

Travis L. Thompson, ISB #6168
Paul L. Arrington, ISB #7198
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Twin Falls, Idaho 83303-0485
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

RECEIVED
MAY 02 2008
DEPARTMENT OF
WATER RESOURCES

Attorneys for Petitioners James & Leslee Reed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) Subcase: 47-7689
)
) **AFFIDAVIT OF PAUL L.**
) **ARRINGTON IN SUPPORT OF**
) **MOTION TO FILE LATE**
) **OBJECTION**

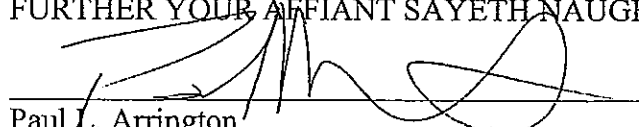
I, PAUL L. ARRINGTON, being first duly sworn upon oath, deposes and hereby states
as follows:

1. I reside in Twin Falls County and I am over the age of 18. I am an attorney
representing James and Leslee Reed in this matter.
2. Attached hereto as Exhibit A, is a true and correct copy of the Water Right
License for water right 47-7689, dated May 25, 1999.
3. Attached hereto as Exhibit B, is a true and correct copy of the Well Driller's
Report, dated September 23, 1985.
4. Attached hereto as Exhibit C, is a true and correct copy of the Beneficial Use
Field Report for water right 47-7689, dated March 17, 1999.

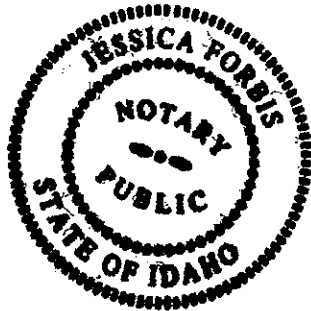
5. Attached hereto as Exhibit D, is a true and correct copy of the Idaho Department of Water Resources layout photo map, depicting the recommended place of use for water right 74-7689.

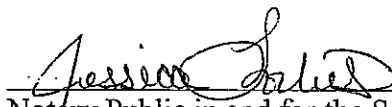
6. Attached hereto as Exhibit E, is a true and correct copy of the Memorandum RE: Review of Beneficial Use Field Report, dated April 27, 1999, for water right 47-7689.

FURTHER YOUR AFFIANT SAYETH NAUGHT


Paul L. Arrington

SUBSCRIBED & SWORN to before me this 1st day of May, 2008.




Notary Public in and for the State of Idaho
My Commission Expires: 4/3/12

CERTIFICATE OF SERVICE

I certify that on this 1st day of May, 2008, I served the foregoing **AFFIDAVIT OF PAUL L. ARRINGTON IN SUPPORT OF MOTION TO FILE LATE OBJECTION**, including all attachments, to the following persons, via first class mail:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

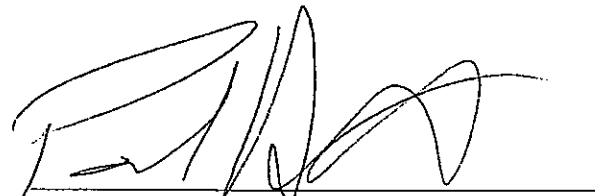

Paul L. Arrington

Exhibit A

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-07689

Priority: February 2, 1981

Maximum Diversion Rate:

0.30 CFS

Maximum Diversion Volume:

155.8 AF

This is to certify, that DWAIN A KNIGGE
BARBARA KNIGGE

4799A RIVER RD

BUHL ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 31, 1980; and has submitted Proof of Beneficial Use on February 21, 1986. An examination indicates that the works have a diversion capacity of 0.300 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
HEATING	01/01 to 12/31	0.20 CFS	83.4 AF
RECREATION	01/01 to 12/31	0.10 CFS	72.4 AF
Totals		0.30 CFS	155.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE, Sec. 32, Township 08S, Range 14E
TWIN FALLS County

PLACE OF USE: HEATING

TWN RGE SEC

08S 14E 32

NWSE

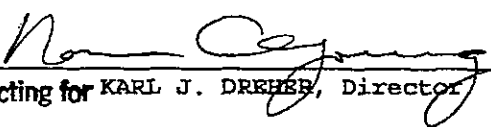
PLACE OF USE:

RECREATION, same as HEATING use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
2. Heating use is for a house, non-commercial greenhouse, and hot tub.
3. Recreation use is for fish habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 25TH day of MAY, 1986.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 09 1989

Exhibit B

WELL DRILLER'S REPORT

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

RECEIVED
SEP 23 1985

1. WELL OWNER Name <u>Jerry Foster</u> Address <u>Rt 3 Buhl, Idaho</u> Owner's Permit No. <u>47-7689</u>	7. WATER LEVEL Static water level _____ feet <u>Department of Water Resources</u> Flowing? ☒ Yes ☐ No G.P.M. flow <u>500</u> Artesian closed-in pressure <u>59</u> p.s.i. Controlled by: ☒ Valve ☐ Cap ☐ Plug Temperature <u>71</u> °F. Quality _____ Describe artesian or temperature zones below.																																																																																																																																																																																																																						
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																																																																																																																			
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other <u>geothermal</u> (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td>6</td><td>0</td><td>15</td><td>Tan clay</td><td></td><td>X</td></tr> <tr><td></td><td>15</td><td>24</td><td>Dark grey clay</td><td></td><td>X</td></tr> <tr><td></td><td>24</td><td>54</td><td>Dark grey clay w/ boulders</td><td></td><td>X</td></tr> <tr><td></td><td>54</td><td>74</td><td>Black basalt (hand)</td><td></td><td>X</td></tr> <tr><td></td><td>74</td><td>80</td><td>Grey shale</td><td></td><td>X</td></tr> <tr><td></td><td>80</td><td>86</td><td>Red-brown clay</td><td></td><td>X</td></tr> <tr><td></td><td>86</td><td>104</td><td>Black basalt</td><td></td><td>X</td></tr> <tr><td></td><td>104</td><td>111</td><td>Red-brown silty clay</td><td></td><td>X</td></tr> <tr><td></td><td>111</td><td>122</td><td>Red & black cinders</td><td></td><td>X</td></tr> <tr><td></td><td>122</td><td>206</td><td>Red clay w/ rock layers</td><td></td><td>X</td></tr> <tr><td></td><td>206</td><td>222</td><td>Grey clay</td><td></td><td>X</td></tr> <tr><td></td><td>222</td><td>240</td><td>Red clay w/ rock layers</td><td></td><td>X</td></tr> <tr><td></td><td>240</td><td>258</td><td>Grey basalt w/ clay</td><td></td><td>X</td></tr> <tr><td></td><td>258</td><td>266</td><td>Grey basalt (hand)</td><td></td><td>X</td></tr> <tr><td></td><td>266</td><td>272</td><td>Grey-brown clay</td><td></td><td>X</td></tr> <tr><td></td><td>272</td><td>296</td><td>Grey-brown basalt</td><td></td><td>X</td></tr> <tr><td></td><td>296</td><td>307</td><td>Grey basalt</td><td></td><td>X</td></tr> <tr><td></td><td>307</td><td>309</td><td>Grey shale</td><td></td><td>X</td></tr> <tr><td></td><td>309</td><td>326</td><td>Grey shale w/ silty clay</td><td></td><td>X</td></tr> <tr><td></td><td>326</td><td>337</td><td>Light tan shale</td><td></td><td>X</td></tr> <tr><td></td><td>337</td><td>364</td><td>Grey clay & shale</td><td></td><td>X</td></tr> <tr><td></td><td>364</td><td>367</td><td>Dark grey basalt</td><td></td><td>X</td></tr> <tr><td></td><td>367</td><td>385</td><td>Grey green shale</td><td></td><td>X</td></tr> <tr><td></td><td>385</td><td>392</td><td>Grey shale</td><td></td><td>X</td></tr> <tr><td></td><td>392</td><td>399</td><td>Green shale</td><td></td><td>X</td></tr> <tr><td></td><td>399</td><td>432</td><td>Grey clay</td><td></td><td>X</td></tr> <tr><td></td><td>432</td><td>441</td><td>Tan clay</td><td></td><td>X</td></tr> <tr><td></td><td>441</td><td>450</td><td>Grey-green clay w/ rock layers</td><td></td><td>X</td></tr> <tr><td></td><td>450</td><td>462</td><td>Grey-green shale w/ rock layers</td><td></td><td>X</td></tr> <tr><td></td><td>462</td><td>469</td><td>Grey rhyolite</td><td></td><td>X</td></tr> <tr><td></td><td>469</td><td>484</td><td>Grey shale w/ rock layers</td><td></td><td>X</td></tr> <tr><td></td><td>484</td><td>524</td><td>Black rhyolite</td><td></td><td>X</td></tr> <tr><td></td><td>524</td><td>528</td><td>Grey clay</td><td></td><td>X</td></tr> <tr><td></td><td>528</td><td>565</td><td>Grey shale w/ rock layers</td><td></td><td>X</td></tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	6	0	15	Tan clay		X		15	24	Dark grey clay		X		24	54	Dark grey clay w/ boulders		X		54	74	Black basalt (hand)		X		74	80	Grey shale		X		80	86	Red-brown clay		X		86	104	Black basalt		X		104	111	Red-brown silty clay		X		111	122	Red & black cinders		X		122	206	Red clay w/ rock layers		X		206	222	Grey clay		X		222	240	Red clay w/ rock layers		X		240	258	Grey basalt w/ clay		X		258	266	Grey basalt (hand)		X		266	272	Grey-brown clay		X		272	296	Grey-brown basalt		X		296	307	Grey basalt		X		307	309	Grey shale		X		309	326	Grey shale w/ silty clay		X		326	337	Light tan shale		X		337	364	Grey clay & shale		X		364	367	Dark grey basalt		X		367	385	Grey green shale		X		385	392	Grey shale		X		392	399	Green shale		X		399	432	Grey clay		X		432	441	Tan clay		X		441	450	Grey-green clay w/ rock layers		X		450	462	Grey-green shale w/ rock layers		X		462	469	Grey rhyolite		X		469	484	Grey shale w/ rock layers		X		484	524	Black rhyolite		X		524	528	Grey clay		X		528	565	Grey shale w/ rock layers		X
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____	10. Work started <u>July 1982</u> finished <u>Sept 1985</u>																																																																																																																																																																																																																						
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>16</u> inches</td> <td><u>1</u> feet</td> <td><u>23</u> feet</td> </tr> <tr> <td><u>250</u> inches</td> <td><u>12</u> inches</td> <td><u>1</u> feet</td> <td><u>47</u> feet</td> </tr> <tr> <td><u>250</u> inches</td> <td><u>6</u> inches</td> <td><u>1</u> feet</td> <td><u>444</u> feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>24</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	<u>250</u> inches	<u>16</u> inches	<u>1</u> feet	<u>23</u> feet	<u>250</u> inches	<u>12</u> inches	<u>1</u> feet	<u>47</u> feet	<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>444</u> feet	Number	From	To										11. DRILLERS CERTIFICATION I/We certify that all minimum _____ standards were complied with at the time the rig was removed. Firm Name <u>Boley & Henry</u> Firm No. <u>86</u> Address <u>Martaugh</u> Date <u>5 Sept 1985</u> Signed by (Firm Official) <u>Blaine Boley</u> and <u>Blaine Boley</u> (Operator)																																																																																																																																																																																										
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6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Twin Falls</u> N.W. 1/4 SE 1/4 Sec. <u>32</u>, T. <u>8</u>, R. <u>14</u> E/W	12. ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT																																																																																																																																																																																																																						

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
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1. WELL OWNER Name <u>Jerry Foster</u> Address <u>Rt 13 Buhl, Id.</u> Owner's Permit No. <u>47-7689</u>	7. WATER LEVEL Static water level _____ feet below land surface. Flowing? ☐ Yes ☐ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																						
2. NATURE OF WORK ☐ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																																			
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>6"</td><td>545</td><td>587</td><td>Black rhyolite</td><td>X</td><td> </td></tr><tr><td>6"</td><td>587</td><td>600</td><td>Gray shale w/ clay layers</td><td>X</td><td> </td></tr><tr><td>6"</td><td>600</td><td>610</td><td>Decomposed Brown rhyolite (Major flow)</td><td>X</td><td> </td></tr><tr><td colspan="6">Hole drilled</td></tr><tr><td colspan="6">16" 0-24</td></tr><tr><td colspan="6">12" 24-200</td></tr><tr><td colspan="6">8" 200-385</td></tr><tr><td colspan="6">6" 385-610</td></tr><tr><td colspan="6">First flow at 462'</td></tr><tr><td colspan="6" style="text-align: center;">RECEIVED SEP 25 1985 Department of Water Resources</td></tr></tbody></table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	6"	545	587	Black rhyolite	X		6"	587	600	Gray shale w/ clay layers	X		6"	600	610	Decomposed Brown rhyolite (Major flow)	X		Hole drilled						16" 0-24						12" 24-200						8" 200-385						6" 385-610						First flow at 462'						RECEIVED SEP 25 1985 Department of Water Resources					
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Work started _____ finished _____																																																																						
5. WELL CONSTRUCTION Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☐ No Was a packer or seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☐ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Puddling clay ☐ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION MICROFILMED I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Baloy & Henry</u> Firm No. <u>86</u> Address <u>Murtzugh</u> Date <u>5 Sept 1985</u> Signed by (Firm Official) <u>Blaine Baloy</u> and (Operator) <u>Blaine Baloy</u>																																						
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LOCATION OF WELL Sketch map location must agree with written location. <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td colspan="3" style="text-align: center;">N</td></tr><tr><td style="text-align: center;">W</td><td style="text-align: center;">M</td><td style="text-align: center;">E</td></tr><tr><td colspan="3" style="text-align: center;">S</td></tr></table> County <u>Winn Falls</u> Subdivision Name _____ Lot No. _____ Block No. _____ <u>NW 1/4 Sec. 32, T. 8 N/S, R. 14 E/N</u>	N			W	M	E	S			USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT																																																													
N																																																																							
W	M	E																																																																					
S																																																																							



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

July 20, 1983

Blaine Boley, Jr.
Boley & Henry
Murtaugh, ID 83344

RE: Drilling Plan Permit 47-7689 (Jerry L. Foster)
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T8S, R14E

Dear Mr. Boley:

The Department has reviewed your drilling prospectus for the above referenced permit. The plan is approved with the following conditions:

1. Once the 8-inch casing has been set and the Tee is attached, the shut-off valve shall be installed. This is a minimum requirement of the State's Geothermal Drilling Regulations, which we feel must be followed.
2. Liner shall be used in the well to a depth of 450 feet (approximately). A waiver of the requirement may be requested as drilling proceeds.
3. A packer shall be set between the 8-inch casing and the liner.

Once drilling has started, please feel free to contact me if conditions justify a change in the drilling plan. Also, as with the other wells in this area, please provide a detailed record of cement used, various zones encountered, etc.

If you or Mr. Foster wish to discuss this well or the above conditions, feel free to contact me.

Sincerely,

JOHN E. BEAL, Supervisor
Construction Permits Section

JEB:ldt CC: IDWR - Southern Region, Jerry Foster

MICROFILMED

BLAINE BOLEY, JR.
TELEPHONE 432-5446

FRED HENRY
TELEPHONE 432-5581

BOLEY & HENRY

WELL DRILLING
MURTAUGH, IDAHO 83344

JUL 10 1969

This is a prospectus on a well for Jerry Foster with in the
EHSGWMA under permit 47- 7/6 89

We expect to start the well 12" in diameter, we expect to encounter
basalt at about 100 feet then drill on to about 300 feet before
cementing in 8 inch pipe. We will use a tree-me pipe to place
the cement grout in the bottom of the hole. In the event a 10"
liner is needed to reach 300 feet it will be necessary to use a
cement shoe, in any case the grout will be placed in the bottom of
the hole, cement in a ratio of 6 gallons of water per bag of
cement, ready-mix, will be used.

An additional liner will probably be needed, I will keep you informed
as drilling progresses. We aren't sure what to expect on this hole,
we will be near a well just drilled that was rock from 35 feet to
bottom of over 1000 feet. We are going out into the valley a short
distance hoping to find something at about 600 feet. Water with
a temperature of 120 plus and with a shut in pressure of 50 lbs
F.S.I. can be expected.

Since I can't nail this one down for sure I will keep in touch with
you by phone.

Sincerely,
Blaine Boley Jr.

Blaine Boley Jr.

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Exhibit C

RECEIVED

MAR 17 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-7689

1. Owner: Jerry L. Foster

Phone No. 543-6142

Current Address: Rt. #3, Box 412, Buhl, Id. 83316

2. Accompanied by: Jerry Foster

EXAM. DATE: 6/2/88

Address: same

Phone No. same

Relationship to Permit Holder: owner

3. Source: Groundwater tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-4168, 36-8141, 47-7721, 47-7883

☒ Copies Attached

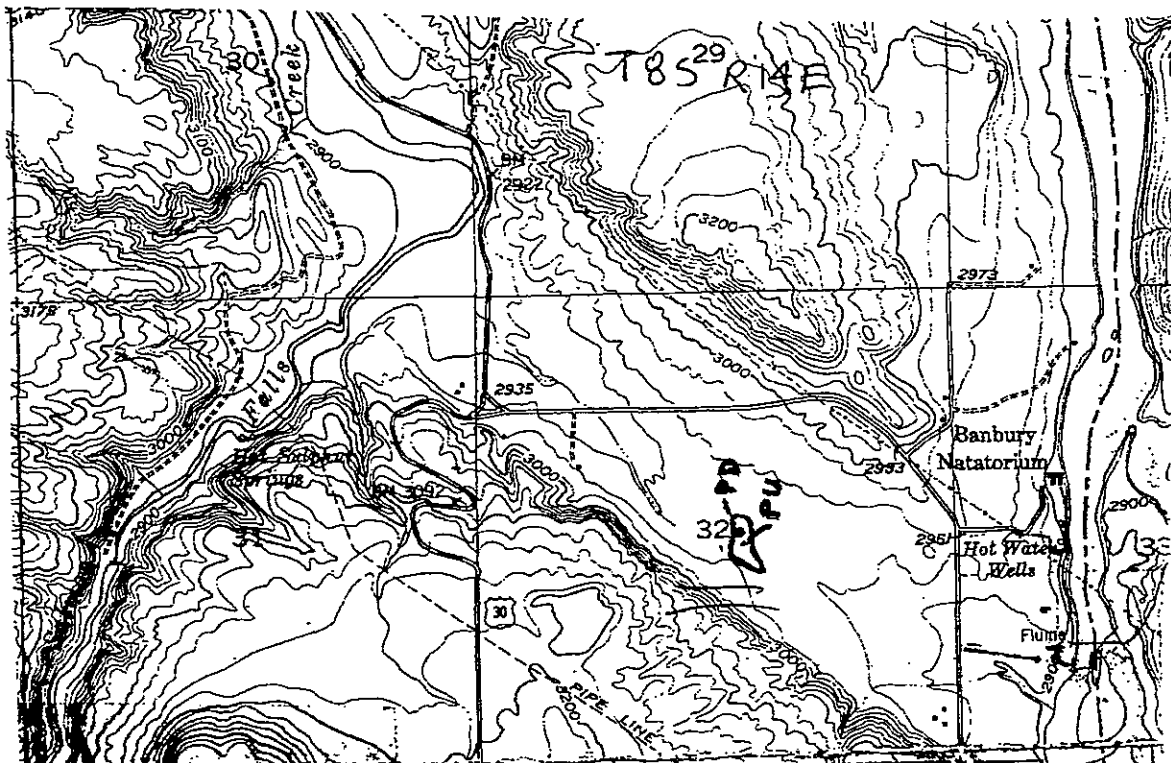
2. Other water rights with same point of diversion: 47-7883

☒ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" =

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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JUN 11 1999

System Description (continued)

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

One Artesian hot-water well supplies 123°F water (at well) to hot-tub, forced air heating system in house, and floor coils and forced air heating systems in green house. Waste water from hot-tub and heating systems feed two small fish ponds. A pressure of 57 psi was measured at well head. A total of 2,704 ft² of Area is heated in home with water temp. 120°F.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Artesian	N/A				
Hot water well					

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	SE	32	8S	14E	Twin Falls	15' Quad.

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	32														X			

X = Recreation, commercial, and heating (Greenhouse, Single family House)

Do not use this space

MICROFILMED

JUN 05 '3

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sparling Meter			60105	4335		

2. Measurements:

A Sparling Meter was used to get the full capacity of the well. Several Measurements were taken with an average of $1 \text{ Rev}/20 \text{ sec}$. $Q = \frac{.001 \text{ Acres} \times 43,560 \text{ ft}^2}{20 \text{ sec}} \times \frac{1 \text{ acre}}{1 \text{ acre}}$
 $Q = 2.07 \text{ cfs}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Measured well capacity 2.07 cfs . Allow permitted amounts.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

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

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation.

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{DS} =$ _____

2. Volume Calculations for Other Uses:

$1.0 \text{ cfs} \times 1.9835 \text{ AF/cfs/day} \times 365 \text{ days/yr} = 724.0 \text{ AFA}$

$0.2 \text{ cfs} \times " \times " = 149.8$

MICROFILM

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No alchahal plant exists, it should be removed from Permit. Also, under recreation the fish ponds should be included. These ponds are fed solely from wastewater. ~~at the maximum~~ Effluent flows in a 1 ft wide open natural ditch to Marsh and Pond. Lush vegetation in ditch consumes most of the water before it reaches the ponds. At this time, the capacity of the well is not being used

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
heating	Jan 1.	Dec. 31	0.20 cfs	174.8
recreation	Jan 1.	Dec. 31	0.20 cfs	144.8
commercial	Jan 1.	Dec. 31	1.00 cfs	724.0
Totals:			1.00 cfs	724.0

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Carl Reeb

Signature Carl E Reeb

Certification Date _____

Field Report Preparation Date 6/2/88

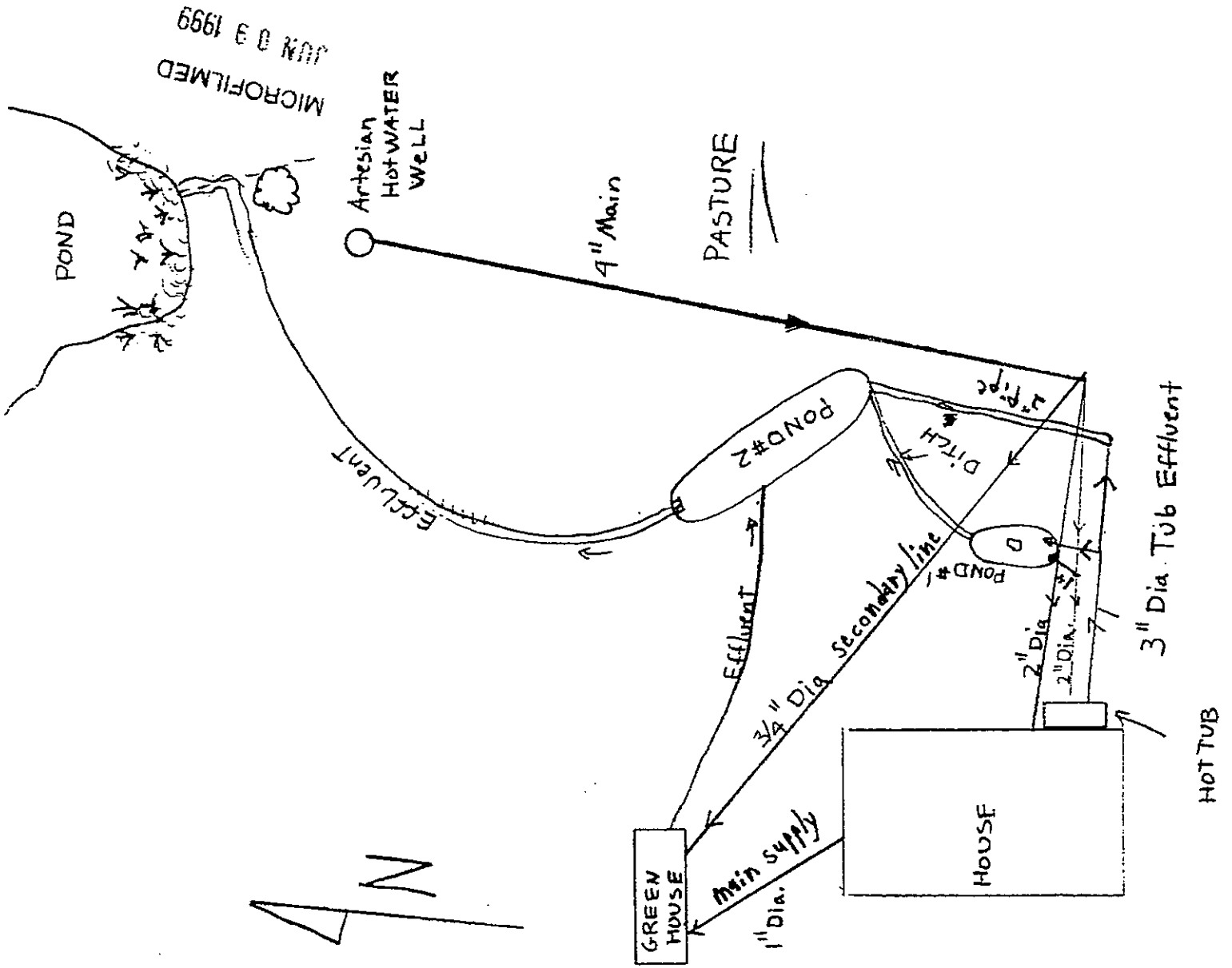
CONSULTANT SEAL

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

MICROFILMED
JUN 09 1994

Not To Scale

47-1689



TO: File

DATE: March 16, 1999

FROM: Jim Stanton

SUBJECT: Licensing Exam for 47-07689, Dwaine Knigge

I recently discussed this system with Mr. Knigge. He told me that hot water runs thru the hot tub, the home, and the greenhouse all the time, although heating needs vary seasonally. There is also an outlet from the line to the hot tub that feeds directly into the small fish pond; the original exam said that all water for the ponds was wastewater, but this is not correct (at least not now). The home is 1500 square feet upstairs, with a full basement of the same size, and is well insulated. The owner stressed that he tries to operate this system as efficiently as possible in order to conserve the geothermal resource. Although the well would produce 724 AFA at the permitted flow of 1.0 cfs, the actual historic use is probably less than this. I don't know how the actual use could be determined without a totalizer meter on the well, but there is none.

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MAR 17 1999

Department of Water Resources

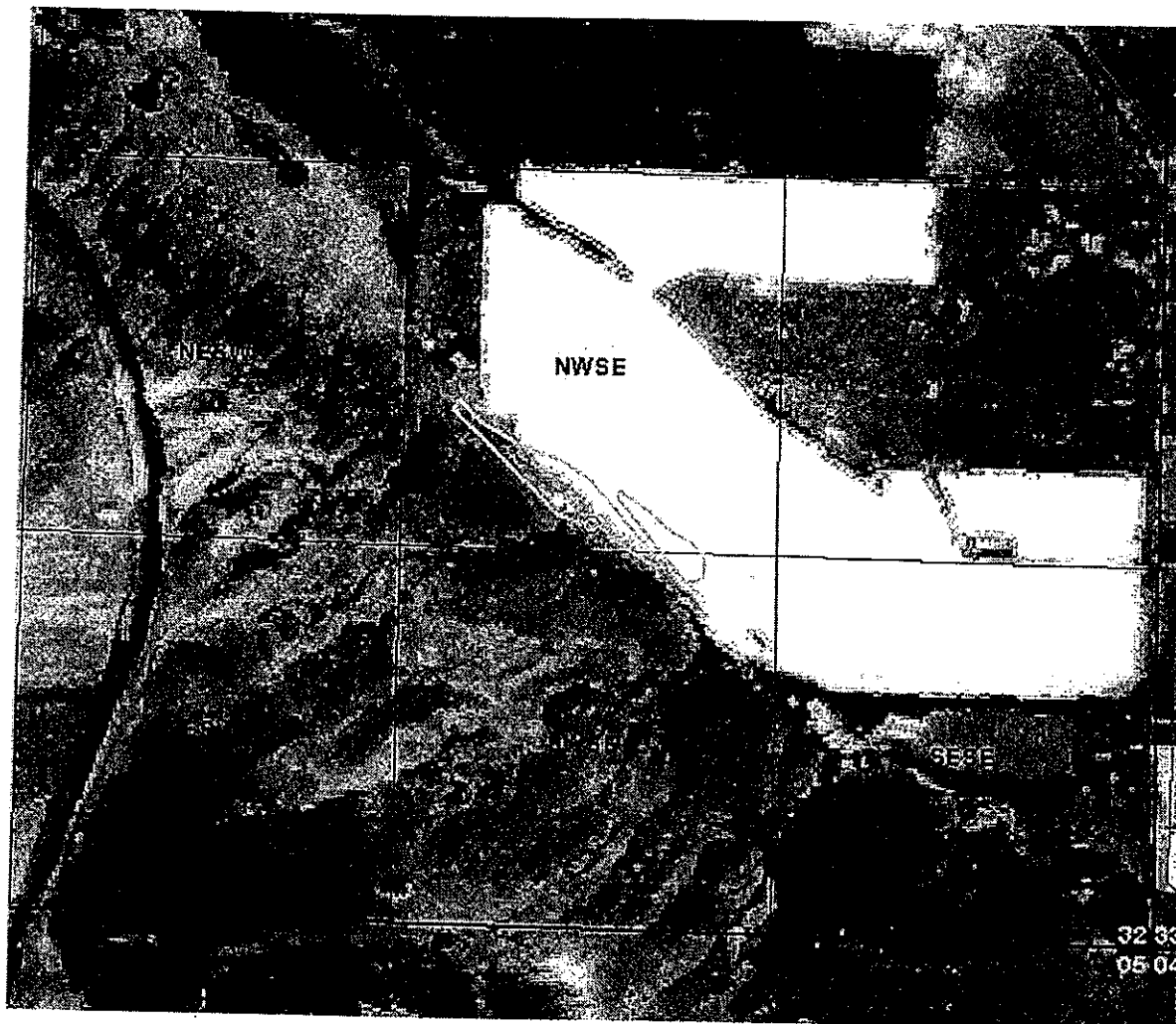
MICROFILMED

JUN 09 1999

Exhibit D

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
47-7689**



PLACE OF USE
TWP 08S, RNG 14E, SEC 32
Data entry on March 23, 2006

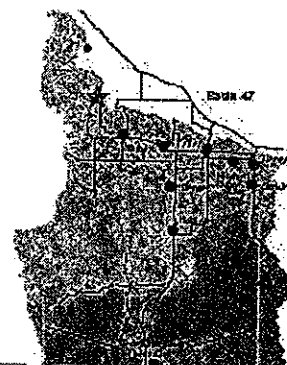
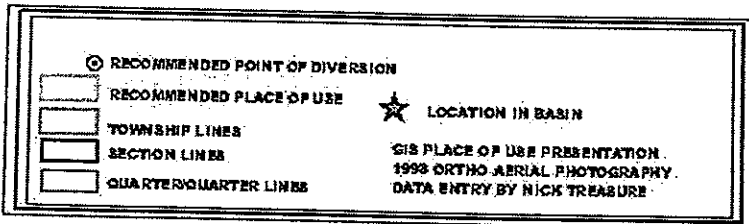


Exhibit E

MEMORANDUM

DATE: April 27, 1999
TO: File No. 47-07689
FROM: Cindy Lou Zimmerman 
SUBJECT: Review of Beneficial Use Field Report

Heating use with geothermal water was not calculated. I called the new right holder today to clarify the geothermal use. Dwain Knigge clarified heating use as follows:

- Water is diverted to the house for heating from about 9/1 – 5/15, R factor is poor to average.
- Water is diverted to the greenhouse for heating continuously.
- About 5 gpm is diverted to heat the hot tub continuously.

Mr. Knigge confirmed that about 0.10 cfs is diverted directly to the ponds continuously to maintain exotic fish. Mr. Knigge also confirmed no commercial use was developed under this permit.

Per information in exam and from new right holder, I produced the attached heating spreadsheets. The following adjustments¹ were made on the field:

F. Flow Calculations.

1. Heating, see spreadsheets.
 - a. House = 0.13 cfs.
 - b. Greenhouse = 0.06 cfs.
 - c. Hot Tub = 0.01 cfs.
 - d. Maximum heating flow = $a + b + c = 0.13 + 0.06 + 0.01 = 0.20$ cfs
2. Recreation = 45 gpm = 0.10 cfs.
3. Maximum rate of flow = $0.20 + 0.10 = \underline{0.30}$ cfs.

G. Volume Calculations.

1. Heating, see spreadsheets.
 - a. House = 33.3 AF.
 - b. Greenhouse = 42.0 AF.
 - c. Hot Tub = 8.1 AF.
 - d. Maximum heating annual volume = $33.3 + 42.0 + 8.1 = \underline{83.4}$ AF.
2. Recreation = $\text{cfs} \times \text{days per year} \times 1.9835 = 0.10 \times 365 \times 1.9835 = \underline{72.4}$ AF.
3. Maximum Annual Volume = $83.4 + 72.4 = \underline{155.8}$ AF.

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Heating	1/1-12/31	<u>0.20</u> cfs	<u>83.4</u> AF
Recreation	1/1-12/31	<u>0.10</u> cfs	<u>72.4</u> AF
	Totals:	<u>0.30</u> cfs	<u>155.8</u> AF

Examiner: Carl Reeb and Jim Stanton
Examined: June 2, 1988

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JUN 09 1999

¹ Adjustments are **bolded and underlined**.

MEMORANDUM

TO: File No. 47-07689 - house

FROM: Cindy Zimmerman *CS*

RE: General Review of Heating or Cooling Use Requirements

DATE: 04/27/99

RATE OF FLOW AND ANNUAL VOLUME FOR HEATING USE

REQUIRED DATA:

Source Temperature	=	120 degrees	¹
Area / 1 two story building	=	2900 sq. ft.	²
Temperature Outside	=	0 degrees	
Temperature Inside	=	72 degrees	²
Building Efficiency	=	1.11	²
Temperature Required	=	72 degrees	²
Days per year temp above/below 70 (9/1-5/15)	=	260 days	²
Hours per day temp above/below 70	=	12 hours	²

CALCULATIONS:

Single Floor System Heat Load	=	231,768 btu/hr
Two Floor System Heat Load	=	185,414 btu/hr
Temp. Drop Across System	=	14.4 degrees

FLOW RATE:

Single Floor Flow Rate	=	32 gpm
	=	0.07 cfs
Second Floor Flow Rate	=	26 gpm
	=	0.06 cfs
Total Flow Rate	=	0.13 cfs

VOLUME:

Single Floor Annual Volume	=	18.5 af
Second Floor Annual Volume	=	14.8 af
Combined Annual Volume	=	33.3 af

*SUGGESTED AVERAGE OUTSIDE TEMPERATURES:

<u>Winter</u>		<u>Summer</u>	
4 degrees F.	Boise	80 degrees F.	Boise
6 degrees F.	Grand View	90 degrees F.	Grand View
-8 degrees F.	Cascade	70 degrees F.	Cascade

**EFFICIENCY RATING INFORMATION (Source: Admin Memo, 9/28/92)

0.28 Best energy efficiency rating
0.44 Good energy efficiency rating
0.67 Average energy efficiency rating
1.11 Poor energy efficiency rating

References:

- ¹ = per field exam.
² = per telecon with Dwain Knippe, 4/26/99.

MICROFILMED
JUN 09 1999

MEMORANDUM

TO: File No. 47-07689 - greenhouse
FROM: Cindy Zimmerman
RE: General Review of Heating or Cooling Use Requirements
DATE: 04/27/99

RATE OF FLOW AND ANNUAL VOLUME FOR HEATING USE

REQUIRED DATA:

Source Temperature	=	120 degrees	¹
Area / Single Story	=	1600 sq. ft.	²
Temperature Outside*	=	-8 degrees	
Temperature Inside	=	80 degrees	²
Building Efficiency**	=	1.11	²
Temperature Required	=	80 degrees	²
Days temp above/below 70	=	365 days	²
Hrs/day temp above/below 70	=	24 hours	²

CALCULATIONS:

Single Floor Load	=	156,288 btu/hr
Temp. Drop Across System	=	12 degrees

FLOW RATE:

Single Floor Flow Rate	=	26 gpm
	=	~~26.0 gpm~~

VOLUME:

Single Floor Annual Volume	=	~~156,288 gpm~~
----------------------------	---	------------------------

*SUGGESTED AVERAGE OUTSIDE TEMPERATURES:

<u>Winter</u>		<u>Summer</u>	
4 degrees F.	Boise	80 degrees F.	Boise
6 degrees F.	Grand View	90 degrees F.	Grand View
-8 degrees F.	Cascade	70 degrees F.	Cascade

**EFFICIENCY RATING INFORMATION (Source: Admin Memo, 9/28/92)

0.28 Best energy efficiency rating
0.44 Good energy efficiency rating
0.67 Average energy efficiency rating
1.11 Poor energy efficiency rating

References:

- ¹ = per field exam.
² = per telecon with Dwain Knippe, 4/26/99.

MICROFILMED

JUN 09 1999

MEMORANDUM

TO: File No. 47-07689 - hot tub

FROM: Cindy Zimmerman ^{CJ}

RE: General Review of Heating or Cooling Use Requirements

DATE: 04/27/99

RATE OF FLOW AND ANNUAL VOLUME FOR HEATING USE

Required Data:

Rate of flow = 5 gpm
= ~~0.01 cfs~~

Season of Use = 365 days/year

Annual Volume Calculation = ~~0.01 cfs~~

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JUN 09 1999