

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 47-7680
Date Received: 1/31/1989
Receipt No: S006188
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC Phone: (208)543-9093
PO BOX 508
BUHL ID 83316

2. Date of Priority: 11/20/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
09S	14E	10	NE	SE	NE	TWIN FALLS	
09S	14E	10	NW	SE	SE	TWIN FALLS	
09S	14E	14	NW	SE	NW	TWIN FALLS	

5. Description of diverting works:

ARTESIAN WELLS, PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.41	84.6
STOCKWATER	01/01	12/31	0.01	0.2
COMMERCIAL	01/01	12/31	0.04	0.6
HEATING	01/01	12/31	4.9	804
DOMESTIC	01/01	12/31	0.55	84.6

7. Total Quantity Appropriated is:
4.9 C.F.S. and/or 881 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09S	14E	10	NE	NE	4	IRRIGATION	1.5
			NW	NE	4	IRRIGATION	2.5
			SW	NE		IRRIGATION	1
			SE	NE		IRRIGATION	3
			NE	NW	4	IRRIGATION	0.5
			SE	NW	3	IRRIGATION	1
			NE	SE		IRRIGATION	10
			SE	SE		IRRIGATION	4
			NE	NE	4	HEATING	
			NW	NE	4	HEATING	
			SW	NE		HEATING	
			SE	NE		HEATING	
			NE	NW	4	HEATING	
			SE	NW	3	HEATING	
			NE	SE		HEATING	
			SE	SE		HEATING	
			NE	NE	4	DOMESTIC	
			NW	NE	4	DOMESTIC	
			SW	NE		DOMESTIC	
			SE	NE		DOMESTIC	
			NE	NW	4	DOMESTIC	
			SE	NW	3	DOMESTIC	
			NE	SE		DOMESTIC	
			SE	SE		DOMESTIC	

Section Acres 23.5

09S	14E	11	NW	NE	9	DOMESTIC	
			NW	NW	3	DOMESTIC	
			NE	NW	8	DOMESTIC	
			SW	NW		DOMESTIC	
			SE	NW		DOMESTIC	
			NW	SW		DOMESTIC	
			SW	SW		DOMESTIC	
			SE	SW		DOMESTIC	
			NW	SW		STOCKWATER	
			SW	NW		COMMERCIAL	
			NW	NE	9	HEATING	
			NW	NW	3	HEATING	
			NE	NW	8	HEATING	
			SW	NW		HEATING	
			SE	NW		HEATING	
			NW	SW		HEATING	
			SW	SW		HEATING	
			SE	SW		HEATING	
			NW	NE	9	IRRIGATION	1.5
			NE	NW	8	IRRIGATION	2
			NW	NW	3	IRRIGATION	2
			SW	NW		IRRIGATION	4
			SE	NW		IRRIGATION	1
			NW	SW		IRRIGATION	13
			SW	SW		IRRIGATION	8.5
			SE	SW		IRRIGATION	1.5

Section Acres 33.5

09S	14E	14	NW	NE	IRRIGATION	1.5
			SW	NE	IRRIGATION	1.5
			NE	NW	IRRIGATION	4.5
			NW	NW	IRRIGATION	5
			SE	NW	IRRIGATION	1
			NW	NE	HEATING	
			SW	NE	HEATING	
			NE	NW	HEATING	
			NW	NW	HEATING	
			SE	NW	HEATING	
			NW	NE	DOMESTIC	
			SW	NE	DOMESTIC	
			NE	NW	DOMESTIC	
			NW	NW	DOMESTIC	
			SE	NW	DOMESTIC	
Section Acres						13.5
Total Acres						70.5

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

See remarks for additional conditions of approval.

The right holder shall use the full allotment of appurtenant surface water rights available under Rights 47-7261A and 47-7261B in conjunction with groundwater diverted for irrigation purposes under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This water right authorizes the use of water for commercial purposes for one shop.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right authorizes the use of water for domestic and heating purposes for a maximum of 141 homes. Domestic use does not include the use of water for the irrigation of lawns, landscaping, or gardens or any other kind of irrigation in addition to the irrigation specifically authorized under this right.

Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.

THE USE OF WATER SOLELY FOR IRR. FROM THIS GEOTHERMAL AQUIFER IS NOT IN THE PUBLIC INTEREST & ONLY THE WATER USED FOR ANOTHER PURPOSE THAT REQUIRES THE HEAT FROM THE WATER CAN BE DISPOSED OF BY USING IT FOR IRR. THE USE OF WATER FOR IRR. UNDER THIS PERMIT IS SUPPLEMENTAL TO ALL EXISTING RTS. WITH THE SAME PURPOSE & P/U & THE OTHER RTS. MUST BE DEVELOPED & USED TO THE FULLEST EXTENT POSSIBLE FOR IRR. BEFORE THIS PERMIT IS USED FOR IRR. PURPOSES. THE DIR. OF THE DEPT. OF W.R. RETAINS JURISDICTION OVER THIS PERMIT TO ASSURE THAT THE WATER DIVERTED IS BENEFICIALLY USED & FOR THE APPROVAL OF THE CASING & SEALING OF THE WELLS. THE AMT. OF WATER DIVERTED SHALL NOT EXCEED THAT NECESSARY FOR DOMESTIC, COMMERCIAL & GEOTHERMAL HEATING FOR 99 HOMES.

***** ADDRESS CHANGE 5/6/94 BY JG.

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Domestic and heating places of use are located within Lots 1-99, Kanaka Rapids Ranches P.U.D.; and Lots 201, 203-234, and 236-244, The Riverside at Kanaka Rapids Ranch.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 47-2175, 47-2177, 47-2174
47-2179, 47-2180.

[] Name(s): KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM, INC.

[] Old Mailing Address: _____

[] New Mailing Address: KRR WATER BOARD
P.O. BOX 508
BOHL, ID. 83316

Telephone Number: (208) 543 - 9093

[] Signature(s) of Owner(s) *Don. L. Wray*
PRESIDENT KRR HOMEOWNERS WATER SYS., INC.
(Include your title if on behalf of company or organization)

Date: 7/20/06

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 47-7680

WATER RIGHT NUMBER: 47-7680

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KANAKA RAPIDS WATER USERS ASSOCIATION PO BOX 201 BUHL, ID 83316 (208)543-8268

Priority Date: 11/20/1980

Basis: Permit

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	6.600 CFS	
HEATING	1/01 to 12/31	4.900 CFS	
DOMESTIC	1/01 to 12/31	0.400 CFS	
COMMERCIAL	1/01 to 12/31	2.700 CFS	
	<u>Total Diversion:</u>	14.600 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 10, Twp 09S, Rge 14E, B.M.
TWIN FALLS County		
GROUND WATER	SE1/4SE1/4	Sec. 10, Twp 09S, Rge 14E, B.M.
TWIN FALLS County		
GROUND WATER	SE1/4NW1/4	Sec. 14, Twp 09S, Rge 14E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	10			25.0	18.0	2.0			40.0	40.0				40.0	40.0		40.0	245.0
09S	14E	11						5.0			35.0	30.0							70.0
09S	14E	14		30.0	5.0		40.0	32.0	8.0										115.0

Total Acres: 430

HEATING

Twp	Rge	Sec	NE	NW	SW	SE
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 47-7680

				<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09S	14E	10		X			X									X			X	
09S	14E	11								X	X			X	X					
09S	14E	14			X	X		X	X		X									

DOMESTIC

Twp	Rge	Sec		<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09S	14E	10		X			X									X			X	
09S	14E	11		X						X	X			X	X					
09S	14E	14			X	X		X	X		X									

COMMERCIAL

Twp	Rge	Sec		<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09S	14E	11								X	X			X						

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. 01B The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.
3. 09D Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.
4. 26

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 47-7680

1. General THE USE OF WATER SOLELY FOR IRR. FROM THIS GEOTHERMAL AQUIFER IS NOT IN THE PUBLIC INTEREST & ONLY THE WATER USED FOR ANOTHER PURPOSE THAT REQUIRES THE HEAT FROM THE WATER CAN BE DISPOSED OF BY USING IT FOR IRR. THE USE OF WATER FOR IRR. UNDER THIS PERMIT IS SUPPLEMENTAL TO ALL EXISTING RTS. WITH THE SAME PURPOSE & P/U & THE OTHER RTS. MUST BE DEVELOPED & USED TO THE FULLEST EXTENT POSSIBLE FOR IRR. BEFORE THIS PERMIT IS USED FOR IRR. PURPOSES. THE DIR. OF THE DEPT. OF W.R. RETAINS JURISDICTION OVER THIS PERMIT TO ASSURE THAT THE WATER DIVERTED IS BENEFICIALLY USED & FOR THE APPROVAL OF THE CASING & SEALING OF THE WELLS. THE AMT. OF WATER DIVERTED SHALL NOT EXCEED THAT NECESSARY FOR DOMESTIC, COMMERCIAL & GEOTHERMAL HEATING FOR 99 HOMES.
***** ADDRESS CHANGE 5/6/94 BY JG.

Comments:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

RECEIVED
APR 22 2004
Department of Water Resources
Twin Falls Region

[] Name(s):

LYN WILLIAMS

Licensed

RW WEINERT

Water
operators

[] Old Mailing Address:

1244 River Road

Buhl, ID

[] New Mailing Address:

c/o KANAKA RAPIDS RANCH WATER SYSTEM

PO Box 201

Buhl, ID 83306

Telephone Number:

(208) 543 - 8925 CR 2118

[]

Signature(s)

(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

R Weinert water operator

(include your title if on behalf of company or organization)

Date:

April 22, 2004

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

47-7480
47-7241A

SCANNED

MAR 25 1989

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-07680
Date Received: 1/31/1989
Receipt No: S006188
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KANAKA RAPIDS WATER USERS ASSOCIATION 208-543-8268
Address: 130 N. BROADWAY
BUHL, ID 83316

2. Date of Priority: NOV 20, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	10		SE	NE		TWIN FALLS
				SE	SE		TWIN FALLS
		14		SE	NW		TWIN FALLS

5. Description of diverting works:
ARTESIAN WELLS, PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	6.600		
COMMERCIAL	01/01	12/31	2.700		
HEATING	01/01	12/31	4.900		
DOMESTIC	01/01	12/31	0.400		

7. Total Quantity Appropriated is:
14.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1290.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D & G/99 HOUSES C/3 GREENHOUSES S/15 HORSES

A47-07680

Page 1

Date: 01/31/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	10	NE		NE		HEAT	
			NE		NE		DOMEST	
			SW		NE		IRR	25.0
			SE		NE		IRR	18.0
			SE		NE		HEAT	
			SE		NE		DOMEST	
			NE		NW		IRR	2.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NE		SE		HEAT	
			NE		SE		DOMEST	
			NW		SE		IRR	40.0
			SE		SE		IRR	40.0
			SE		SE		HEAT	
			SE		SE		DOMEST	

Section Acres 245.0

11	NE	NE	DOMEST	
	SW	NW	IRR	5.0
	SW	NW	COMMER	
	SW	NW	HEAT	
	SW	NW	DOMEST	
	SE	NW	COMMER	
	SE	NW	HEAT	
	SE	NW	DOMEST	
	NW	SW	IRR	35.0
	NW	SW	COMMER	
	NW	SW	HEAT	
	NW	SW	DOMEST	
	SW	SW	IRR	30.0
	SW	SW	HEAT	
	SW	SW	DOMEST	

Section Acres 70.0

14	NW	NE	IRR	30.0
	NW	NE	HEAT	
	NW	NE	DOMEST	
	SW	NE	IRR	5.0
	SW	NE	HEAT	
	SW	NE	DOMEST	
	NE	NW	IRR	40.0
	NE	NW	HEAT	
	NE	NW	DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	14	NW		NW		IRR	32.0
			NW		NW		HEAT	
			NW		NW		DOMEST	
			SE		NW		IRR	8.0
			SE		NW		HEAT	
			SE		NW		DOMEST	

Section Acres 115.0

Total Acres 430.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-07261, A47-07551

14. Remarks:

THE USE OF WATER SOLELY FOR IRR. FROM THIS GEOTHERMAL AQUIFER IS NOT IN THE PUBLIC INTEREST & ONLY THE WATER USED FOR ANOTHER PURPOSE THAT REQUIRES THE HEAT FROM THE WATER CAN BE DISPOSED OF BY USING IT FOR IRR. THE USE OF WATER FOR IRR. UNDER THIS PERMIT IS SUPPLEMENTAL TO ALL EXISTING RTS. WITH THE SAME PURPOSE & P/U & THE OTHER RTS. MUST BE DEVELOPED & USED TO THE FULLEST EXTENT POSSIBLE FOR IRR. BEFORE THIS PERMIT IS USED FOR IRR. PURPOSES. THE DIR. OF THE DEPT. OF W.R. RETAINS JURISDICTION OVER THIS PERMIT TO ASSURE THAT THE WATER DIVERTED IS BENEFICIALLY USED & FOR THE APPROVAL OF THE CASING & SEALING OF THE WELLS. THE AMT. OF WATER DIVERTED SHALL NOT EXCEED THAT NECESSARY FOR DOMESTIC, COMMERCIAL & GEOTHERMAL HEATING FOR 99 HOMES.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A47-07680

Date Received

Receipt Number

5006188

see

RECEIVED

JAN 12 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) KANARA RAPIDS WATER USERS ASSOC Phone (208) 543 8268Mailing Address 130 N. CROWLEY BULL, 10 Zip 833162. Date of Priority (Only one (1) per claim) 11/20/19803. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 9S Range 14E Section 10,
_____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of TWIN FALLSAdditional points of diversion if any T9S, R14E, Sec 10 SE 1/4 SE 1/4 AND SEC 14 SE 1/4 NW 1/4

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. ARTESIAN WELLS TAPPED INTO
PIPE LINE SYSTEM FOR DELIVERY

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MAR 11 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

\$ 50 filing

For IRRIGATION purposes from Apr 1 to Oct 31 amount 6.6 or \$ 430
 For COMMERCIAL purposes from 1/1 to 12/1 amount 2.7 or \$ 270
 For HEATING AND DOMESTIC purposes from 1/1 to 12/1 amount 4.9 or \$ 490
 For MULTI DOMESTIC purposes from 1/1 to 12/1 amount .4 or \$ 40

7. Total quantity claimed (a) 14.60 (cfs) and/or (b) \$1280

8. Total consumptive use claimed is 1290 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 99 HOMESITES FOR DOMESTIC AND HEATING, 3 GREENHOUSES
15 HEAD HORSES

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	14E	11	D						D	D			D	D					
9S	14E	10	D			D									D			D	
9S	14E	14		D	D		D	D		D									
9S	14E	11							5				35	30					70
9S	14E	10			25	18	2			40	40				40	40		40	245
9S	14E	14		30	5		40	32		8									115

Total number of acres irrigated 430

11. In which county (ies) are lands listed above as place of use located? TWIN FALLS

12. Do you own the property listed above as place of use? Yes X No
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
47-7261 AND 477551 for IRRIGATION or None ()

14. Remarks:

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 MAR 11 1993

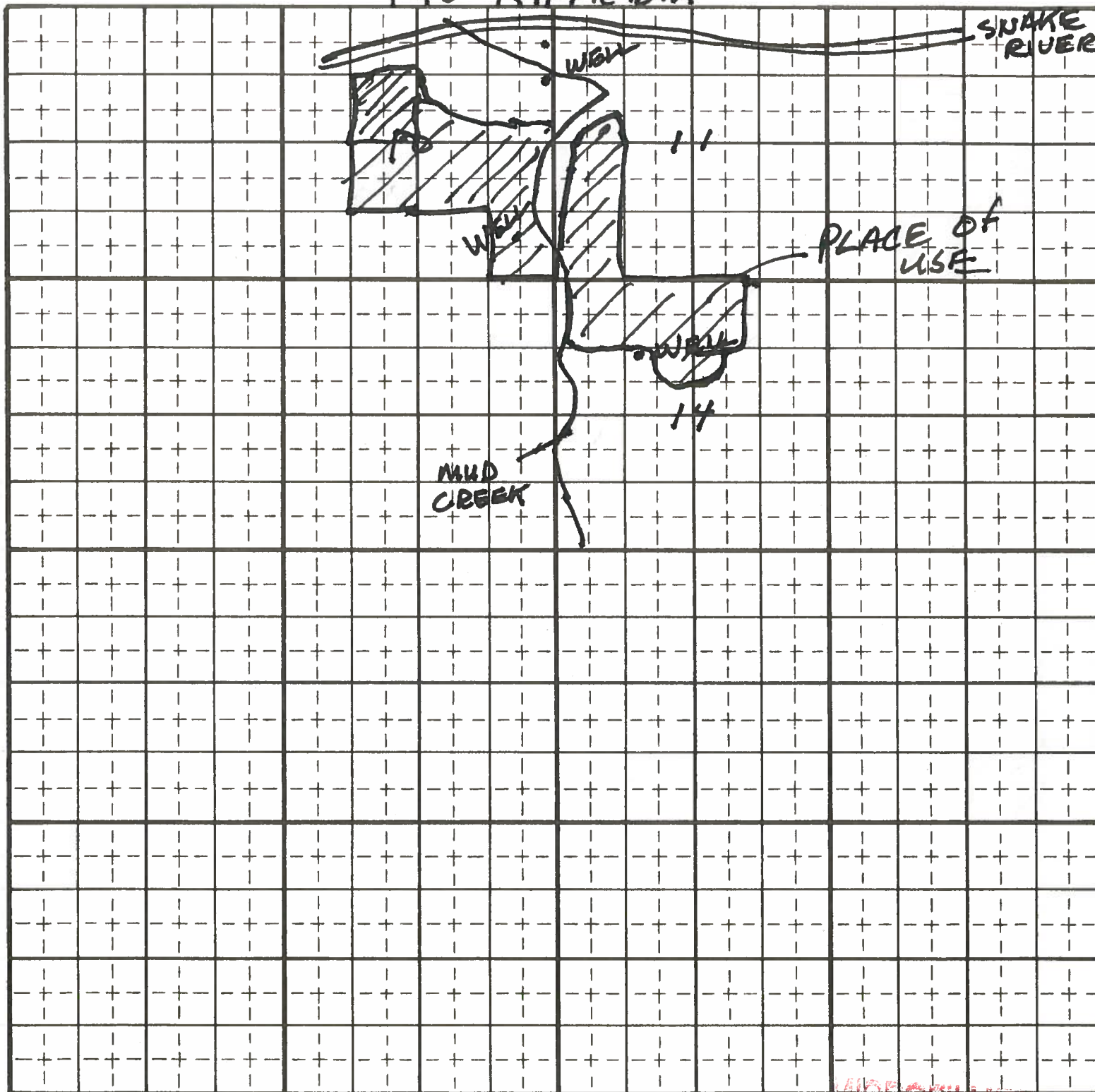
Last Name Ident No.

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T9S R114E BM



MICROFILMED

MAR 11 1993

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number 47-7680

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRESIDENT

Title

of KANAKA RAPIDS WATER USERS ASSOC that I have signed the foregoing

Organization

document in the space below as PRESIDENT of KANAKA RAPIDS WATER USERS

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent E. Collins

Title and Organization PRESIDENT KANAKA RAPIDS WATER Date 1/4/89
USERS ASSOC

State of Idaho/or _____)
County of TWIN FALLS) SS.

Subscribed and sworn (or affirmed) before me this 4 day of January 19 89

SEAL

Notary Public [Signature]

Residing at Buhl, Id.

My Commission Expires Sept 1990

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, ROBERT C. WEAVER will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]

Address 130 N Broadway Buhl 10.13316

Date 1/4/89

MICROFILMED
MAR 11 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 27 1994

RECEIVED
MAY 03 1994
Department of Land Resources
Southern Region Office

IDWR Southern Region
222 Shoshone St East
Twin Falls ID 83301
ATT Judy

USE ZIP CODE
ALWAYS

TWIN FALLS, ID 833
PM
11 JAN
1983

WEAVER & MELANSON
Attorneys at Law
130 N. BROADWAY
BUHL, IDAHO 83316

MICROFILMED
MAR 11 1993

*Idaho Dept. of Water Resources
2148 4th Ave E
Twin Falls, Id. 83301*

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

WR0723NP
(OD-26)

Water Right Number - 47-07680 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - + - - - - +

*** C - CURRENT OWNER ***
COLLINS BROTHERS CORP.

1 - BOX 42427 HUNTRIDGE STATION
2 -
3 -

State- NV Zip- 89104

City- LAS VEGAS,
Phone -

*** O - ORIGINAL OWNER ***
ROYAL CREST INC.

1 -

2 -

3 -

City-
Phone -

State-

Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/20/1980 17 P - PERMIT

+ - - Source - - - - - + + - - Tributary - - - - - + + - - Diversion - - - - - +

GROUNDWATER

+ - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) + - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County	Water Use	Period From	Period To	Diversion Rate	Diversion Volume
09S	14E	10	SE NE		(83)	TWIN FALLS		04/01	10/31	6.600	
09S	14E	10	SE SE		(83)	TWIN FALLS		01/01	12/31	2.700	
09S	14E	14	SE NW		(83)	TWIN FALLS		01/01	12/31	4.900	
								01/01	12/31	0.400	

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
14.600

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09S	14E	10	SW NE		25.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	SE NE		18.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	NE NW		2.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	SE NW		40.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	NE SW		40.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	NE SE		40.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	NW SE		40.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	10	SE SE		40.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	11	SW NW		5.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	11	NW SW		35.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS
09S	14E	11	SW SW		30.0	IRRIGATION	01	IRRIGATION	(83) TWIN FALLS

MICROFILMED
MAR 11 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

WR0723NP
(OD-26)

Water right number - 47-07680 Adj. flag translation: Standard Water Right Number

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09S	14E	14	NW NE		30.0		01	IRRIGATION	(83) TWIN FALLS
09S	14E	14	SW NE		5.0		01	IRRIGATION	(83) TWIN FALLS
09S	14E	14	NE NW		40.0		01	IRRIGATION	(83) TWIN FALLS
09S	14E	14	NW NW		32.0		01	IRRIGATION	(83) TWIN FALLS
09S	14E	14	SE NW		8.0		01	IRRIGATION	(83) TWIN FALLS
09S	14E	11	SW NW				10	COMMERCIAL	(83) TWIN FALLS
09S	14E	11	SE NW				10	COMMERCIAL	(83) TWIN FALLS
09S	14E	11	NW SW				10	COMMERCIAL	(83) TWIN FALLS
09S	14E	10	NE NE				22	HEATING	(83) TWIN FALLS
09S	14E	10	SE NE				22	HEATING	(83) TWIN FALLS
09S	14E	10	NE SE				22	HEATING	(83) TWIN FALLS
09S	14E	10	SE SE				22	HEATING	(83) TWIN FALLS
09S	14E	11	SW NW				22	HEATING	(83) TWIN FALLS
09S	14E	11	SE NW				22	HEATING	(83) TWIN FALLS
09S	14E	11	NW SW				22	HEATING	(83) TWIN FALLS
09S	14E	11	SW SW				22	HEATING	(83) TWIN FALLS
09S	14E	14	NW NE				22	HEATING	(83) TWIN FALLS
09S	14E	14	SW NE				22	HEATING	(83) TWIN FALLS
09S	14E	14	NE NW				22	HEATING	(83) TWIN FALLS
09S	14E	14	NW NW				22	HEATING	(83) TWIN FALLS
09S	14E	14	SE NW				22	HEATING	(83) TWIN FALLS

Total Acres: 430.0

- - - Diversion Means - ARTESIAN WELLS, PUMPS

- - - Non-Irrigation Use - S/15 RANGE, G/110 HOMES, C/GREENHOUSES.

- - - Other Rights for Same Use -

THE USE OF WATER SOLELY FOR IRR. FROM THIS GEOTHERMAL AQUIFER IS NOT IN THE PUBLIC INTEREST & ONLY THE WATER USED FOR ANOTHER PURPOSE THAT REQUIRES THE HEAT FROM THE WATER CAN BE DISPOSED OF BY USING IT FOR IRR. THE USE OF WATER FOR IRR. UNDER THIS PERMIT IS SUPPLEMENTAL TO ALL EXISTING RTS. WITH THE SAME PURPOSE & P/U & THE OTHER RTS. MUST BE DEVELOPED & USED TO THE FULLEST EXTENT POSSIBLE FOR IRR. BEFORE THIS PERMIT IS USED FOR IRR. PURPOSES. THE DIR. OF THE DEPT. OF W.R. RETAINS JURISDICTION OVER THIS PERMIT TO ASSURE THAT THE WATER DIVERTED IS BENEFICIALLY USED & FOR THE APPROVAL OF THE CASING & SEALING OF THE WELLS. THE AMT. OF WATER DIVERTED SHALL NOT EXCEED THAT NECESSARY FOR DOMESTIC, COMMERCIAL & GEOTHERMAL HEATING FOR 99 HOMES.

01B - The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install and access port or other device as specified by the Department.

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MAR 11 1993

Water right number - 47-07680

09D - Water used under this permit if discharged into a natural channel - shall meet Idaho Water Quality Standards.

+ - - - Decree Plaintiff - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - Microfilm Rolls -

+	-	-	Audit Fields -	09/22/87	05/28/88	CONVERT	11/10/88	CURTIS
---	---	---	----------------	----------	----------	---------	----------	--------

	Water Rights	Dates	and	Flags	Area
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Proof Due Date	- 08/01/1989	Field Exam Made	- 00/00/0000	Field Exam Fee	- G
Approved/Denied	- 08/31/1983	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 03/31/1982	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

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MAR 11 1993

MICHAEL H. FELTON

Attorney at Law

RECEIVED

AUG 11 1993

Department of Water Resources
Southern Region Office

August 10, 1993

Professional Center
1020 Main

Mailing Address
Post Office Box 589
Buhl, Idaho 83316-0589
(208) 543-4368
FAX: (208) 543-4360

Idaho Department of Water Resources
222 Shoshone St E
Twin Falls ID 83301

Dear Gentlepersons:

RE: Kanaka Rapids Ranch Homeowners Water System, Inc.
Our File No. 2020

Enclosed herewith please find a copy of a Notice of Revocation
of Limited Power of Attorney to be placed in your file
regarding Permit No. A47-6780. 07680

If you have any questions regarding the enclosed, please feel
free to contact me.

Very truly yours,



MICHAEL H. FELTON, JR.

MHF:pm
Enclosure
pc: Carlo Ferreira

MICROFILMED
OCT 27 1994

RECEIVED

AUG 11 1993

COPY

Department of Water Resources
Southern Region Office

NOTICE OF REVOCATION OF LIMITED POWER OF ATTORNEY

TO: THE IDAHO DEPARTMENT OF WATER RESOURCES AND ALL OTHERS
TO WHOM IT MAY CONCERN

NOTICE IS GIVEN that the Limited Power of Attorney granted to Steve Foreman of 107 Kanaka Rapids Road, Buhl, Idaho 83316, is immediately revoked. This Limited Power of Attorney was granted to Mr. Foreman on the 29th day of July, 1991, and authorized Mr. Foreman to execute any and all documents required to facilitate the filing of a proof of beneficial use for Water Permit No. A47-6780 with the Idaho Department of Water Resources.

IN WITNESS WHEREOF, I have hereto executed the foregoing
on this 6 day of August, 1993.

KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM, INC.

By E. A. Collins
E. A. COLLINS, President

STATE OF Idaho)
~~NEVADA~~)
County of Twin Falls : ss
~~Clark~~)

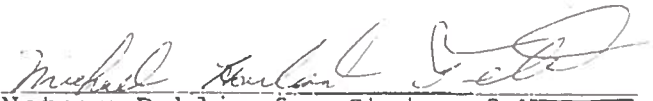
On this 6 day of August, 1993, before me, the undersigned, a Notary Public in and for said County and State, personally appeared E. A. COLLINS, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn, did say that he is the President of the Kanaka Rapids Ranch Homeowners Water System, Inc., and that said document was signed by him in behalf of said corporation by authority of its bylaws or of a Resolution of its Board of Directors, and said E. A. Collins acknowledged to me that said corporation executed the same.

NOTICE OF REVOCATION OF LIMITED POWER OF ATTORNEY

MICROFILMED

OCT 27 1994

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year last above written.


Notary Public for State of Nevada *blaho*
Residing at: *Beth*
My Commission Expires: *7/16/99*.

(JRL-DOCV2020NTC.305)pm

MICROFILMED

OCT 27 1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A47-07680**
Date Received: 1/31/1989
Receipt No: S006188
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: KANAKA RAPIDS WATER USERS ASSOCIATION 208-543-8268
Address: 176 KANAKA RAPIDS RANCH
BUHL ID 83316

2. Date of Priority: NOV 20, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	10		SE	NE		TWIN FALLS
				SE	SE		TWIN FALLS
		14		SE	NW		TWIN FALLS

5. Description of diverting works:
ARTESIAN WELLS, PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	6.600		
COMMERCIAL	01/01	12/31	2.700		
HEATING	01/01	12/31	4.900		
DOMESTIC	01/01	12/31	0.400		

7. Total Quantity Appropriated is:
14.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1290.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D & G/99 HOUSES C/3 GREENHOUSES S/15 HORSES

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OCT 27 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	10	NE		NE		HEAT	
			NE		NE		DOMEST	
			SW		NE		IRR	25.0
			SE		NE		IRR	18.0
			SE		NE		HEAT	
			SE		NE		DOMEST	
			NE		NW		IRR	2.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NE		SE		HEAT	
			NE		SE		DOMEST	
			NW		SE		IRR	40.0
			SE		SE		IRR	40.0
			SE		SE		HEAT	
			SE		SE		DOMEST	

Section Acres 245.0

11	NE	NE	DOMEST	
	SW	NW	IRR	5.0
	SW	NW	COMMER	
	SW	NW	HEAT	
	SW	NW	DOMEST	
	SE	NW	COMMER	
	SE	NW	HEAT	
	SE	NW	DOMEST	
	NW	SW	IRR	35.0
	NW	SW	COMMER	
	NW	SW	HEAT	
	NW	SW	DOMEST	
	SW	SW	IRR	30.0
	SW	SW	HEAT	
	SW	SW	DOMEST	

Section Acres 70.0

14	NW	NE	IRR	30.0
	NW	NE	HEAT	
	NW	NE	DOMEST	
	SW	NE	IRR	5.0
	SW	NE	HEAT	
	SW	NE	DOMEST	
	NE	NW	IRR	40.0
	NE	NW	HEAT	
	NE	NW	DOMEST	
	NW	NW	IRR	32.0
	NW	NW	HEAT	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	14	NW	NW	DOMEST	
			SE	NW	IRR	8.0
			SE	NW	HEAT	
			SE	NW	DOMEST	
Section Acres						115.0
Total Acres						430.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-07261, A47-07551

14. Remarks:

THE USE OF WATER SOLELY FOR IRR. FROM THIS GEOTHERMAL AQUIFER IS NOT IN THE PUBLIC INTEREST & ONLY THE WATER USED FOR ANOTHER PURPOSE THAT REQUIRES THE HEAT FROM THE WATER CAN BE DISPOSED OF BY USING IT FOR IRR. THE USE OF WATER FOR IRR. UNDER THIS PERMIT IS SUPPLEMENTAL TO ALL EXISTING RTS. WITH THE SAME PURPOSE & P/U & THE OTHER RTS. MUST BE DEVELOPED & USED TO THE FULLEST EXTENT POSSIBLE FOR IRR. BEFORE THIS PERMIT IS USED FOR IRR. PURPOSES. THE DIR. OF THE DEPT. OF W.R. RETAINS JURISDICTION OVER THIS PERMIT TO ASSURE THAT THE WATER DIVERTED IS BENEFICIALLY USED & FOR THE APPROVAL OF THE CASING & SEALING OF THE WELLS. THE AMT. OF WATER DIVERTED SHALL NOT EXCEED THAT NECESSARY FOR DOMESTIC, COMMERCIAL & GEOTHERMAL HEATING FOR 99 HOMES.

ADDRESS CHANGE 5/6/94 BY JG.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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OCT 27 1994

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 24 1994

Michael Hoyt Felton
Michael Harland Felton (Jr.)

Mailing Address:
Post Office Box 589
Buhl, ID 83316-0589

(208) 543-4368 (telephone)
(208) 543-4360 (telecopier)

May 2, 1994

IDWR Southern Region
222 Shoshone St East
Twin Falls ID 83301
ATT Judy

RECEIVED

MAY 03 1994

Department of Water Resources
Southern Region Office

Dear Judy:

RE: Kanaka Rapids Water Users Association
Our File No. 2020

Enclosed is the change of address form regarding the Kanaka Rapids Water Users Association.

Thank you very much for your time and information. If you need anything further, please feel free to call me.

Very truly yours,

Chris Schwamb

Chris Schwamb
Legal Assistant

CS

Encl. Change of address form

MICROFILMED

001 27 1994

RECEIVED

MAY 03 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

Department of Water Resources
Southern Region Office

[] Water Right Number (s): A47-07680

Kanaka Rapids Water Users Association

[] Old Mailing Address: 130 N. Broadway, Buhl, ID 83316

[] New Mailing Address: Kanaka Rapids Ranches

176 Kanaka Rapids Ranch

Buhl ID 83316

New Telephone Number: () -

[] Signature of Claimant: Mike Gett for KRWUA

Date: 5/2/94

MICHAEL HARLAND FELTON, ESQ.
Attorney For Kanaka Rapid Ranches

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: 5/6/94 By: SC

Further Action Needed:
Further Action Taken

Date: By:
Final Review and Data-Entry
Date: By:

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OCT 27 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-May-1994 09:55

KANAKA RAPIDS WATER USERS ASSOCIATION
176 KANAKA RAPIDS RANCH
BUHL, ID 83316

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) NOTICES OF CLAIM NO.(S).
A47-07680

CHANGE OF ADDRESS NOTIFICATION

DEAR CLAIMANT(S):

IDWR HAS RECEIVED YOUR NOTICE OF THE CHANGE OF ADDRESS OF THE
WATER RIGHT CLAIM REFERENCED ABOVE. OUR RECORDS HAVE BEEN CHANGED
ACCORDINGLY.

IF YOU SOLD THE PROPERTY, PLEASE CONTACT OF THE OFFICE TOLL-FREE AT
1-800-451-4129.

SINCERELY,

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION BUREAU

MICROFILMED

OCT 27 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 18, 2006

Gary Yost
4472 Silver Lakes Rd
Buhl, ID 83316

RE: Domestic use in Kanaka Rapids Ranch

Dear Mr. Yost:

This letter is being written at your request to document our phone conversation this day.

As I explained, the Kanaka Rapids Ranch water system diverting ground water has been allocated 141 domestic uses in water right 47-7680. This right was licensed in 2003. As you may know this water right in the near future will be recommended to the SRBA court for decree as will other surface water rights. This water right 47-7680 allocates water for the following uses:

Irrigation	1.41 cfs	84.6 afa
Stockwater	0.01 cfs	0.20 afa
Heating	4.90 cfs	804.0 afa
Domestic	0.55 cfs	84.6 afa
Commercial	0.04 cfs	0.6 afa

Total limits: 4.90 cfs 881.0 afa *note that above amounts are not additive

The Domestic & Irrigation uses listed above are based on an allowance of 141 domestic uses within the subdivision. The standard allowance of 1.2 afa per domestic use and irrigation of no more than ½ acre per domestic use was used to structure the license. The license allows water for irrigation to be associated with irrigation of common areas within the subdivision as well as irrigation of private lawns but in total the limit is 70.5 acres. Some of the 70.5 acres allowed to be irrigated from ground water has overlapping surface water rights from Mud Creek and Silver Creek. In total the SRBA recommendations as drafted recognize a total of 232.6 acres to be irrigated within the subdivision. (Note that all SRBA recommendations are subject to the SRBA process so this number could change if objections are filed.)

In our discussion you indicated that currently some domestic users including yourself have problems with adequate water pressure from the ground water system and at times have no water delivery. You asked about the possibility of drilling a separate cold water

well to serve your domestic needs to solve your individual delivery problem. To answer your question, please understand several issues need to be considered:

Since the state has already allocated a domestic use to your property, any new well's use would be limited to the "domestic use" when combined with the allocation already licensed. "Domestic use" is defined in Section 42-111 of the IDAHO CODE as follows:

DOMESTIC PURPOSES DEFINED.

(1) For purposes of sections 42-221, 42-227, 42-230, 42-235, 42-237a, 42-242, 42-243 and 42-1401A, Idaho Code, the phrase "domestic purposes" or "domestic uses" means:

(a) The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

(b) Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

(2) For purposes of the sections listed in subsection (1) of this section, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection (1)(b) of this section.

(3) Multiple water rights for domestic uses or domestic purposes, as defined in this section, shall not be established or exercised in a manner to satisfy a single combined water use or purpose that would not itself come within the definition of a domestic use or purpose under this section. The purpose of this limitation is to prohibit the diversion and use of water, under a combination of domestic purposes or domestic uses as defined in this section, to provide a supply of water for a use that does not meet the exemption of section 42-227, Idaho Code, and is required to comply with the mandatory application and permit process for developing a right to the use of water pursuant to chapter 2, title 42, Idaho Code.

In short, drilling a new single domestic well cannot double dip on the resource. When the use from a single domestic well is combined with the existing domestic & irrigation uses of the water right for the subdivision, individually each unit of domestic use is limited to the 42-111(a) definition above. Individually a new domestic well would not be able to irrigate additional land than was already granted under license 47-7680. The regulation of this type of overlap of domestic uses becomes very problematic as if regulation of right 47-7680 is not already problematic when it is combined with existing surface water rights.

Another issue may be the restrictive covenants of the subdivision. Sometimes the state may have little problem with an individual well but if the individual is served by a system such as the subdivision's there may be issues that I am not aware of which may legally bind you. You may need to explore this further.

Another issue is the potential for cross contamination between a private well and a public water supply system such as the subdivision's. This issue needs to be

addressed. There are solutions to this problem but it involves physical assurances that the systems are not and will not be interconnected.

If the above issues are addressed, IDWR is not opposed to individuals drilling domestic wells within the subdivision for domestic use as long as the well use is conditioned properly.

In some respects drilling of single domestic cold- water wells on lots may relieve the burden on the hot water aquifer. Additionally, ceasing irrigation of common areas with hot water and replacing the irrigation with existing surface water rights held by the subdivision should be encouraged as long as overall historical acreage limits and diversion rates are held constant. (This may require the subdivision to file transfers of water rights to accomplish changes or additions of points of diversion and modification of the place of uses for their water rights.)

Although drilling of a single domestic well for your use may be a solution to your problem there may be other solutions that may need to be explored for solving the problems for the entire water system.

If you have further questions please feel free to contact this office.

Sincerely,



Allen Merritt, PE
Southern Region Manager

CC: Nathan Erickson, Shelley Keen – IDWR

CC: Kanaka Rapids Ranch Homeowners Water System Inc



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 18, 2006

Gary Yost
4472 Silver Lakes Rd
Buhl, ID 83316

RE: Domestic use in Kanaka Rapids Ranch

Dear Mr. Yost:

This letter is being written at your request to document our phone conversation this day.

As I explained, the Kanaka Rapids Ranch water system diverting ground water has been allocated 141 domestic uses in water right 47-7680. This right was licensed in 2003. As you may know this water right in the near future will be recommended to the SRBA court for decree as will other surface water rights. This water right 47-7680 allocates water for the following uses:

Irrigation	1.41 cfs	84.6 afa
Stockwater	0.01 cfs	0.20 afa
Heating	4.90 cfs	804.0 afa
Domestic	0.55 cfs	84.6 afa
Commercial	0.04 cfs	0.6 afa

Total limits: 4.90 cfs 881.0 afa *note that above amounts are not additive

The Domestic & Irrigation uses listed above are based on an allowance of 141 domestic uses within the subdivision. The standard allowance of 1.2 afa per domestic use and irrigation of no more than ½ acre per domestic use was used to structure the license. The license allows water for irrigation to be associated with irrigation of common areas within the subdivision as well as irrigation of private lawns but in total the limit is 70.5 acres. Some of the 70.5 acres allowed to be irrigated from ground water has overlapping surface water rights from Mud Creek and Silver Creek. In total the SRBA recommendations as drafted recognize a total of 232.6 acres to be irrigated within the subdivision. (Note that all SRBA recommendations are subject to the SRBA process so this number could change if objections are filed.)

In our discussion you indicated that currently some domestic users including yourself have problems with adequate water pressure from the ground water system and at times have no water delivery. You asked about the possibility of drilling a separate cold water

well to serve your domestic needs to solve your individual delivery problem. To answer your question, please understand several issues need to be considered:

Since the state has already allocated a domestic use to your property, any new well's use would be limited to the "domestic use" when combined with the allocation already licensed. "Domestic use" is defined in Section 42-111 of the IDAHO CODE as follows:

DOMESTIC PURPOSES DEFINED.

(1) For purposes of sections 42-221, 42-227, 42-230, 42-235, 42-237a, 42-242, 42-243 and 42-1401A, Idaho Code, the phrase "domestic purposes" or "domestic uses" means:

(a) The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

(b) Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

(2) For purposes of the sections listed in subsection (1) of this section, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection (1)(b) of this section.

(3) Multiple water rights for domestic uses or domestic purposes, as defined in this section, shall not be established or exercised in a manner to satisfy a single combined water use or purpose that would not itself come within the definition of a domestic use or purpose under this section. The purpose of this limitation is to prohibit the diversion and use of water, under a combination of domestic purposes or domestic uses as defined in this section, to provide a supply of water for a use that does not meet the exemption of section 42-227, Idaho Code, and is required to comply with the mandatory application and permit process for developing a right to the use of water pursuant to chapter 2, title 42, Idaho Code.

In short, drilling a new single domestic well cannot double dip on the resource. When the use from a single domestic well is combined with the existing domestic & irrigation uses of the water right for the subdivision, individually each unit of domestic use is limited to the 42-111(a) definition above. Individually a new domestic well would not be able to irrigate additional land than was already granted under license 47-7680. The regulation of this type of overlap of domestic uses becomes very problematic as if regulation of right 47-7680 is not already problematic when it is combined with existing surface water rights.

Another issue may be the restrictive covenants of the subdivision. Sometimes the state may have little problem with an individual well but if the individual is served by a system such as the subdivision's there may be issues that I am not aware of which may legally bind you. You may need to explore this further.

Another issue is the potential for cross contamination between a private well and a public water supply system such as the subdivision's. This issue needs to be

addressed. There are solutions to this problem but it involves physical assurances that the systems are not and will not be interconnected.

If the above issues are addressed, IDWR is not opposed to individuals drilling domestic wells within the subdivision for domestic use as long as the well use is conditioned properly.

In some respects drilling of single domestic cold- water wells on lots may relieve the burden on the hot water aquifer. Additionally, ceasing irrigation of common areas with hot water and replacing the irrigation with existing surface water rights held by the subdivision should be encouraged as long as overall historical acreage limits and diversion rates are held constant. (This may require the subdivision to file transfers of water rights to accomplish changes or additions of points of diversion and modification of the place of uses for their water rights.)

Although drilling of a single domestic well for your use may be a solution to your problem there may be other solutions that may need to be explored for solving the problems for the entire water system.

If you have further questions please feel free to contact this office.

Sincerely,



Allen Merritt, PE
Southern Region Manager

CC: Nathan Erickson, Shelley Keen – IDWR

CC: Kanaka Rapids Ranch Homeowners Water System Inc

NOTICE OF ERROR
REPLY

10/17/2006
RECEIVED

NOV 09 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 47-7680

KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

PO BOX 508

BUHL ID 83316

Telephone Number: (208)543-9093

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11/9/2006

SIGNATURE:

Mary Rosen

Please print your name:

Mary Rosen

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

08/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-7680
NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC
PO BOX 508
BUHL ID 83316
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 4.900 CFS
881.000 AFY
PRIORITY DATE: 11/20/1980
POINT OF DIVERSION:
T09S R14E S10 NESENE Within TWIN FALLS County
T09S R14E S10 NWSESE Within TWIN FALLS County
T09S R14E S14 NWSSENW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.410 CFS 84.60 AFY
STOCKWATER	01/01 12/31	0.010 CFS 0.20 AFY
HEATING	01/01 12/31	4.900 CFS 804.00 AFY
DOMESTIC	01/01 12/31	0.550 CFS 84.60 AFY
COMMERCIAL	01/01 12/31	0.040 CFS 0.60 AFY

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This water right authorizes the use of water for domestic and heating purposes for a maximum of 141 homes. Domestic use does not include the use of water for the irrigation of lawns, landscaping, or gardens or any other kind of irrigation in addition to the irrigation specifically authorized under this right.

This water right authorizes the use of water for commercial purposes for one shop.

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T09S R14E S10 Lot 4 NENE	1.50	T09S R14E S10 Lot 4 NWNE	2.50
T09S R14E S10 SWNE	1.00	T09S R14E S10 SENE	3.00
T09S R14E S10 Lot 4 NENW	0.50	T09S R14E S10 Lot 3 SENW	1.00
T09S R14E S10 NESE	10.00	T09S R14E S10 SESE	4.00
T09S R14E S11 Lot 9 NWNE	1.50	T09S R14E S11 Lot 8 NENW	2.00
T09S R14E S11 Lot 3 NWNW	2.00	T09S R14E S11 SWNW	4.00
T09S R14E S11 SENW	1.00	T09S R14E S11 NWSW	13.00
T09S R14E S11 SWSW	8.50	T09S R14E S11 SESW	1.50

T09S R14E S14	NWNE	1.50	T09S R14E S14	SWNE	1.50
T09S R14E S14	NENW	4.50	T09S R14E S14	NWNW	5.00

08/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T09S R14E S14	SENW	1.00	
<u>STOCKWATER Within TWIN FALLS County</u>			
T09S R14E S11	NWSW		
<u>COMMERCIAL Within TWIN FALLS County</u>			
T09S R14E S11	NWSW		
<u>HEATING Within TWIN FALLS County</u>			
T09S R14E S10 Lot 4	NENE		T09S R14E S10 Lot 4 NWNE
T09S R14E S10	SWNE		T09S R14E S10 SENE
T09S R14E S10 Lot 4	NENW		T09S R14E S10 Lot 3 SENW
T09S R14E S10	NESE		T09S R14E S10 SESE
T09S R14E S11 Lot 9	NWNE		T09S R14E S11 Lot 8 NENW
T09S R14E S11 Lot 3	NWNW		T09S R14E S11 SWNW
T09S R14E S11	SENW		T09S R14E S11 NWSW
T09S R14E S11	SWSW		T09S R14E S11 SESW
T09S R14E S14	NWNE		T09S R14E S14 SWNE
T09S R14E S14	NENW		T09S R14E S14 NWNW
T09S R14E S14	SENW		
<u>DOMESTIC Within TWIN FALLS County</u>			
T09S R14E S10 Lot 4	NENE		T09S R14E S10 Lot 4 NWNE
T09S R14E S10	SWNE		T09S R14E S10 SENE
T09S R14E S10 Lot 4	NENW		T09S R14E S10 Lot 3 SENW
T09S R14E S10	NESE		T09S R14E S10 SESE
T09S R14E S11 Lot 9	NWNE		T09S R14E S11 Lot 8 NENW
T09S R14E S11 Lot 3	NWNW		T09S R14E S11 SWNW
T09S R14E S11	SENW		T09S R14E S11 NWSW
T09S R14E S11	SWSW		T09S R14E S11 SESW
T09S R14E S14	NWNE		T09S R14E S14 SWNE
T09S R14E S14	NENW		T09S R14E S14 NWNW
T09S R14E S14	SENW		

70.5 ACRES TOTAL

Domestic and heating places of use are located within Lots 1-99, Kanaka Rapids Ranches P.U.D.; and Lots 201, 203-234, and 236-244, The Riverside at Kanaka Rapids Ranch.

The rights listed below are limited to the irrigation of a combined total of 232.6 acres in a single irrigation season. Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B.

Right 47-7680 overlaps 37.3 acres on lands irrigated from Mud Creek and 1.7 acres on lands irrigated from Unnamed Stream (Silver Creek) while providing primary irrigation water to 31.5 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

08/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall use the full allotment of appurtenant surface water rights available under Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B in conjunction with groundwater diverted for irrigation purposes under this right.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.



47-7680



**Prepared by A. Merritt
On Wednesday, August 16, 2006
2004 Aerial Photography**

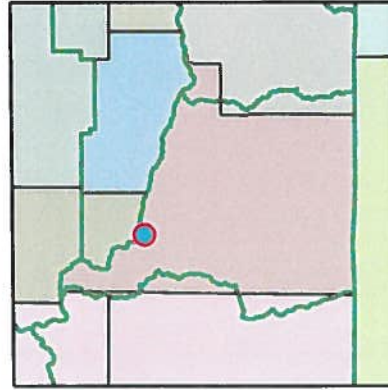




47-7680



Point of Diversion
 Place of Use
 Townships
 PLS Sections
 Quarter Quarters



1.2 Miles

**Prepared by A. Merritt
On Wednesday, August 16, 2006
2004 Aerial Photography**

Owner: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

47-7261 B

16 2005

Overlap with 47-7680
1.7 ~~2005~~ 2005

SPE

✓	47-7261 A	0.80	~~114~~	40.1
✓	2174	1.10	55	
✓	2175	0.58	29	
✓	47-2179	1.22	61	
		3.70	185.1	
	Total		185.1	Acres

47-7680

Overlap Mud creek 37.3

Overlap Silver Creek 1.7

Not Overlapped

Sec 14	13.5	= 12.5
Sec 11	8.5 + ~~1.5~~ + (1.)	= ~~10.5~~ 11.0
Sec 10	4.0 + (3)	= 7.0
		~~35.4~~
		31.5
		70.5

Total Acres

Mud Creek

Silver Creek

Hot Primary

185.1

16

31.5

232.6

47-7680

overlap

37.3

1.7

31.5

70.5

MEMORANDUM

DATE: October 22, 2002

TO: Water Right File 47-7680

FROM: Shelley W. Keen ^{SWK}

RE: Confirmation of the Elements of the Water Right

Each element of water right 47-7680, as proposed in the application for amendment of permit prepared in October of 2002, was confirmed as explained in the following paragraphs.

Priority Date

The original application for permit was filed on November 20, 1980. Proof of Beneficial Use was due 8/1/1991 and submitted 7/30/1991. Because proof was not late, the priority has not been advanced from the original filing date.

Maximum Diversion Rate

The permit was issued for 14.60 cfs. In his beneficial use field report, Allen Merritt used information from the owner's engineer, Michael Choat, showing that the primary production well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S14, T9S, R14E, produces 2200 gpm, or 4.90 cfs. Merritt did not recommend adding the capacities of the other two wells because he strongly suspects that they are hydraulically connected to the first well and that diversions from them interfere with production from the first well. Merritt gave the right holder's opportunity to show otherwise, but they did not provide additional relevant information.

Maximum Diversion Volume

The maximum diversion volume on the amendment is not the sum of the annual diversion volumes for each use. To prevent expansion of the right, the volume is limited by the volume that would have been used had the permit been developed as it was initially permitted. That volume is calculated as follows:

In-house domestic use for 99 homes at 0.6 af/home	59.4 af
Heating use for 99 homes at 5.7 af/home	564.3 af
Commercial use in 99 greenhouses at 2.0 af/use	198.0 af
Irrigation of 99 half-acre lawns at 0.6 af/lawn	<u>59.4 af</u>
Total	881.0 af (rounded to 3 significant figures)

A diversion of 4.90 cfs all year is capable of producing 3540 af, which is more than the recommended maximum diversion volume.

Owner

The original permit holder, Collins Brothers Corporation, assigned the permit to Kanaka Rapids Ranch Homeowners Water System, Inc., on July 26, 1991.

Source

The permit was issued with a source of ground water. Allen Merritt confirmed the source in 1995. See the Beneficial Use Field Report.

Beneficial Uses

The permit was originally issued for irrigation of 430 acres and domestic, heating and commercial purposes for 99 homes. The order issuing the permit further stated that the irrigation is allowed only with water already used for another purpose and that the irrigation is supplemental to other water rights.

- The commercial use was identified in the application for permit as being for greenhouses. The greenhouses were never established. The only "commercial" use verified by Allen Merritt was the water use in one maintenance shop. Because most of the commercial use was not developed, it provides "trading stock" for adding other uses that were developed, including additional domestic units and stockwater.
- Stockwater was first identified during Allen Merritt's beneficial use field examination. He found water being used for the watering of approximately 15 horses. This use can be added because the commercial and irrigation uses were not developed.
- Under the permit, water could not be used for irrigation unless it was first used for another purpose. Some in the Department have interpreted this limitation as applying to "domestic" irrigation (lawns, landscaping, and gardens) as well as to agricultural irrigation. The right holder believes, and the proposed licensing amendment will confirm, that the limitation applies only to the agricultural irrigation, which ultimately was not developed. The 70.5 acres of irrigation use listed on the amendment is equivalent to the half-acre of "domestic" irrigation per home that can be authorized under domestic use. The half-acre per home is not being described as domestic use because it is not being limited to lawns and gardens. Instead, because the homes in Kanaka Rapids Ranches P.U.D. are on small lots with significant landscaped common areas between, the half-acre limit per home is being lumped together to authorize irrigation of common area.

Surface water under Rights 47-7261A and 47-7261B are also used for irrigation in Kanaka Rapids Ranches P.U.D. and in The Riverside. Conditions of approval should direct the right holder to make full use of the surface water as the primary supply.

- Heating was identified in the application for permit and limited to 99 homes in the order issuing the permit. Allen Merritt found the water system for the Kanaka Rapids Ranches P.U.D. to be capable of delivering water to 99 homes for heating purposes. Merritt questioned the use of water for heating purposes on the The Riverside portion of the development. In 2002 Norman Semanko, the attorney representing Collins Bros., provided additional information showing that the water lines were stubbed in to the 42 lots on The Riverside prior to proof of beneficial use being submitted. The 42 additional lots can be added because the commercial use was not developed.
- Domestic use was identified in the application for permit and limited to 99 homes in the order issuing the permit. Allen Merritt found the water system for the Kanaka Rapids Ranches P.U.D. to be capable of delivering water to 99 homes for domestic purposes. Merritt questioned the use of water for domestic purposes on the The Riverside portion of the development. In 2002 Norman Semanko, the attorney representing Collins Bros., provided additional information showing that the water lines were stubbed in to 42 lots on The Riverside prior to proof of beneficial use being submitted. Lots 235 and 202 of The Riverside are not included because they are common area. The 42 lots in The Riverside can be added because the permitted commercial use was not developed.

Period of Use for Each Use

- Irrigation Standard irrigation season.
- Commercial Full year
- Heating Full year
- Domestic Full year
- Stockwater Full year

Diversion Rate for Each Use

- Irrigation – Standard 0.02 cfs per acre.
- Commercial – Standard domestic rate for one shop.
- Heating – At 0.05 cfs per home as recommended by Merritt, up to 7.05 cfs could be beneficially used. The licensed rate of 4.90 cfs is equivalent to the capacity of the diversion system. It provides 0.035 cfs per home.
- Domestic – The diversion rate is taken from Exhibit 12 of Appendix A of the field examiner's handbook, which describes the maximum instantaneous requirements for in-house domestic use.
- Stockwater – Based on the requirements for 15 horses as found in Exhibit 15 in Appendix A of the Field Examiner's Handbook.

Annual Diversion Volume for Each Use

- Irrigation – Standard volume for lawn/garden component of domestic use of 0.6 af/lawn for 141 lawns/gardens.
- Commercial – Standard in-house volume for a single home (shop)
- Heating – Based on Merritt's calculation of 5.7 af per home.

- Domestic -- 0.6 af per home, or about 100 gallons per person per day in a home with five people.
- Stockwater -- Based on the requirements for 15 horses as found in Exhibit 15 in Appendix A of the Field Examiner's Handbook.

Location of Points of Diversion

The points of diversion are taken from Allen Merritt's field report. They match the locations provided on the original application for permit, except that Merritt refined the descriptions to the 10-acre tract.

Place of Use for Each Use

- Irrigation -- Allen Merritt's estimate of 73.0 acres was adjusted by rounding to the nearest half-acre per tract and by reducing some tracts to get down to 70.5 acres. The largest reduction from Merritt's estimate was one full acre in the NESE, Section 10.
- Commercial -- Taken from Allen Merritt's field report.
- Heating -- The tracts listed are those containing building lots in Kanaka Rapids Ranches P.U.D. and The Riverside at Kanaka Rapids Ranch.
- Domestic -- The tracts listed are those containing building lots in Kanaka Rapids Ranches P.U.D. and The Riverside at Kanaka Rapids Ranch.
- Stockwater -- The common area marked as pasture (Lot 235 of The Riverside) is in the NWSW of Section 11.

RECEIVED

NOV 24 2000

Department of Water Resources

NORMAN M. SEMANKO
ATTORNEY AT LAW
410 S. ORCHARD, SUITE 144
BOISE, IDAHO 83705

November 22, 2000

Mr. Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83706

RE: Kanaka Rapids Ranch - Permit No. 47-07680

Dear Karl:

This letter is meant to follow-up on the meeting that was held in your office on November 6 regarding the licensing of Permit No. 47-07680, held by Kanaka Rapids Ranch. We appreciate your willingness to meet with us.

Based on our meeting, we understand that you are willing to consider licensing heating and domestic uses (including lawns) for more than 99 residential lots, provided that proof can be provided to document that these additional lots were "stubbed-in" prior to the deadline for submitting proof of beneficial use in July, 1991. Following the meeting, Norm Young indicated that he would review the Department's files to determine whether such evidence already exists in your files. To date, he has not found anything. As a result, we will also review our records and provide any and all documentation that exists as soon as possible. In the meantime, we request that you refrain from issuing a final license. Our understanding is that approximately 141 lots, rather than 99, were stubbed-in prior to July, 1991. We are quite sure that such documentation exists, especially given that the Riverside portion of the water system (constituting the additional 42 lots) was replaced in 1994, as witnessed by Norm Young during his visit to Kanaka Rapids Ranch that year.

Once the total number of lots is established, we understand that up to one-half acre of "domestic" irrigation will be allowed per lot. We were encouraged that you seemed receptive to the idea of limiting Kanaka Rapids Ranch's irrigation (including lots, open space and trees) to the cumulative number of acres otherwise allowed for the lots. This would not increase the number of acres irrigated or the amount of water used for such purposes, but would provide flexibility to recognize the residential irrigation that already exists (i.e. trees, open space, and several lawns) even if it has to come at the expense of some of the lots that have not yet had homes built on them.

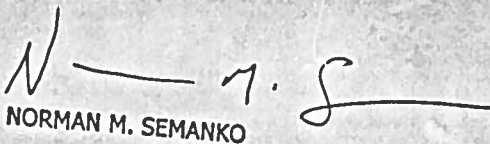
PHONE: 208-344-6690
FAX: 208-344-2744
E-MAIL: NORM@IWUA.ORG

Mr. Karl Dreher
November 22, 2000
Page 2

Finally, with regard to the Bluffs portion of Kanaka Rapids Ranch, we understand that the Department would be willing to entertain a permit or transfer application to provide water to these additional lots after licensing is completed, provided that the total quantity of water uses is not increased. As discussed, this could be accomplished by agreeing to implement restrictive conservation measures for the use of water on the lots covered by the license.

We look forward to continuing to work with you to resolve this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "N. M. Semanko", with a long horizontal line extending to the right.

NORMAN M. SEMANKO

NMS:kje
cc:John Simpson
Collins Bros. Corp.

Lists for Irrigation Analysis

2 Place(s) of Use: Trees (Existing) Indicate Method of Determination

Twp	RCE	SEC	NE				NW				SW				SE				Totals
			1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
9S	14E	10	36	60	28	95				27					170		68	484	13.9
			1.0	1.7	0.8	2.7				0.8					4.9		2.0		
9S	14E	11		42			56	40	80	28	148	164	50					608	17.5
				1.7			1.6	1.2	2.3	0.8	4.3	4.7	1.4						
9S	14E	14		38	30		64	112		20								264	7.6
				1.1	0.9		1.8	3.2		0.6									
																		1356	39.0
																		trees	Acres

2 Place(s) of Use: Irrigated Common (Existing) Indicate Method of Determination

TWP	RCE	SEC	NE				NW				SW				SE				Totals
			1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
9S	14E	10		0.1												3.6			3.7
9S	14E	11		0.2				0.8			7.3	1.5	0.1						9.9
9S	14E	14					1.5	0.4											1.9
																			15.5
																			Acres

2 Place(s) of Use: Home sites (Not all exist) Indicate Method of Determination

Twp	RCE	SEC	NE				NW				SW				SE				Totals
			1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
9S	14E	10	4	5	4	6	1			4					19		16	59	7.6
			0.5	0.7	0.5	0.7	0.1			0.5					2.5		2.1		
9S	14E	11		2			5	5	5	2	10	19	1					49	6.6
				0.3			0.7	0.7	0.7	0.3	1.3	2.5	0.1						
9S	14E	14		4	3		11	12		4								34	4.3
				0.5	0.4		1.4	1.5		0.5									
																		142	18.5
																		Home sites	Acres

2 Place(s) of Use: Total Potential Irrigation Indicate Method of Determination

Twp	RCE	SEC	NE				NW				SW				SE				Totals
			1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
9S	14E	10	1.5	2.5	1.3	3.4	0.1			1.3					11.0		4.1	25.2	23.5
			1.5	2.5	1.0	3.0	0.5			1.0					10.0		4.0		
9S	14E	11		1.7			2.3	1.9	3.8	1.1	12.9	8.7	1.6					34.0	37.5
				1.5			2.0	2.0	4.0	1.0	12.0	8.5	1.5						
9S	14E	14		1.6	1.3		4.7	5.1		1.1								13.8	17.5
				1.5	1.5		4.5	5.0		1.0									
																		73.0	70.5
																		Acres	

Beneficial Use Field Report
FOR PERMIT 47-07680

DATE: January 30, 1996
REVISED: October 11, 1996

PART E. NARRATIVE/REMARKS/COMMENTS

This Beneficial Use Field Report was started the day of the initial field review and incorporates additional information gathered later in time from the developer's consultant (Dr. Charles Brockway), from review of DEQ files of the water systems, and from conversations with Mike Choat from Galena Engineers.

At present the water system consists of three wells connected together in a pipeline network supplying water to the original Kanaka Rapids Ranches (KRR) P.U.D. (99 homes) and to the Riverside at Kanaka Rapids Ranch (43 lots; lot #235 not counted because it is a small pasture). The adjacent Bluffs development does not have a water system installed but it is the expressed intent of the developers to connect the Bluffs to the system in the future if water right approvals can be secured. (The Bluffs is not recommended as part of this licensing recommendation.) The three wells can presently serve the KRR and the Riverside for inhouse domestic use and heating. It is my understanding that well #1 is the one that presently serves most of the current needs with well #2 being used as a backup. Well #3 is a production well that is being modified to supply some needs but the new pumping plant may not be on line yet due to power line capacity problems. At the current extent of development well #1 generally meets all needs.

Irrigation Recommendation Analysis

The field review finds that in addition to the domestic and heating uses the water has been and continues to be used for irrigation directly from the well. This irrigation use is summarized on the attached lists and is broken down as: 1) Tree Drip Irrigation System; 2) Homesite Lawn Irrigation; 3) Subdivision Common Area Landscape Irrigation. The tree drip system exists at KRR and Riverside but the extent of area irrigated was not readily measurable. I assumed that the drip system supplies water to mature trees and affects an area around 40' in diameter of each tree. Based on trees at 50' centers and considering some roads have trees on both sides while others have trees only on one side, I have calculated there is approximately 1356 trees and the affected area of these trees is 39 acres. The homesite irrigation is not totally developed. It was noted during the field review that some of the existing houses have extensive irrigation around them while others had very limited irrigation development. Based on Mr. Ferreira's estimate of the average lawn size (0.13 acres/home) and assuming 99 home sites are to be developed in KRR and 43 lots in Riverside, the potential irrigation use would be 18.5 acres (12.9 in KRR & 5.6 in Riverside). The subdivision landscape areas presently exist and are irrigated directly from the wells. These areas are common areas in the KRR and Riverside

irrigated to enhance the subdivision environs and are areas such as parks, turn-arounds, focal areas, etc. The measurement of these areas was provided by Dr. Brockway and total 15.5 acres. In total these wells could ultimately serve 73.0 acres irrigation. (At present there is approximately 60 acres being directly irrigated from the wells). In reviewing the permit file the original application proposed to use the water for irrigation. My understanding of the 1983 Director's Order and the 1988 Supreme Court Decision does not allow any direct irrigation from the wells. The developer contends that the irrigation not allowed by the court was that which was agricultural in nature. During the field review large tracts of land were pointed out that used to be hay fields reportedly irrigated directly from the wells. According to Mr. Ferreira these fields have not been irrigated since around 1988. The developer contends that the irrigation associated with domestic use, the trees and the landscape for the subdivision are not agricultural in nature and can be irrigated. I do not agree and do not recommend any of the water use listed above for irrigation. It is listed for information purposes only and may be used to further the discussion which may ultimately resolve the irrigation issue. (The department should issue an order to cease irrigation if my recommendation is accepted.)

Place of Use Recommendation Analysis

The base water permit has undergone quite an interesting evolutionary history which bears directly on the recommendation. The attached "Timeline for Development" hits many of the important events that must be considered. The water right associated with this permit has become a point of contention between the developer, some of the residents, some of the surrounding neighbors and some other hot water well owners in the area. At issue is the extent of development allowed under the permit. As can be seen from the timeline the wells were initially developed without a water right permit and then the water right was applied for after the fact. The initial application envisioned a slightly different project than that which was ultimately approved or that which was developed. On initial approval the permit was limited by condition by the director. The limits imposed were disputed by the developer and ultimately taken to court with the final decision coming from the State Supreme Court. The court upheld the conditions of the director. On 7/30/1991 the developer filed proof of beneficial use which stopped the development period of the permit. After proof was filed it is evident from DEQ records that the water delivery system was continued to be developed, particularly on the Riverside portion. On 5/10/1994 the department approved an amendment of the permit which changed the place of use to include the Bluffs area. (The KRR and Riverside were already identified as a place of use.) I have struggled with condition #3 of the amendment which limits the use to 99 lots or that which had been stubbed in. It is clear from the record that 99 lots were stubbed in on the original KPR prior to filing proof. It is also clear that well #3 was not connected to the system until after 5/10/1994. It is not clear as

to the development and use of well #3 on the Riverside prior to filing proof and it is questionable what lots were stubbed in prior to 5/10/1994. The data from DEQ supports that the public water domestic system was installed sometime in 1994 on the Riverside. The developer contends the tree drip system existed and was for a time the domestic system for development of the area. The developer also points out that the pipeline installed in 1994 replaced a pipeline that existed before. Mr. Choat described the pipeline hooked to well #3 as an irrigation pipeline. If I interpret Condition #3 one way, I would recommend that the permit would be licensed in two parts with one part for wells #1 & #2 and the southern portion of the development and the second part for well #3 and the northern part of the development. The trouble with this is that it is not clear as to how many homes to associate with each part. In total the limit of homes would still be 99 as permitted. If I interpret Condition #3 to allow the connecting of the wells on the entire place of use described but limit the use to the number of homes found stubbed in prior to 7/30/1991 the total use will remain the same (water for 99 homes) and I would recommend the right as a single right and it would reflect the way the system is currently configured. I discussed this matter with Norm Young this day and he indicates that the latter interpretation was what was intended. Based on this analysis I recommend the Place of Use be that which is comprised of the KRR and the Riverside. The attached maps document the legal location of the place of use.

Use and Amount Recommendation Analysis

The permit was approved for:

Irrigation	6.60 cfs*
Commercial	2.70 cfs
Heating	4.90 cfs
Domestic	<u>0.40 cfs</u>
Total	14.60 cfs*

*Limited by order to allow irrigation only after heat is used. Limits irrigation to be supplemental to other irrigation rights.

Limits other uses for domestic, commercial and heating for 99 homes.

Commercial use listed as greenhouses.

The Proof of Beneficial Use Statement was for:

Irrigation	0.08 cfs
Commercial	0.14 cfs
Heating/Cool	3.57 cfs
Domestic	1.98 cfs
Stockwater	<u>0.02 cfs</u>
Total	5.79 cfs*

*Irrigation listed as 2200 trees.

Commercial listed as 7 RV spaces and irrigation of 99½ lots
1 acre RV.
Heating/Cooling listed for 99 homes (hot tubs use effluent).
Domestic listed for 99 homes.
Stockwater listed for 15 horses.

The field exam found that the following uses exist today:

Domestic hookups: 99 lots in KRR and 43 lots in Riverside
Commercial: 1 Subdivision maintenance shop
Heating: For domestic units described above
Stockwater: Near Maintenance shop of limited horses
*See the attached map which shows which lots have been built
on, which lots where construction has started or will start
shortly and which lots are sold and not sold.

The exam and review of documents found that the development
reasonably existing at the time of filing Proof of Beneficial Use
to be:

Domestic hookups: 99 homes
Heating: 99 homes
Commercial: Shop & 7 RV sites
Stockwater: 15 horses

Maximum Recommendation limits:

Domestic:	106 homes	Max. cfs	AFA
Heating:	99 homes	0.45	63.6
Commercial:	1 shop	4.99	564.3
Stockwater:	15 horses	0.01	0.1
		<u>0.01</u>	<u>0.2</u>
		5.46	628.2

The above uses are from 1/1 to 12/31.

The domestic rate is based on Exhibit #12 of FE handbook.

The domestic volume is based on 0.6 AFA/house or 100 gpd for
6 residents per house per Table #3 of FE handbook.

Note that the 7 RV hookups that existed are recommended as
domestic.

The Heating rate and volume are estimated from the attached
analysis sheets assuming average insulated houses.

The Stockwater rate and volume is based on 15 horses and
Exhibit #13 & Exhibit #15 of FE handbook.

The Commercial rate is based on 50 gpd for 2 workers at the
site of the shop and Table #3 of the FE handbook.

Measurement of Diversion Capacity

During the licensing field review it was noted that all three wells
have meters installed. At that time I requested that the wells be
opened discharged so that the capacity of diversion system could be

measured. The owner indicated that this could not be done since they had no place fixed to dump the water and also they feared that if water was discharged through the pipeline network at a large rate that the wells would carry sediment out of the wells which would clog pressure reducing valves and the emitters on the drip system. Apparently they had experienced problems with sediment in the past as they indicated that repair of these features have cost them many hundreds of dollars. They indicated that the wells had been measured in the past and would submit that information. I told them the department would consider their request and after reviewing the submitted information and calculating the maximum allowable rates may yet require the wells to be tested.

The owner's engineer (Mr. Choat) has supplied the attached information summarized as:

Well #1	2200 gpm max.	4.90
Well #2	250 gpm max. with pump	0.56
Well #3*	<u>850 gpm max.</u> with pump	<u>1.89</u>
	3300 gpm max	7.35 cfs

*Note that well #3 has only recently had a booster pump system installed. It was being installed the day of the field exam. In a phone conversation with Mr. Choat on 1/12/96 he indicated that due to problems with the power company the plant may not yet be operational.

In retrospect an instantaneous capacity measurement from the wells as listed above or that which would have been made had the wells been measured on 7/7/95 does not accurately reflect what the system is capable of supplying on a sustained basis. I have discussed this matter with Paul Castelin, IDWR groundwater geologist, and Paul's opinion is that a stepped test would give a better measure of what the well or wells are capable of supplying on a sustained rate. He indicated that a maximum type rate measurement would deteriorate fairly rapidly. I believe this is evident in the record of well #2. When it was originally drilled it flowed 19 gpm. The well has never been used and the well currently has a pump in it with a static water level of around 41 feet below land surface and pumps at a level around 260' per Walker's well test. It appears from the deterioration of the static level in this well the wells in the area influence each other. I would suspect that Well #1's discharge rate would also deteriorate as development of the project unfolds and the sustainable rate would be less than 2200 gpm.

Review of the Brockway letter finds that at the maximum the developer wishes to achieve 192 homes at 6 gpm/home for heating or a maximum of 1152 gpm (2.57 cfs) for heating. Based on this analysis on 1/30/96 I drafted the following preliminary recommendation and on 1/31/96 met with representatives of the permit holder (Brockway, Semanko & Ferreira) to review it. They

objected to the amounts and I expressed my concern about the system capacity. We settled on me holding the recommendation and allowing them time to prepare an engineering report to support a larger system capacity. Initial Preliminary Recommendation:

Domestic	1/1 to 12/31	0.45 cfs	63.6 AFA
Heating	9/1 to 6/1	2.57 cfs	564.3 AFA
Commercial	1/1 to 12/31	0.01 cfs	0.1 AFA
Stockwater	1/1 to 12/31	<u>0.01 cfs</u>	<u>0.2 AFA</u>
Total		3.04 cfs	628.2 AFA

Domestic is for 106 homes
 Heating is for 99 homes, season is estimated season for heating
 Commercial is for 1 shop
 Stockwater is for 15 horses

On 10/4/1996 I revisited the issue of the system capacity during a conference call (Semanko, Choat & Ferreira). On that date nothing further had been submitted by the permit holder or his representatives. On 10/10/1996 I received the letter from Semanko with attachments. This submittal provides no further information regarding system capacity than has already been reviewed other than the entire Priester Report was submitted instead of just a portion.

I have re-evaluated my preliminary recommendation and have decided that it's basis is weak. I continue to have concerns regarding the system capacity but have decided to base the recommendation on the lowest capacity value of well #1 (2000 gpm). I discount the other two well values since I strongly suspect that they interfere with the capacity of well #1 so should not provide additional capacity to the system. Short of recommending the permit be canceled I believe this is the most conservative approach. Therefore I recommend the right be licensed as follows:

PART H. RECOMMENDATIONS

Domestic	1/1 to 12/31	0.45 cfs	63.6 AFA
Heating	9/1 to 6/1	4.46 cfs	564.3 AFA
Commercial	1/1 to 12/31	0.01 cfs	0.1 AFA
Stockwater	1/1 to 12/31	<u>0.01 cfs</u>	<u>0.2 AFA</u>
Total		4.46 cfs	628.2 AFA

Domestic is for 106 homes (In house use only)
 Heating is for 99 homes, season is estimated season for heating
 Commercial is for 1 shop
 Stockwater is for 15 horses

ADDITIONAL RECOMMENDATIONS

Due to the question of the use of the water for irrigation I recommend that the matter be reviewed by the departments' legal staff and administration prior to license. Also at issue is the

measurement of the system. As discussed there has not been a measurement of the system as it exists today nor was there one made as the system was configured in 1991.

Another issue is the proper construction of the wells. The original permit was granted with a condition about the Director retaining jurisdiction over the casing and sealing of the wells. The problem with the wells pulling material at large discharge and in light of the 8/10/95 letter from Eggleston point to the need to carry forward language about the well construction. I recommend that any license carry a condition regarding well construction and/or monitoring and that the well drilling staff review the well logs and construction of the wells.

Lists for Irrigation Analysis

2 Place(s) of Use: Trees (Existing) Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	
9S	14E	10	36	60	28	95				27							170	68	484
			1.0	1.7	0.8	2.7			0.8								4.9	2.0	13.9
9S	14E	11		47			56	40	80	28		148	164	50					608
				1.2			1.6	1.2	2.3	0.8		4.3	4.7	1.4					17.5
9S	14E	14		38	30		64	112	20										264
				1.1	0.9		1.8	3.2	0.6										7.6
																			1356
																			39.0

Acres

2 Place(s) of Use: Irrigated Common (Existing) Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	
9S	14E	10		0.1													3.6		3.7
9S	14E	11		0.2				0.8			7.3	1.5	0.1						9.9
9S	14E	14					1.5	0.4											1.9
																			15.5

Acres

2. Place(s) of Use: Home sites (Not all exist)

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	
9S.	14E.	10	4	5	4	6	1			4					19		16	59	
			0.5	0.7	0.5	0.7	0.1		0.5					2.5		7.1		7.6	
7S.	14E.	11		2			5	5	5	2		10	19	1				49	
				0.3			0.7	0.7	0.7	0.3		1.3	2.5	0.1				6.6	
9S.	14E.	14		4	3		11	12	4									34	
				0.5	0.4		1.4	1.5	0.5									4.3	
																		142	
																		18.5	

home sites Acres

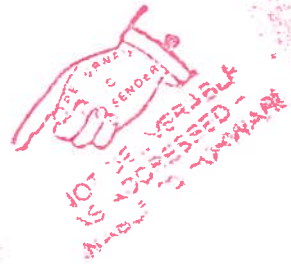
2 Place(s) of Use: Total Potential Irrigation Indicate Method of Determination

Twp	RGE	SEC	NE				NW				SW				SE				Totals
			1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	
9S	14E	10	1.5	2.5	1.3	2.4	0.1			1.3					11.0		4.1	25.2	
9S	14E	11		1.7			2.3	1.9	3.8	1.1		12.9	8.7	1.6				34.0	
9S	14E	14		1.6	1.3		4.7	5.1	1.1									13.8	
																		73.0	

Acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED



NO
SACH
H2S

KANAKA RAPIDS WATER USERS
 176 KANAKA RAPIDS RANCH
 BOHL RD 83316



U.S. POSTAGE

983524253

3301\$00-370 APR 07 2004

0297 MAILED FROM ZIP CODE 83301

1244 River Rd
Burlington VT 05403



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2004

KANAKA RAPIDS RANCH WATER SYSTEM
PO BOX 201
BUHL ID 83316

RE: Snake River Basin Adjudication (SRBA)
Change of Address Notification

Dear Claimant:

Thank you for notifying us of your change in address on the water right claims referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Carrie Hahn
Clerk

SCANNED

MAR 25 2002

Log for claim 47-07680

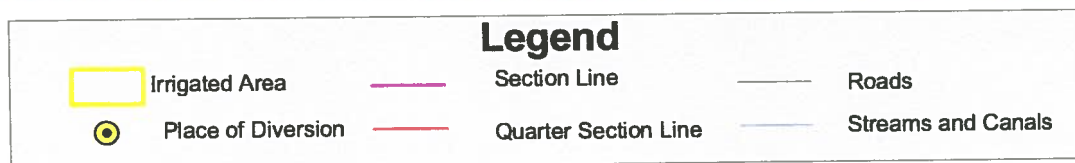
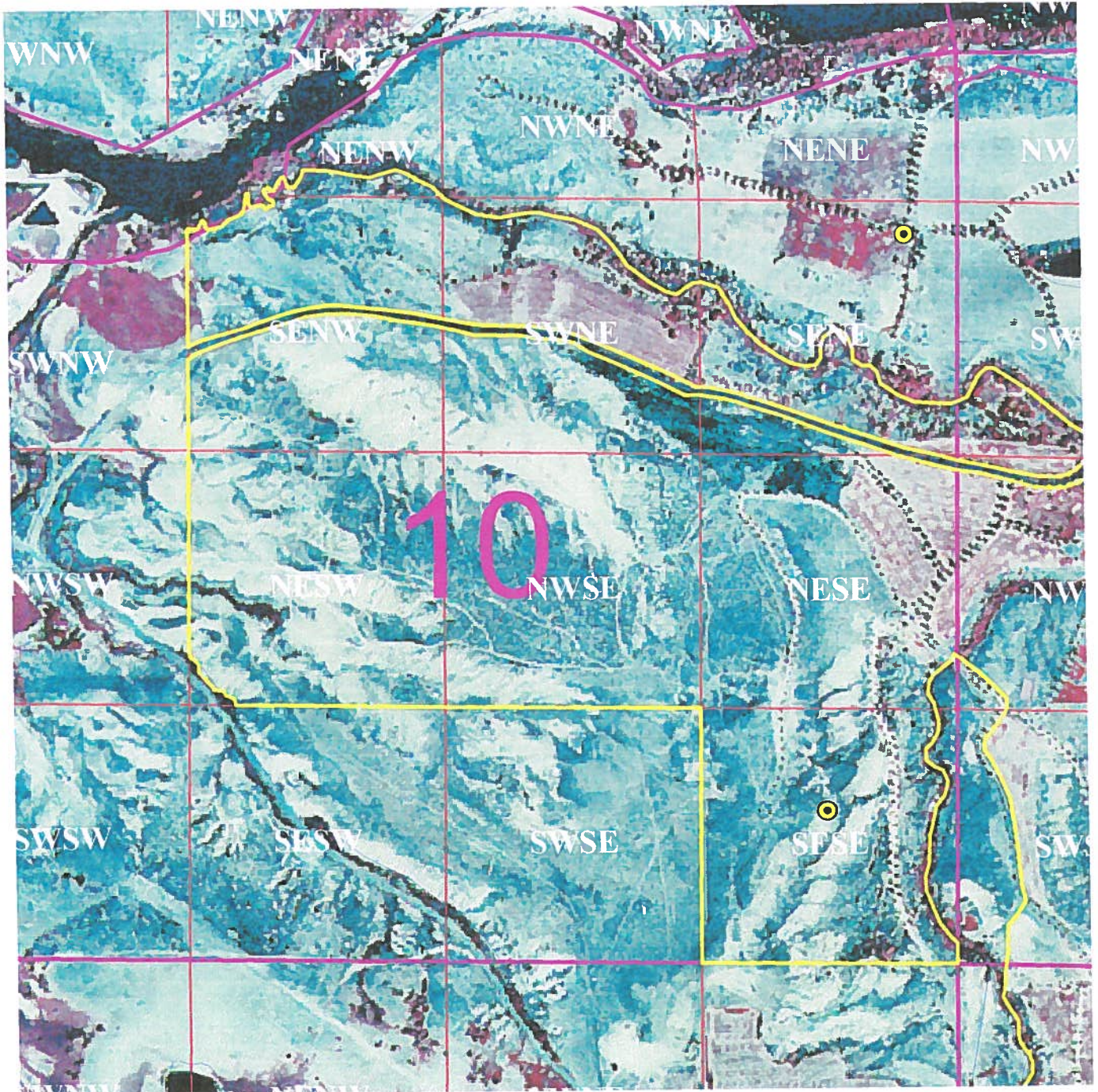
Spatial Dynamics BTD

3/1/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	10	SENW	40	37	
09s14e	10	SWNE	25	32	Indiscernible
09s14e	10	SENE	18	14	POD placement?
09s14e	10	NENW	2	2	
09s14e	10	NESW	40	39	
09s14e	10	NESE	40	39	
09s14e	10	NWSE	40	40	
09s14e	10	SESE	40	37	POD placement?
09s14e	11	SWNW	5	5.9	
09s14e	11	NWSW	35	35	
09s14e	11	SWSW	30	30	
09s14e	14	NWNE	30	39	Indiscernible
09s14e	14	SWNE	5	9.3	Indiscernible
09s14e	14	NENW	40	35	
09s14e	14	NWNW	32	28	
09s14e	14	SENW	8	5.9	POD placement?
Totals:			430	428.1	

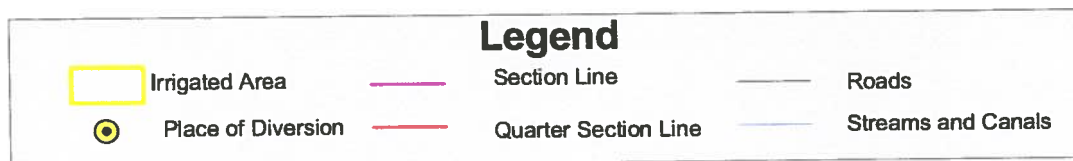
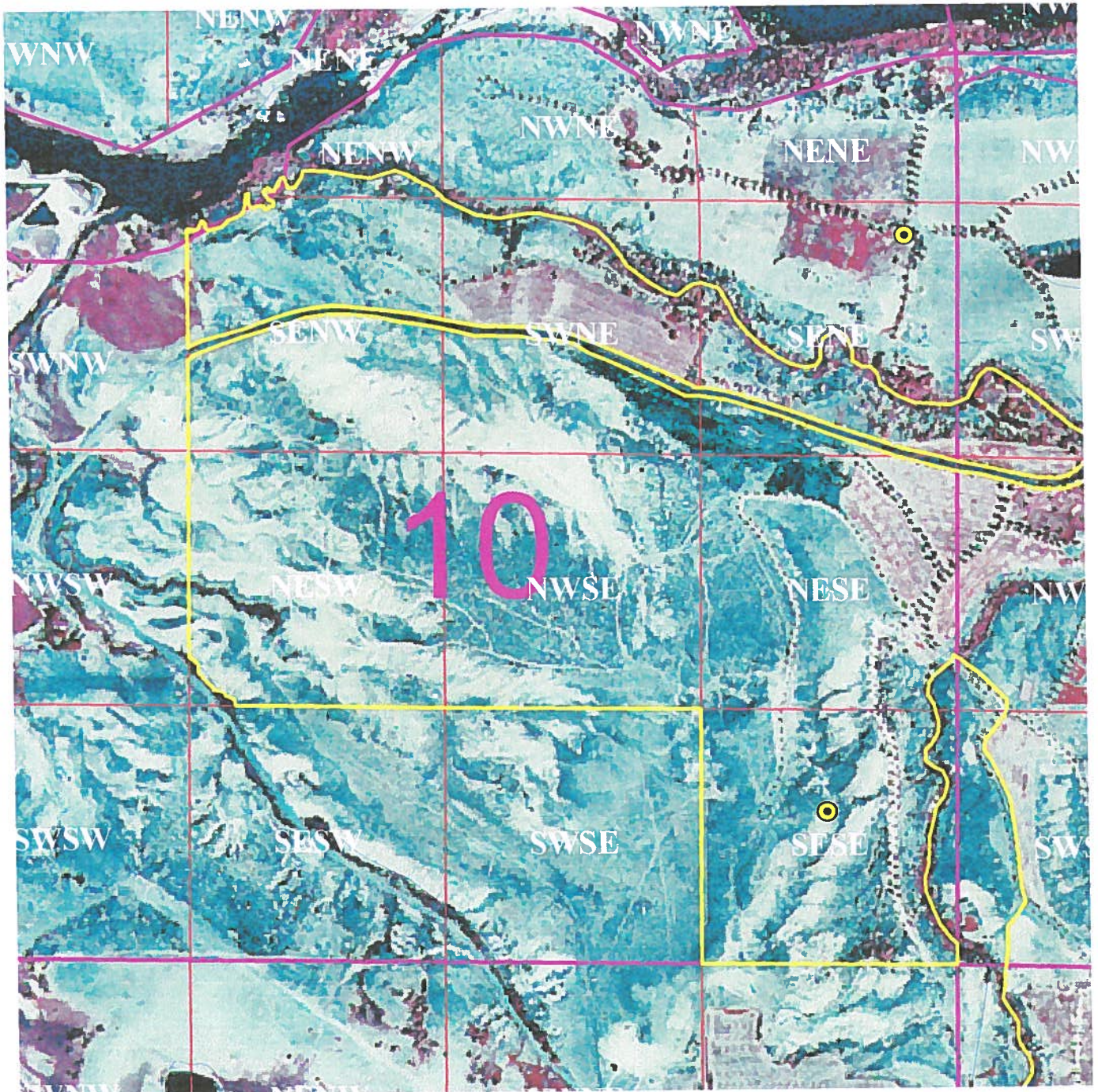
Water Right Claim Number 47-07680
Township , 9S14E

03/01/2001



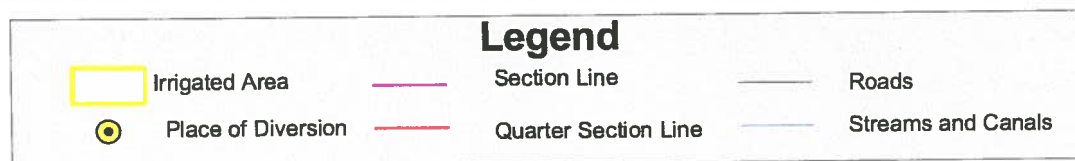
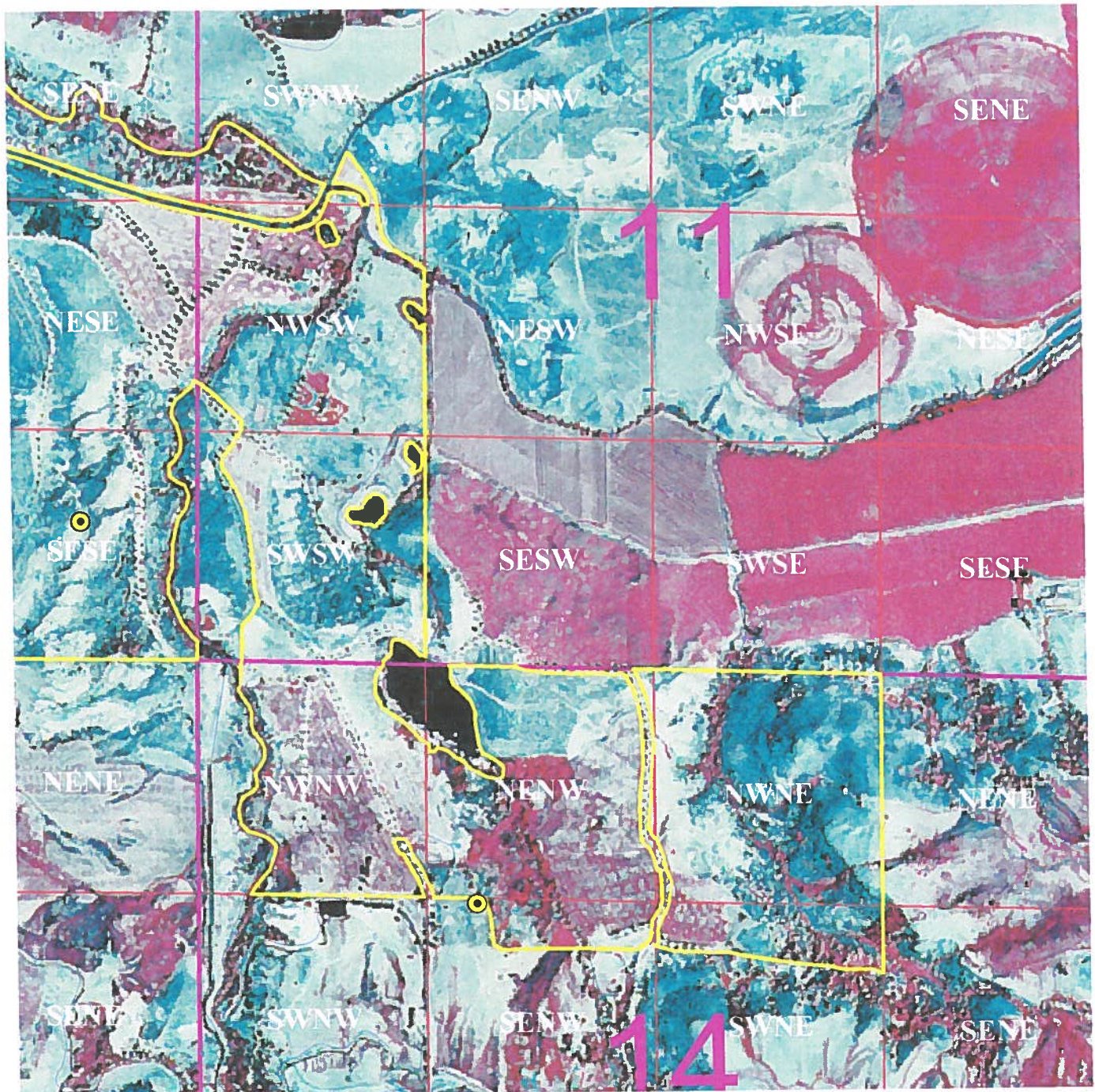
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Township , 9S14E

03/01/2001



Water Right Claim Number 47-07680
Township , 9S14E

03/01/2001



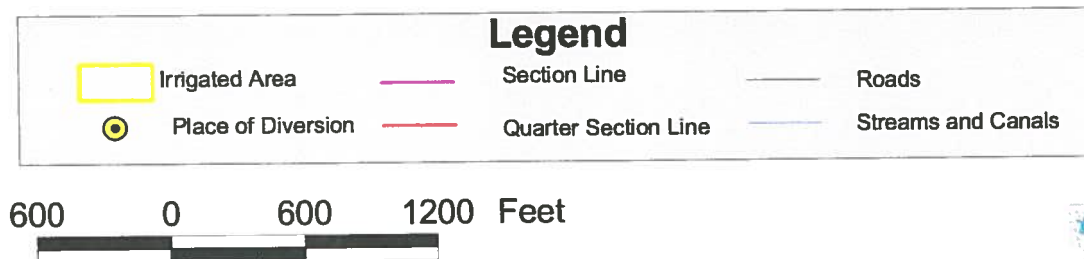
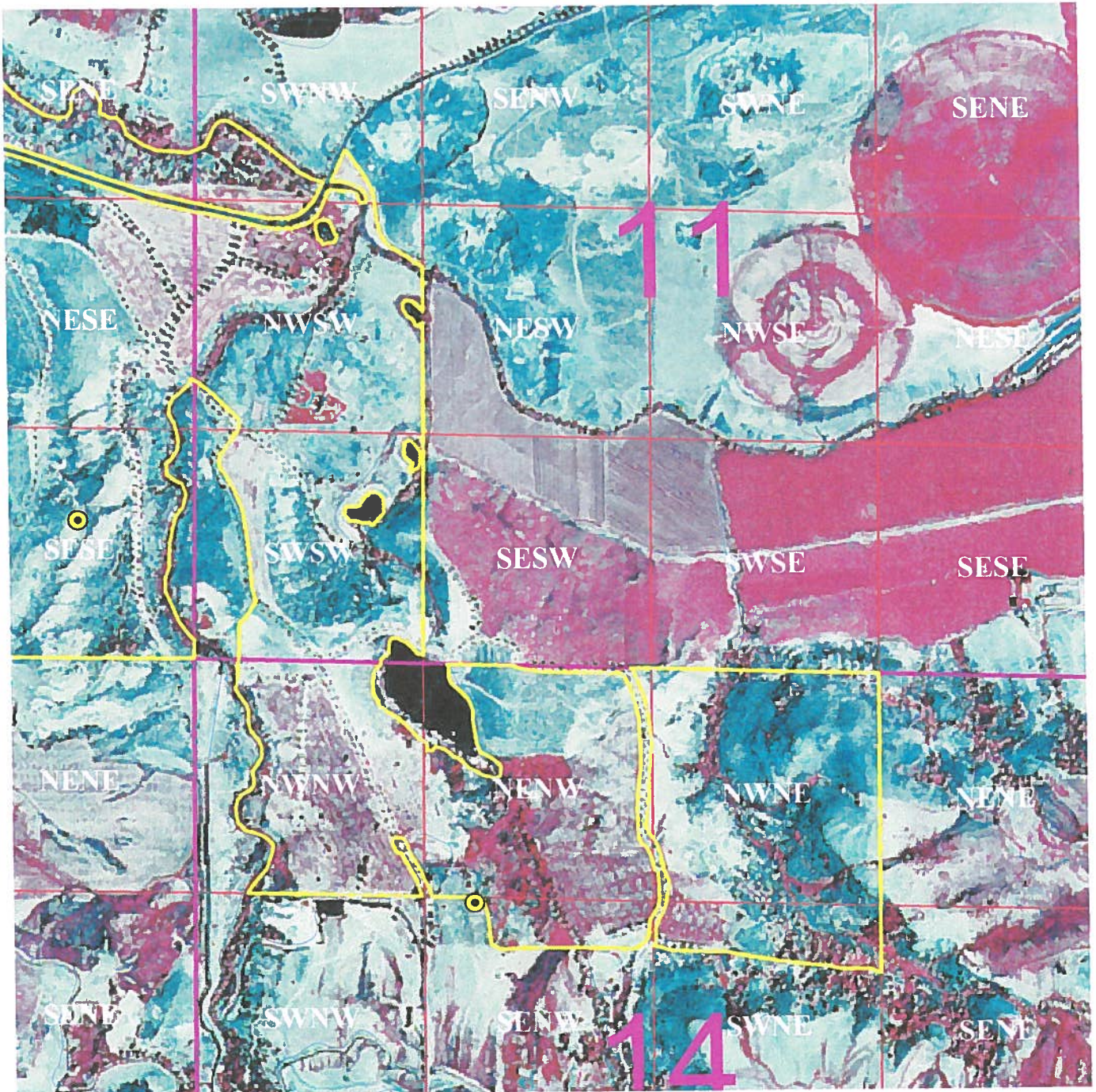
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SPATIAL
DYNAMICS

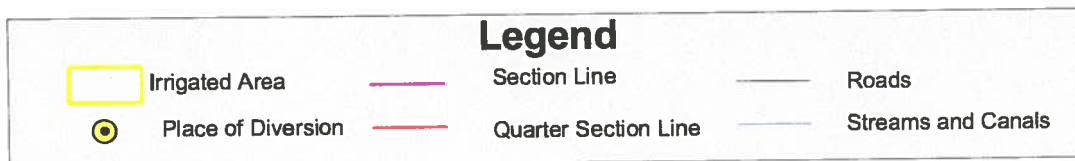
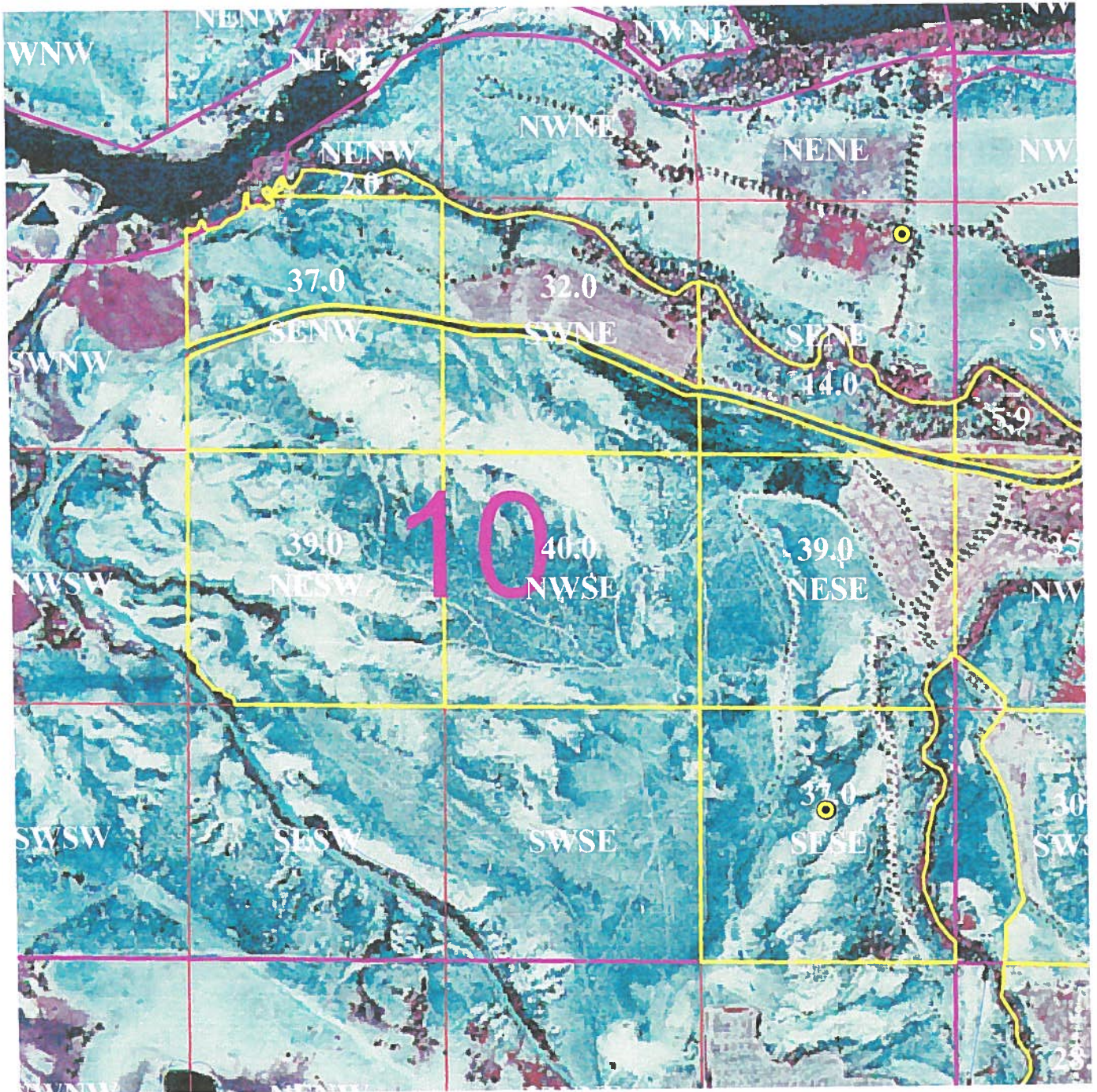
Water Right Claim Number 47-07680
Township , 9S14E

03/01/2001



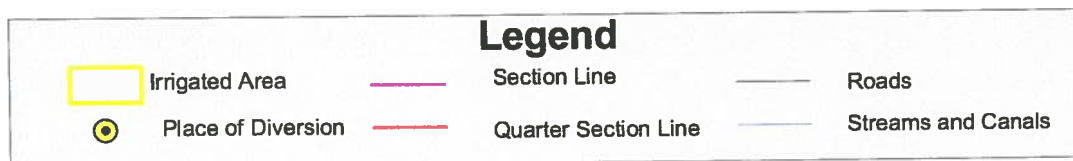
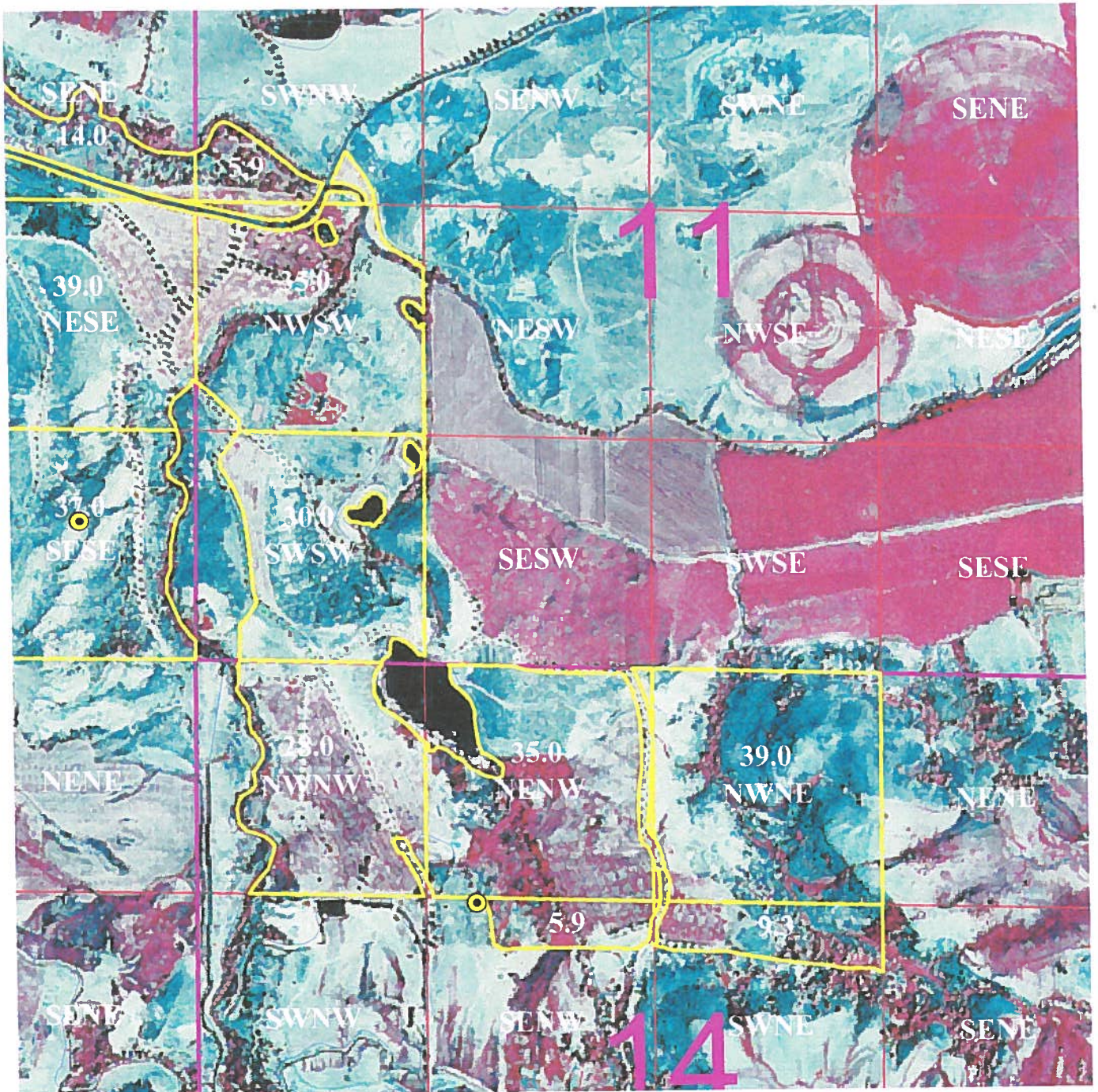
Water Right Claim Number 47-07680
Township , 9S14E

03/01/2001



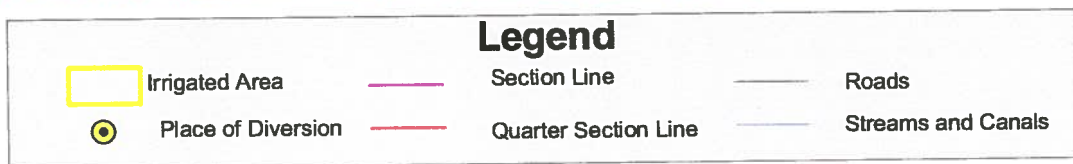
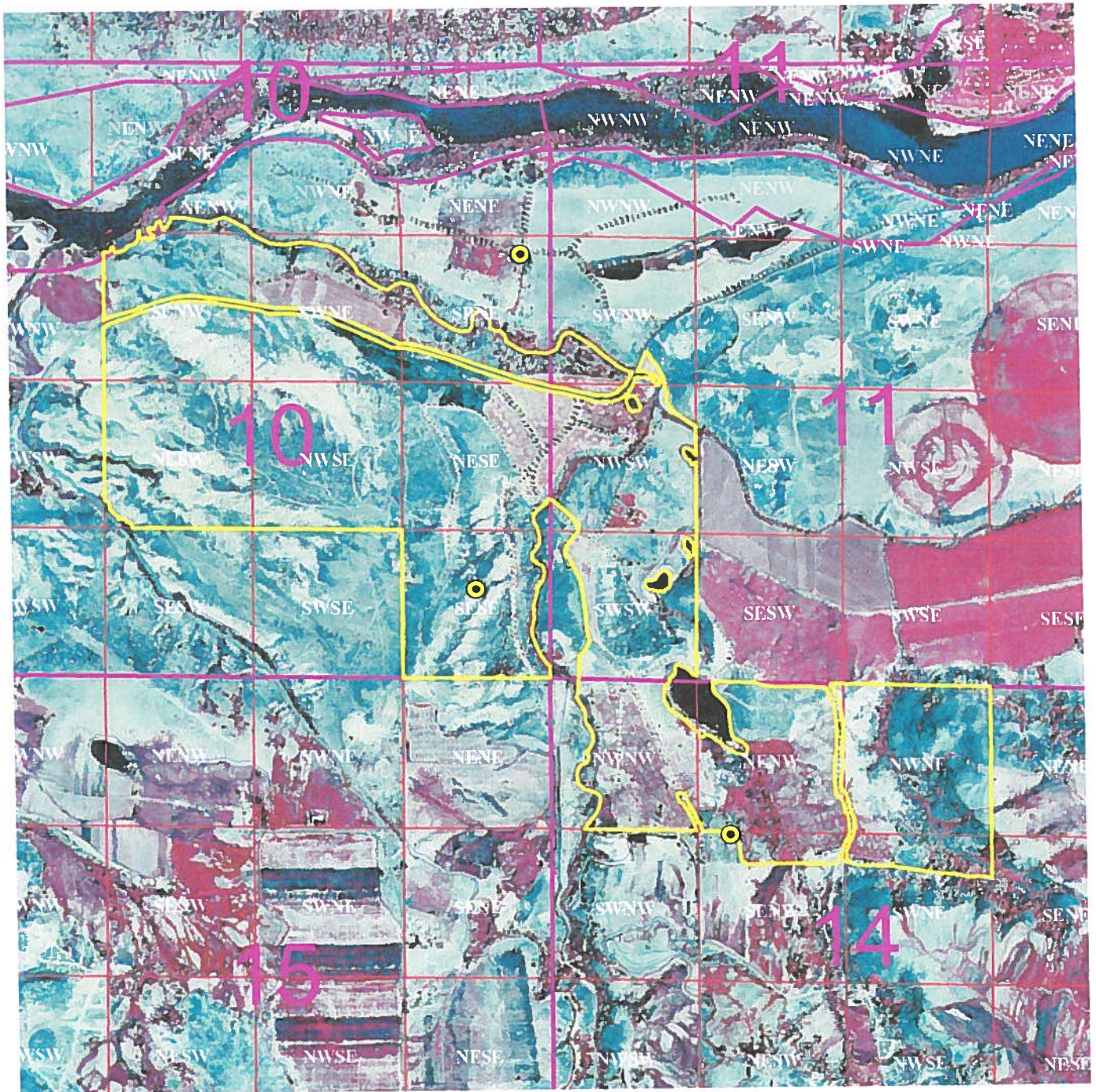
Water Right Claim Number 47-07680
Township , 9S14E

03/01/2001



Water Right Claim Number 47-07680
Township , 9S14E

03/01/2001



 DIVERSION
 VOLUME

Stage: PERMIT

TWIN FALLS County
TWIN FALLS County

TOTAL ACRES

Non-Irrigation Uses: D & G/99 HOUSES C/3 GREENHOUSES S/15 HORSES

AJ5809NP
No. A47-07680

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 229

Other Rights: A47-07261, A47-07551

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-07705A A47-07705A

Other Water Rights Listing Overlapping Place(s) of Use:
A47-00195 A47-00197 A47-02122A A47-04223 A47-07261A A47-07261B A47-13727 A47-14112

Conditions of Approval:

- 01B - The right holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install an access port or other device as specified by the
- Department.
09D - Water used under this right if discharged into a natural
- channel shall meet Idaho Water Quality Standards.

Remarks: GEN THE USE OF WATER SOLELY FOR IRR. FROM THIS GEOTHERMAL AQUIFER IS
NOT IN THE PUBLIC INTEREST & ONLY THE WATER USED FOR ANOTHER
PURPOSE THAT REQUIRES THE HEAT FROM THE WATER CAN BE DISPOSED OF
BY USING IT FOR IRR. THE USE OF WATER FOR IRR. UNDER THIS PERMIT
IS SUPPLEMENTAL TO ALL EXISTING RTS. WITH THE SAME PURPOSE & P/U
& THE OTHER RTS. MUST BE DEVELOPED & USED TO THE FULLEST EXTENT
POSSIBLE FOR IRR. BEFORE THIS PERMIT IS USED FOR IRR. PURPOSES.
THE DIR. OF THE DEPT. OF W.R. RETAINS JURISDICTION OVER THIS
PERMIT TO ASSURE THAT THE WATER DIVERTED IS BENEFICIALLY USED &
FOR THE APPROVAL OF THE CASING & SEALING OF THE WELLS. THE AMT.
OF WATER DIVERTED SHALL NOT EXCEED THAT NECESSARY FOR DOMESTIC,
COMMERCIAL & GEOTHERMAL HEATING FOR 99 HOMES.

ADDRESS CHANGE 5/6/94 BY JG.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	01/31/89 CLELAND	05/06/94 GIVENS	03/30/95 POST-STD