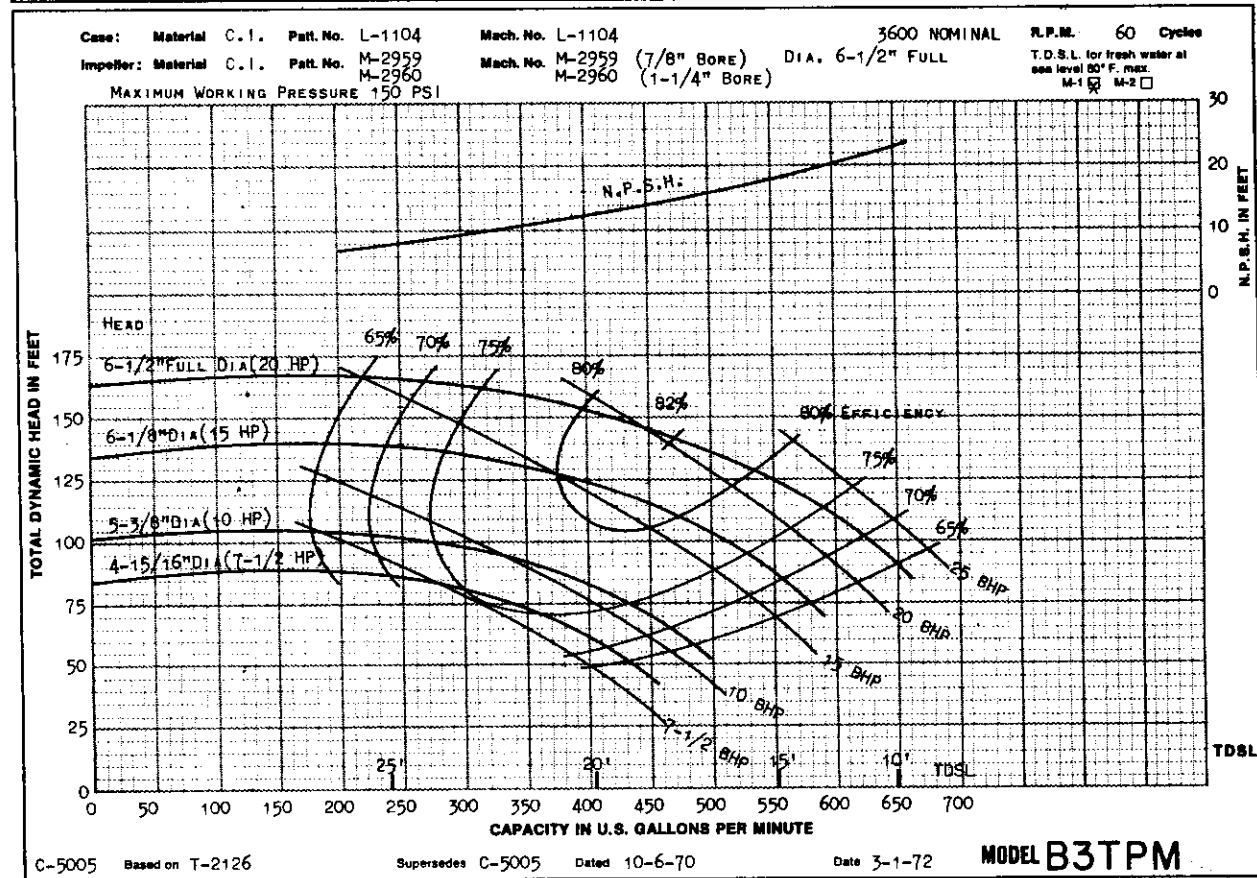
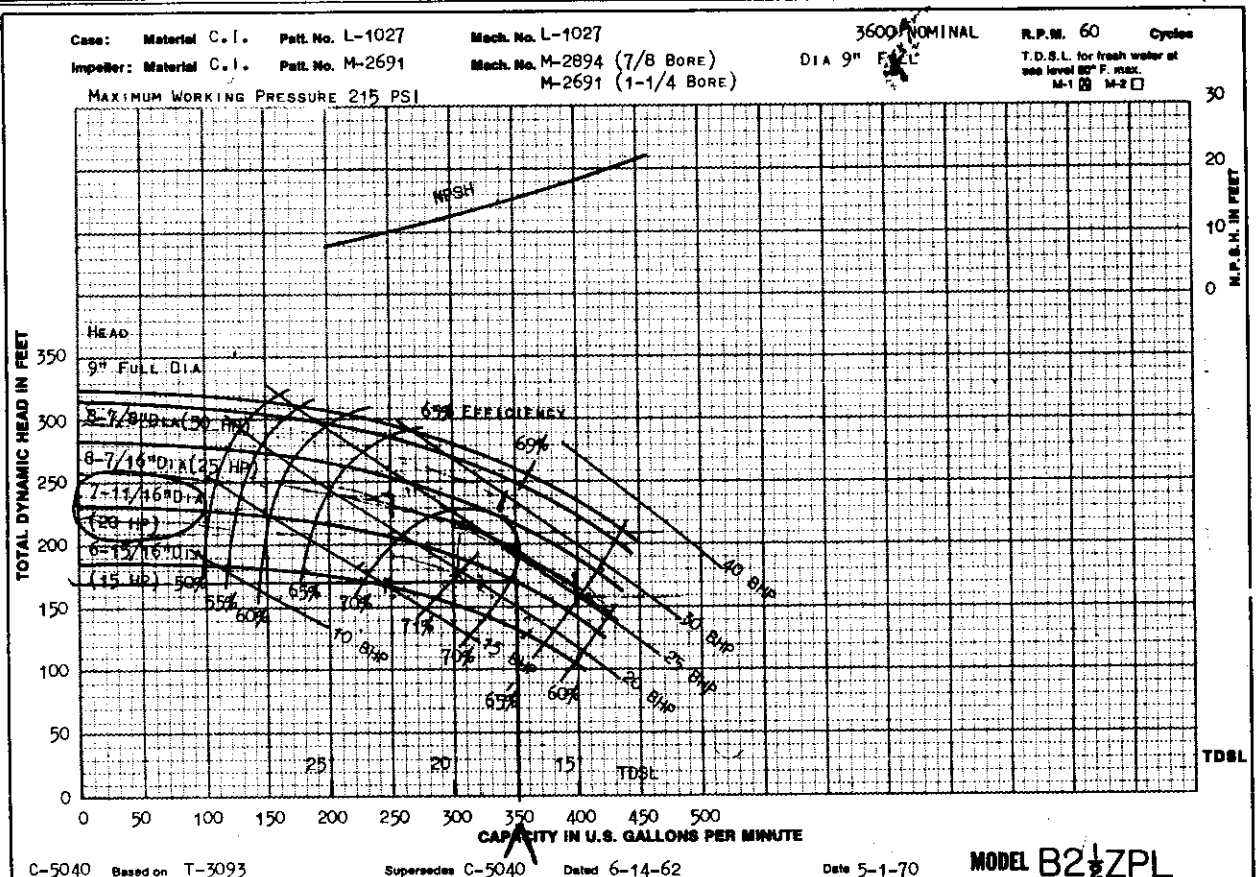
Pump #1 - Sprinkler



BERKELEY PUMP COMPANY

# TYPE "B" RATING CURVES MOTOR DRIVE

|                       |        |
|-----------------------|--------|
| CURVE                 | 4075   |
| DATE                  | 6-1-72 |
| PAGE                  | 3.02   |
| SUPERSEDES            |        |
| All Previously Issued |        |
| 4075 Curves           |        |



Pump #1 Sprinkler pump

8140435 pump SN

rated 325 gpm @ 175 ft

GE Motor 20 HP

Intake 6"

discharge 2 1/2" → 6" main

lift to pump 5-6'

operating pressure 60-80 psi

$$70 \times 2.31 = 162' \text{ TDH} + 6' = 170' \text{ TDH}$$

pump curve .78 cfs  
HP = .72

P/D #1 31 acres = .62 cfs

(gravity pump same as @ Site #2 -

This pump pulled for repair

operating lift 20-30 ft

1983 meas = 2.48 cfs (12" line)

pump curve @ 40' TDH = 2.22 ~ 1000 gpm

HP eq = 3.08?

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

Measured by: John H. Noyes Date 8/30/83  
Owner: Rockin S. Inc Permit No. \_\_\_\_\_

Description of well &/or measuring site

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

Baskley Pump - 8140435 GE 20 HP motor #5K257541012R  
6" Steel line Sprinkler System  
P.D. 41 SESE Sec 35 T5S R9E

Measured inside diameter of pipe in inches (A) 6.065" ID. 6.00

Size of Annubar used in test 6.065 State ID No. 091403

Model No. of Annubar Meter Used \_\_\_\_\_  
(Model No. = 75 for 6" and larger)  
(Model No. = 73 for 4")

Size Eagle Eye Meter Used 0-10 State ID No. 091470

Date of Last Calibration of Meter 4/27/83

Observed inches of H<sub>2</sub>O read on Meter (B) 4.2

Flow Correction Factor (From Calibration Graph)  
(Use 1 if Error is  $\pm 2\%$  at observed pressure)  
(K)  $K = .2(.927 - .911) + .911 = .9142$

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85  
CALCULATION:  $K \frac{(A^2)}{448.8} (\sqrt{B}) C = \frac{(.914)(6.065)^2 (\sqrt{4.2})(3.85)}{448.8} = \underline{\underline{.591}}$  cfs measured

SKETCH (If not shown on Field Report):

June 12, 1992

ROCKIN S RANCH INC.  
P.O. BOX 939  
GLENN'S FERRY ID 83623

RE: Water Right No. 02-07295

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON  
Director

June 8, 1992

ROBERT FLYNN  
ROSEMARY FLYNN  
P.O. BOX 66  
MELBA ID 83641

RE: Water Right No. 02-07297

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON  
Director

May 19, 1992

ROCKIN S RANCH INC.  
P.O. BOX 939  
GLENN'S FERRY ID 83623

RE: Water Right No. 02-07295

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

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

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 02-7295

Date: 5-16-1985

General Considerations:

- ☒ Name same as permit  
☒ Signature the same as permit holder  
☒ Address change \_\_\_\_\_ If yes, prepare a data entry  
☒ Proof received timely \_\_\_\_\_  
\_\_\_\_\_ Reinstated

Source of Water:

- ☒ Surface water  
\_\_\_\_\_ Groundwater  
\_\_\_\_\_ 1. well log in file  
\_\_\_\_\_ 2. drilling permit  
\_\_\_\_\_ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses  
☒ Is rate or volume and fee appropriate?  
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?  
☒ Has one been installed?  
\_\_\_\_\_ Waiver or modification of measuring device requested

Remarks: -

*Not subject to Swan Falls Reprocessing*

N/A Priority Calculation:  
Date proof received \_\_\_\_\_

Date proof due \_\_\_\_\_ - \_\_\_\_\_

No. of days late \_\_\_\_\_ = \_\_\_\_\_

Priority date \_\_\_\_\_ + \_\_\_\_\_

NEW PRIORITY DATE \_\_\_\_\_ = \_\_\_\_\_

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

MEMORANDUM

TO: FILE/PERMIT NO. 02-7295

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 5/9/89

-----  
Mr. Dennis Smith visited the office today in regards to this permit and Swan Falls processing. Smith submitted proof on 58 of the 80 acres listed on the permit. Smith also provided a photocopy of a 1984 aerial photo which was signed and dated by an Elmore County ASCS agent(see file). The aerial does show that the approximate 58 acres for which he submitted proof was irrigated in that year.

The portion of the permit for which Smith submitted proof is exempt from the review of Section 42-203D, Idaho Code because that portion was developed prior to July of 1985. The remaining portion of the permit, which has never been developed, is essentially relinquished because proof was submitted on only 58 acres.

Permit no. 02-7295 is not subject to Swan Falls processing and thus should be removed from the list. A field examination should be conducted by the regional office.

copy: Western Region

**Microfilmed**

JUN 12 1989

MICROFILMED

JUN 12 1989

T89  
397

197

3534  
2.1

2 16.0

3 3.9

4 4.6

HEL

6 8.2

HEL

5 15.9

18 8.2

HEL

20.8

10 HEL  
45.2

8 25.6

17 30.5

19 15.6

1984 Flight  
Edmore County A&S Office  
Wayne Simpson

POOR QUALITY



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

April 14, 1989

RE: PERMIT NO. 02-7295

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

**MICROFILMED**

JUN 12 1989

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720  
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

TIM LUKE  
Sr. Water Resource Agent

Enclosures

**MICROFILMED**

JUN 12 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 02-7295  
Name(s) of Permit Holder(s): ROCKIN S RANCH INC  
Post Office Address: Box 939  
GLENN'S FERRY IDAHO 83623 Tel. No. 825-2156

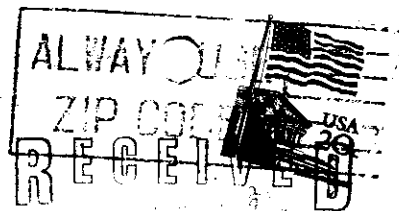
☒ I hereby certify that construction of diversion works for the above referenced permit began on APRIL 1981 (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ 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.

11/9/83  
Date

Dennis Smith  
Signature of Permit Holder



**MICROFILMED**

**JUN 12 1989**



**NOV 14 1983**

Department of Water Resources

**IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720**



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  
CHIEF, OPERATIONS BUREAU

**MICROFILMED**

JUN 12 1989

January 23, 1988

Rockin S Ranch, Inc.  
Box 939  
Glenns Ferry, ID 83623

Gentlemen:

Re: Permit No. 02-7295

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use is extended to April 1, 1990.

In connection with the development of a water right under this permit, the department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

Rockin S Ranch, Inc.

January 23, 1985

Page 2

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

RITA I. FLECK

Secretary/Records Manager

Enclosure

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 02-7295

- ☒ Date received stamp  
☒ Fee received and receipted  
☒ Name on request same as on permit  
☒ Address same permit as on latest correspondence  
☒ Proof due date within six months of due date  
☒ Signature same as permit  
☒ Source of water the same  
☒ Permit holder named in Swan Falls lawsuit  
☒ Proceed diligently  
☒ Is delay caused by litigation:

Date lit. completed \_\_\_\_\_

Date lit. began \_\_\_\_\_

Period of delay \_\_\_\_\_

New proof due date \_\_\_\_\_

ACTION: *Recommend approval based on litigation*

☒ Is the extension timely received?

☒ Reinstate: Extension received \_\_\_\_\_

Proof due date \_\_\_\_\_

Days late \_\_\_\_\_

Priority date \_\_\_\_\_

Adjusted priority date \_\_\_\_\_

☒ Is there commencement of works?

☒ Cover letter

☒ Coding sheet

☒ Rolodex card updated and refiled

Reviewed by \_\_\_\_\_

Date: 1-16-1985

RECEIVED  
FILMED

S T A T E O F I D A H O  
DEPARTMENT OF WATER RESOURCES

-----

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

ROCKIN S RANCH INC.  
P.O. BOX AB  
GLENN'S FERRY, ID 83623

APRIL 16, 1980

RE: PERMIT NO. 02-7295

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE COURT'S DETERMINATION OF WATER RIGHTS IN THE CASE OF IDAHO POWER COMPANY V. STATE OF IDAHO, ET AL., CIVIC NO. 62237, CURRENTLY PENDING BEFORE THE DISTRICT COURT OF ADA COUNTY. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON, THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE ADA COUNTY COURT IS EXAMINING THIS QUESTION, IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

**MICROFILMED**

ENCLOSURE

-----

Jic 02-2040

Priority  
11-24-39

1.8c55

P.D. Lot 3 Sec 1 T6S R9E

|               |       |      |
|---------------|-------|------|
| T6S R9E Sec 1 | Lot 2 | 35 A |
|               | Lot 3 | 22   |
|               | SWNW  | 21   |

area  
size of lots

|      |      |      |
|------|------|------|
| 15 A | 55   | = 50 |
| 5    | 27.0 | = 27 |
| 20   | 40   | = 41 |

|             |       |    |
|-------------|-------|----|
| T5S R9E S36 | Lot 5 | 12 |
|             | <hr/> |    |

90

T5S R9E S35

Lot 1 10 A 30.8 10

Lot 2 (NWNW), Sec 1, 65, 96 Overlaid Lot  
Lot 3 (SE NW)

MICROFILMED

02-2295

ROCKIN S. RANCH, INC.

BOX AB, GLENNS FERRY, ID 83623

Source: SNAKE RIVER

Date Filed: 02/20/1980

Amount: 1.60 CFS

Diversion Point: LOT 03 Sec 01 T 06S R 09E LOT 01 Sec 35 T 05S R 09E,  
ELMORE Co.

Use: IRRIGATION (1.60 CFS) from 04/01 to 10/15

Place of Use: LOT 02 (NWNW) SWNW LOT 03 (SESW) NWSW Sec 01 T 06S R 09E  
LOT 01 (SESE) Sec 35 T 05S R 09E FOR 80 ACRES

Diversion Means: PUMP, SPRINKLER & MAINLINES

RECORDED