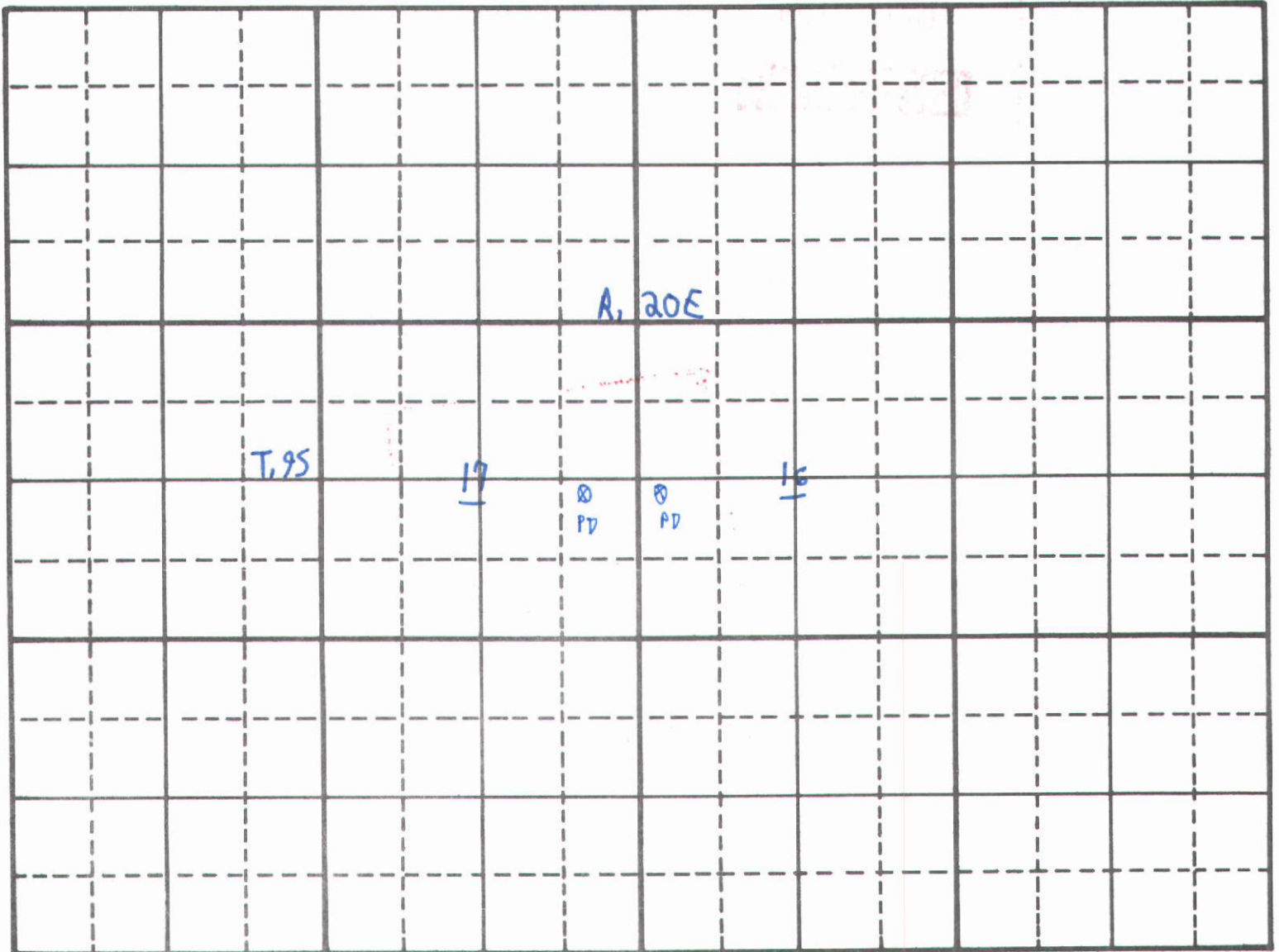


Complete the following map by showing land and point of diversion as proposed by this amendment.

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



Scale: 2 inches equal 1 mile.

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

Signed at Twin Falls, this 10 day of April, 19 90.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00

Received by JO Date 4-10-90 5011920

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

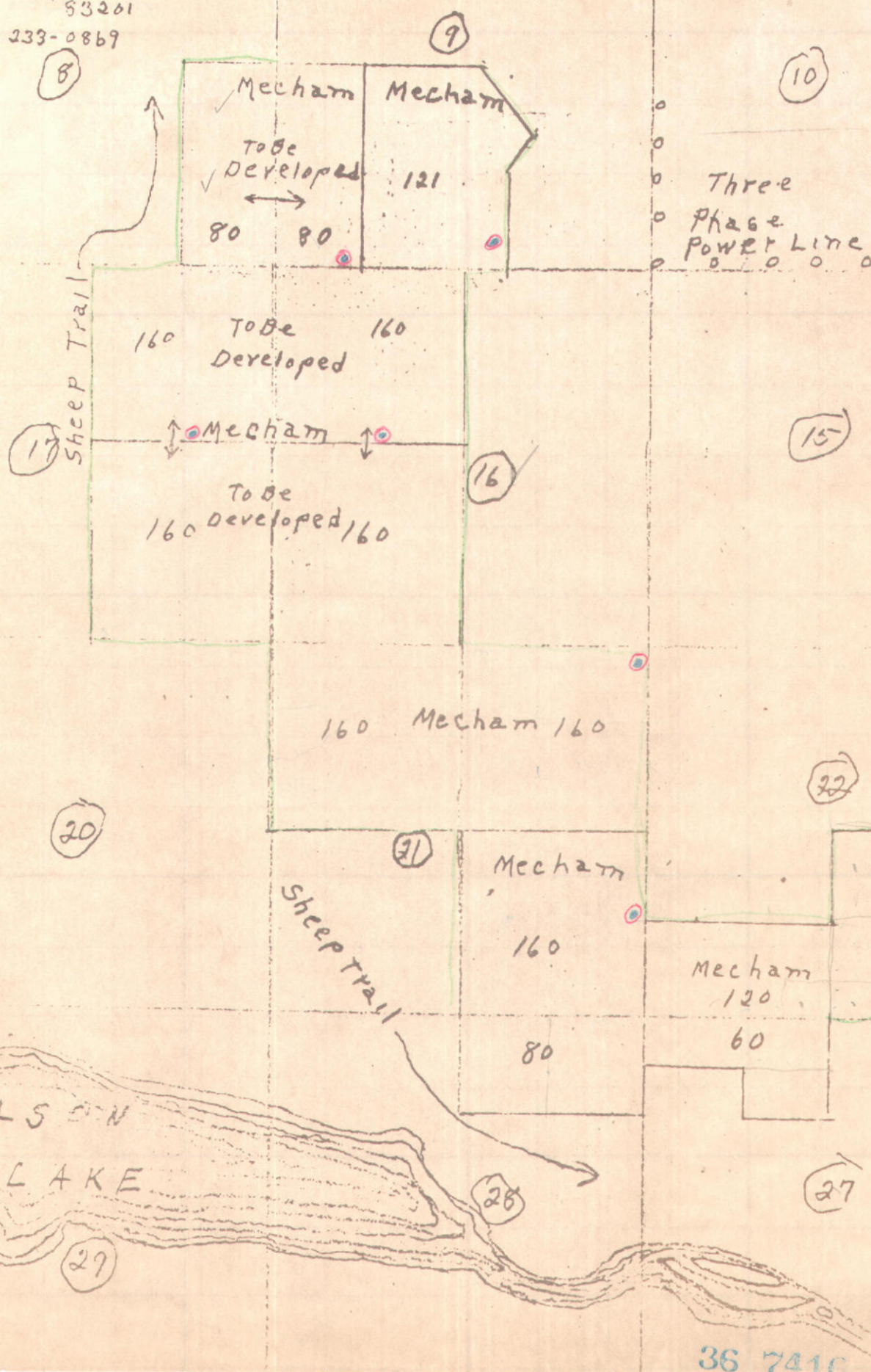
Witness my hand this _____ day of _____, 19 _____

MICROFILMED
NOV 26 1990

Lynn L. Mecham
652 West
Bonnevile
Pocatello, Idaho
83201
Phone - 233-0869

Township 9.S, R. 29E.S.M.
Jerome County

North



Scale: 2 inches equal 1 mile

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

Lynn L. Mecham
(Applicant)

36 7416

AFFIDAVIT of PUBLICATION

RECEIVED

DEC 24 1973

State of Idaho, }
County of Jerome } SS.

Robert H. Hansen, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13 day of Dec., 1973, and the date of the last publication was on the 20 day of Dec., 1973.

Subscribed and sworn to before me this 21st day of December, 1973.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>43</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	315c	
<u>43</u> Lines straight at	21c	<u>9.03</u>
<u>43</u> Subsequent lines at	15c	<u>6.45</u>
TOTAL COST		<u>15.48</u>

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE # 36-7416

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dep't of Water Adm.
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lynn L. Mecham, 652 West Bonneville, Pocatello, ID has on December 6, 1973 submitted Application No. 36-7416 for a permit to appropriate 33.22 cubic feet per second of water from groundwater by means of wells and pumps within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; T. 9S, R. 20E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for stockwater, and from Mar. 15 to Nov. 15 for irrigation of 1,661 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; E $\frac{1}{2}$, Sec. 17; W $\frac{1}{2}$, Sec. 16; N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 21; S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28; T. 9S, R. 20E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before December 31, 1973.

R. KEITH HIGGINSON
Director

12-13-2tc-n

No 2274

36 7416

Section 17

155 Acre
Center Pivot

12" Main Line

P/O
Well
Site Tag #
A0004080

12" Main Line

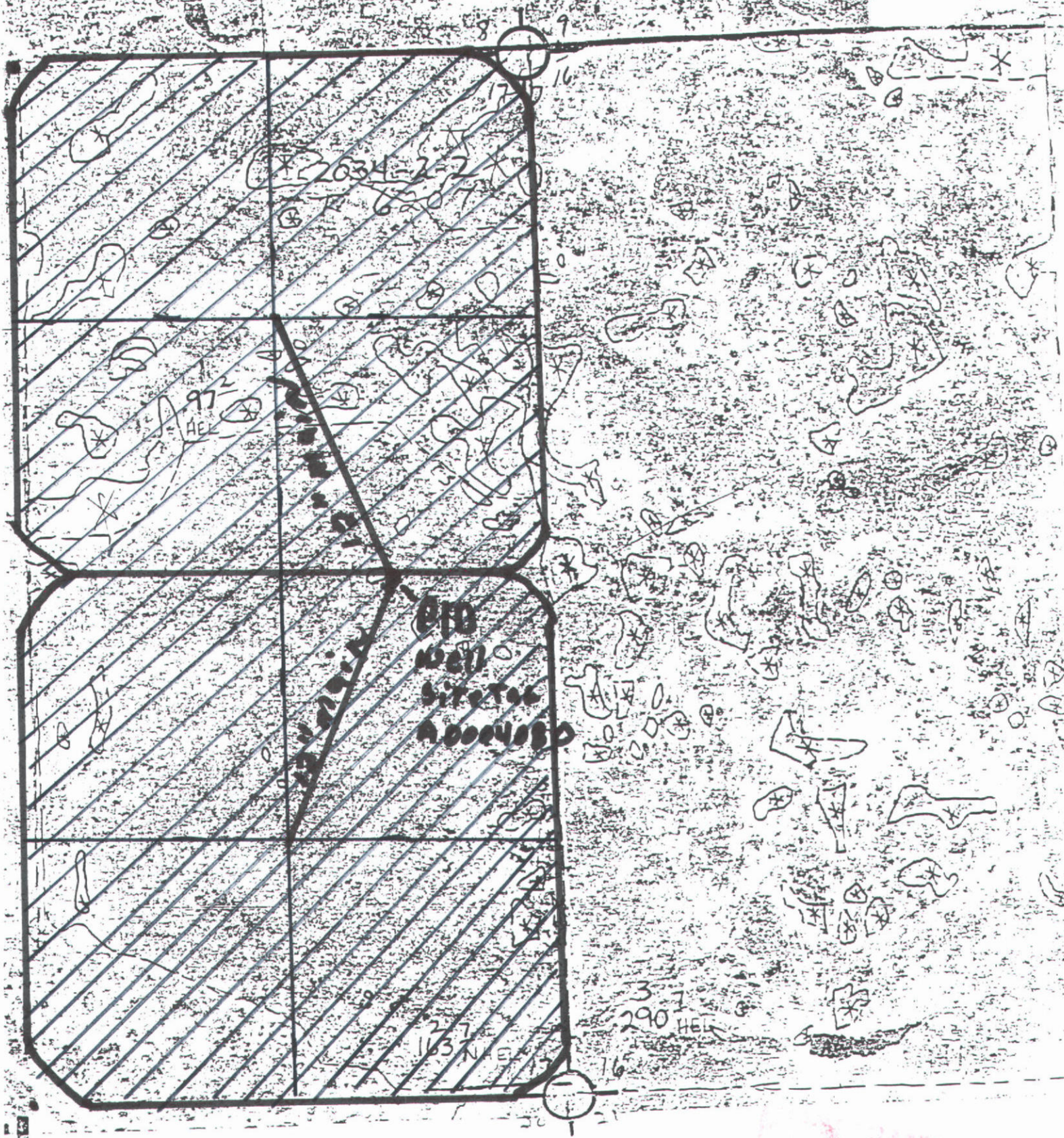
155 Acre Center Pivot

155 Acre Center Pivot

OCT 03 1996

This system consists of 1 well that empties into 2 - 12 inch main lines. These main lines feed 2 - 155 acre center pivots. 1 center pivot irrigates the NE $\frac{1}{4}$ of section 17 while the other pivot irrigates the SE $\frac{1}{4}$ of section 17.

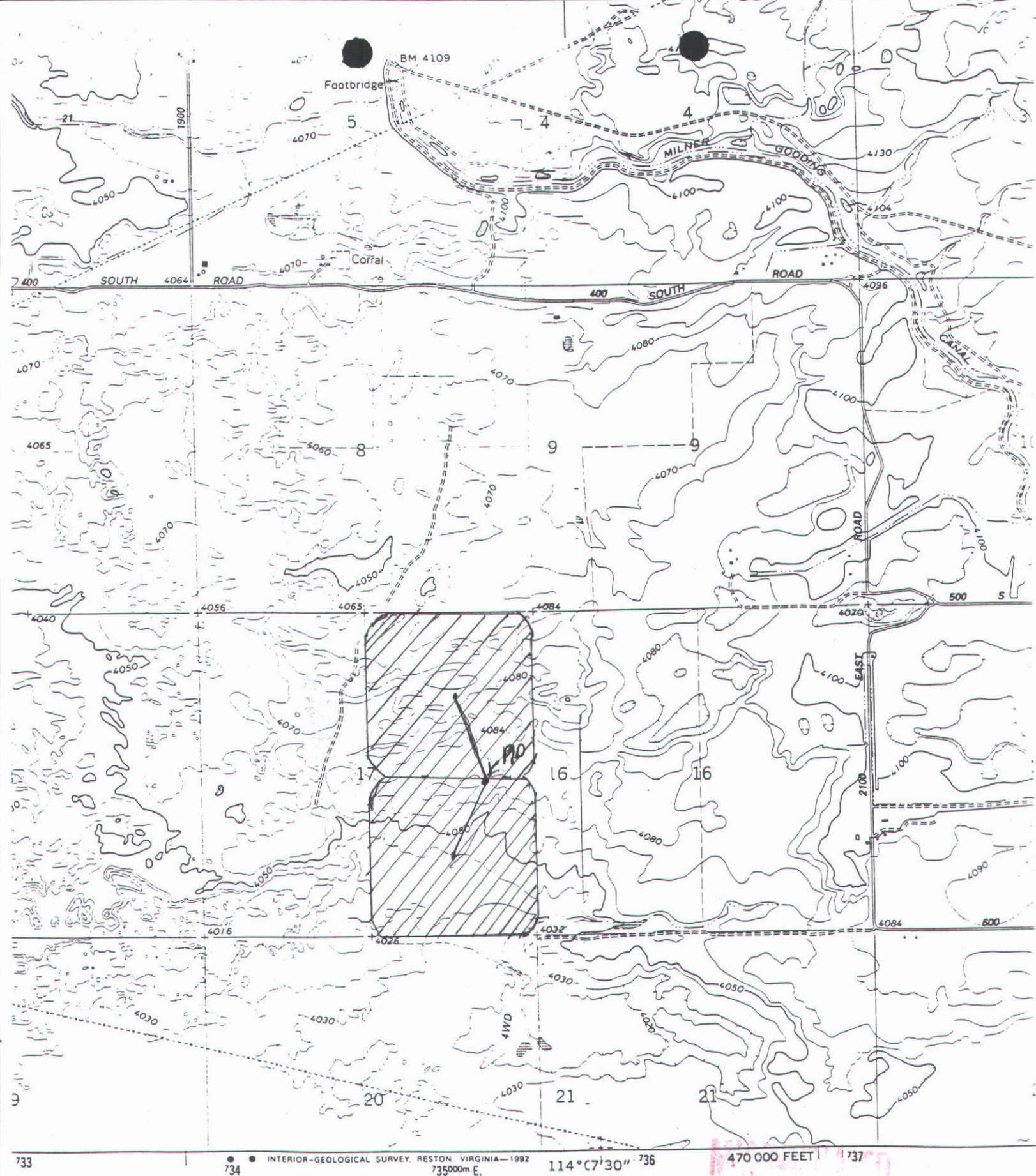
Scale APPROX. 8" TO THE MILE



R14

This is The SYSTEM WORKS 40 36-074156

OCT 9 2 1960



Produced by the United States Geological Survey

Control by USGS and NOS/NOAA

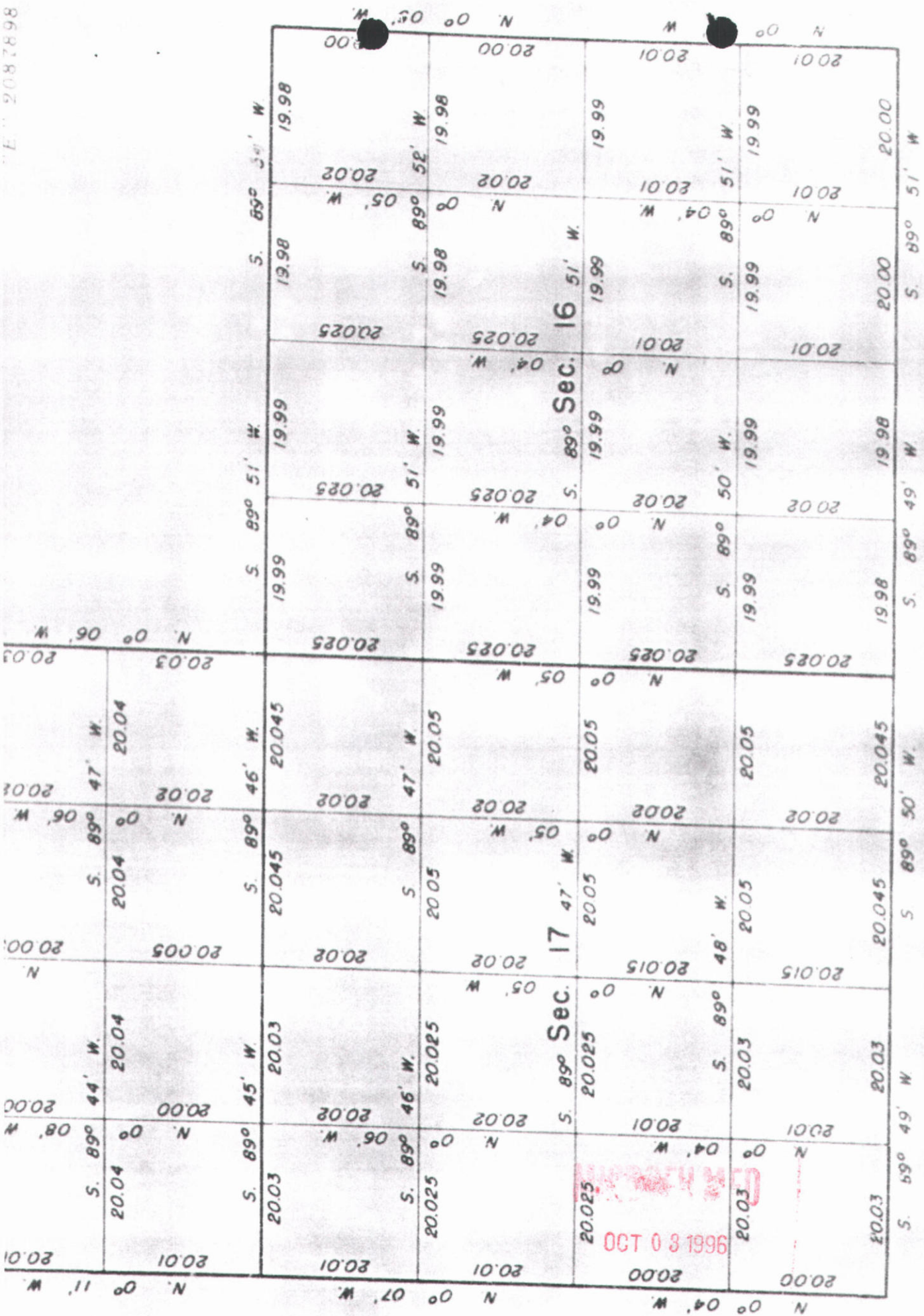
Compiled from aerial photographs taken 1962. Information shown in purple has been updated from aerial photographs taken 1987 and field checked. Map edited 1992. Conflicts may exist between some updated features and previously mapped contours.

North American Datum of 1983 (NAD 83). Contour interval 20 feet.

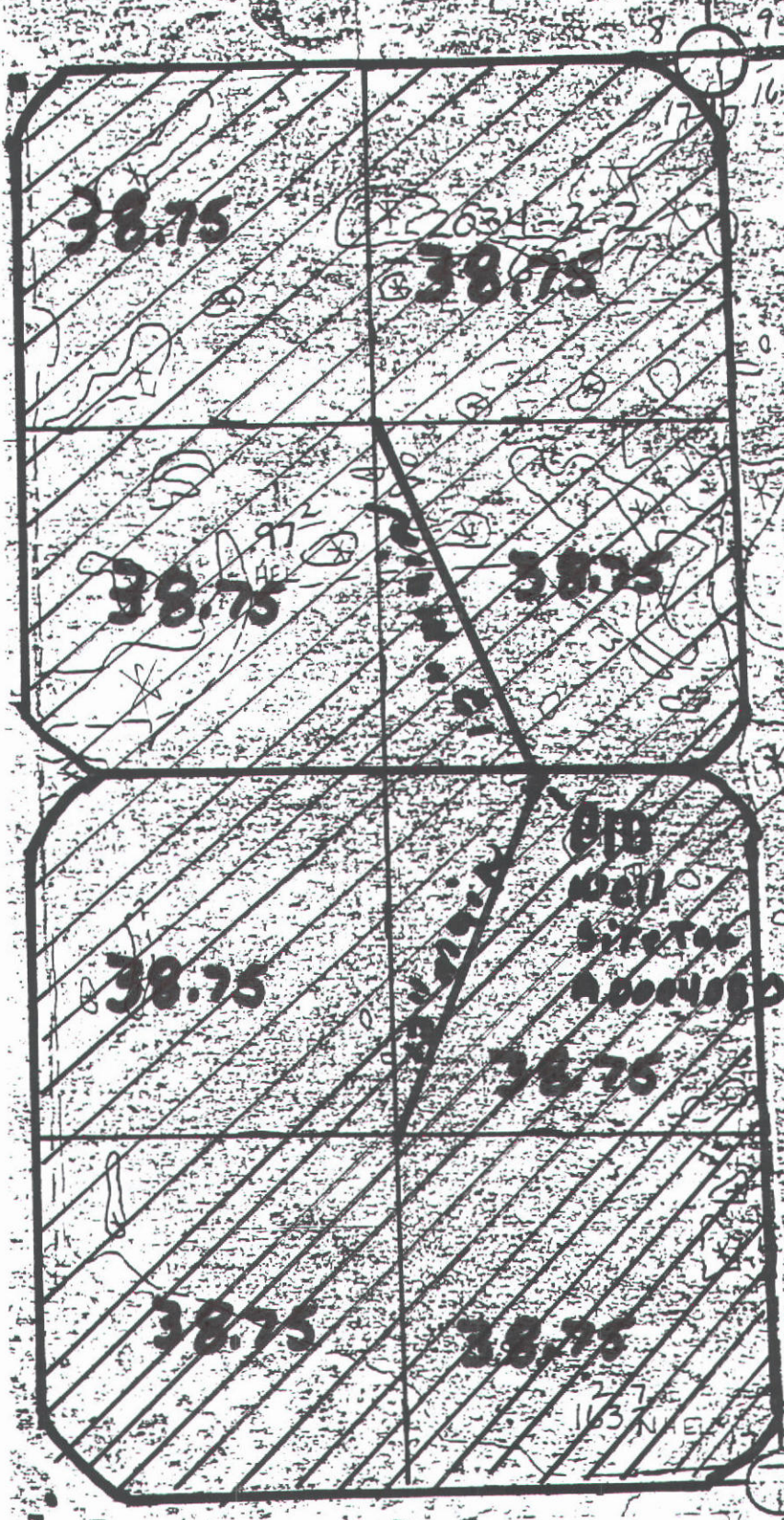
ROAD CLASSIFICATION

Medium-duty ——— Light-duty - - - - -

Unimproved dirt =====

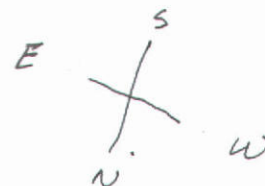


Area resurveyed. 2664.63 Acres

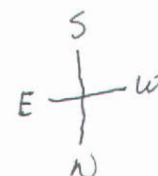


R 11

OCT 03 1996



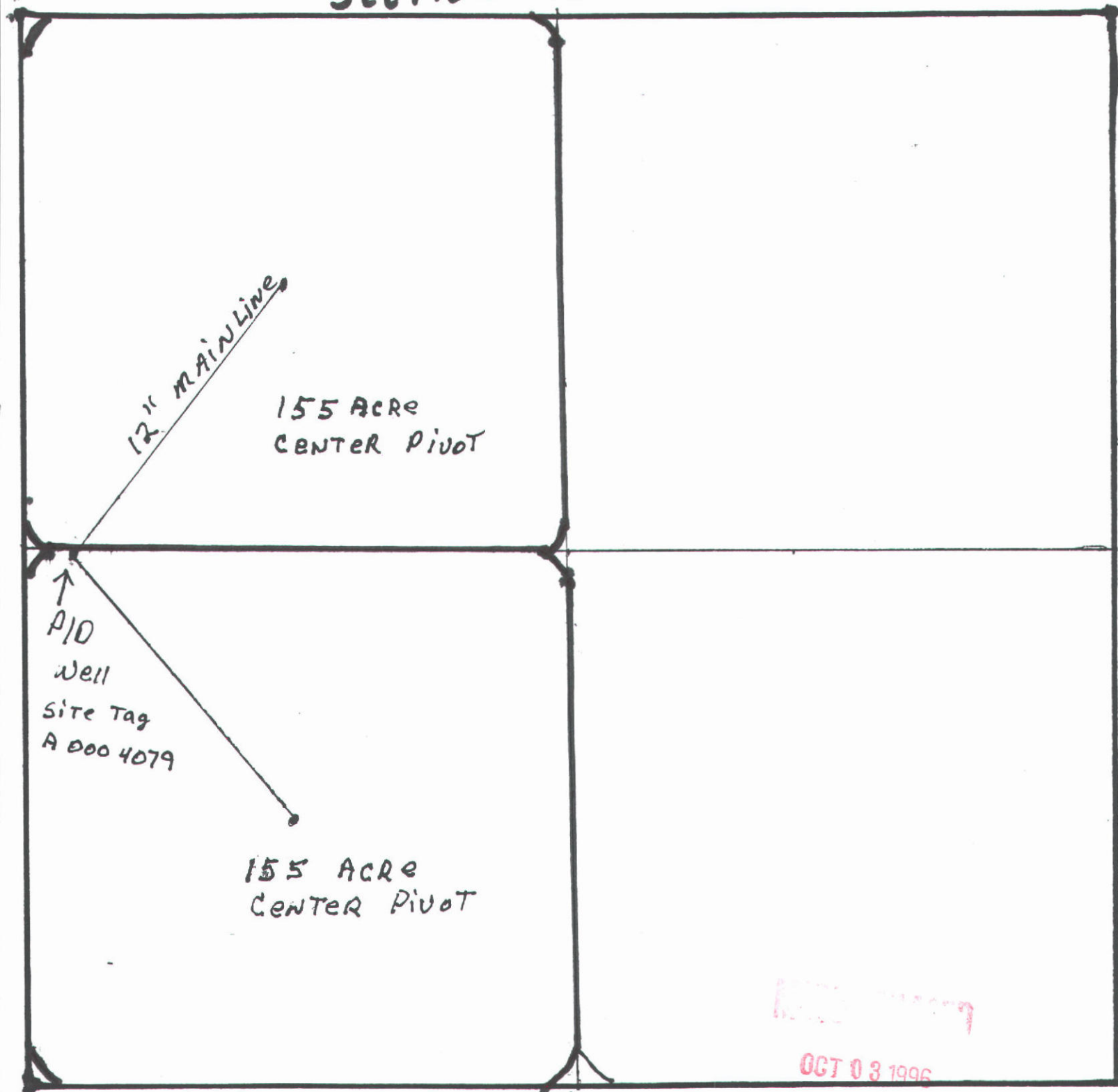
This is the pump for 36-07416D. This picture shows the site tab and the position of well for permit 36-07416C (section 16) to use as a reference.



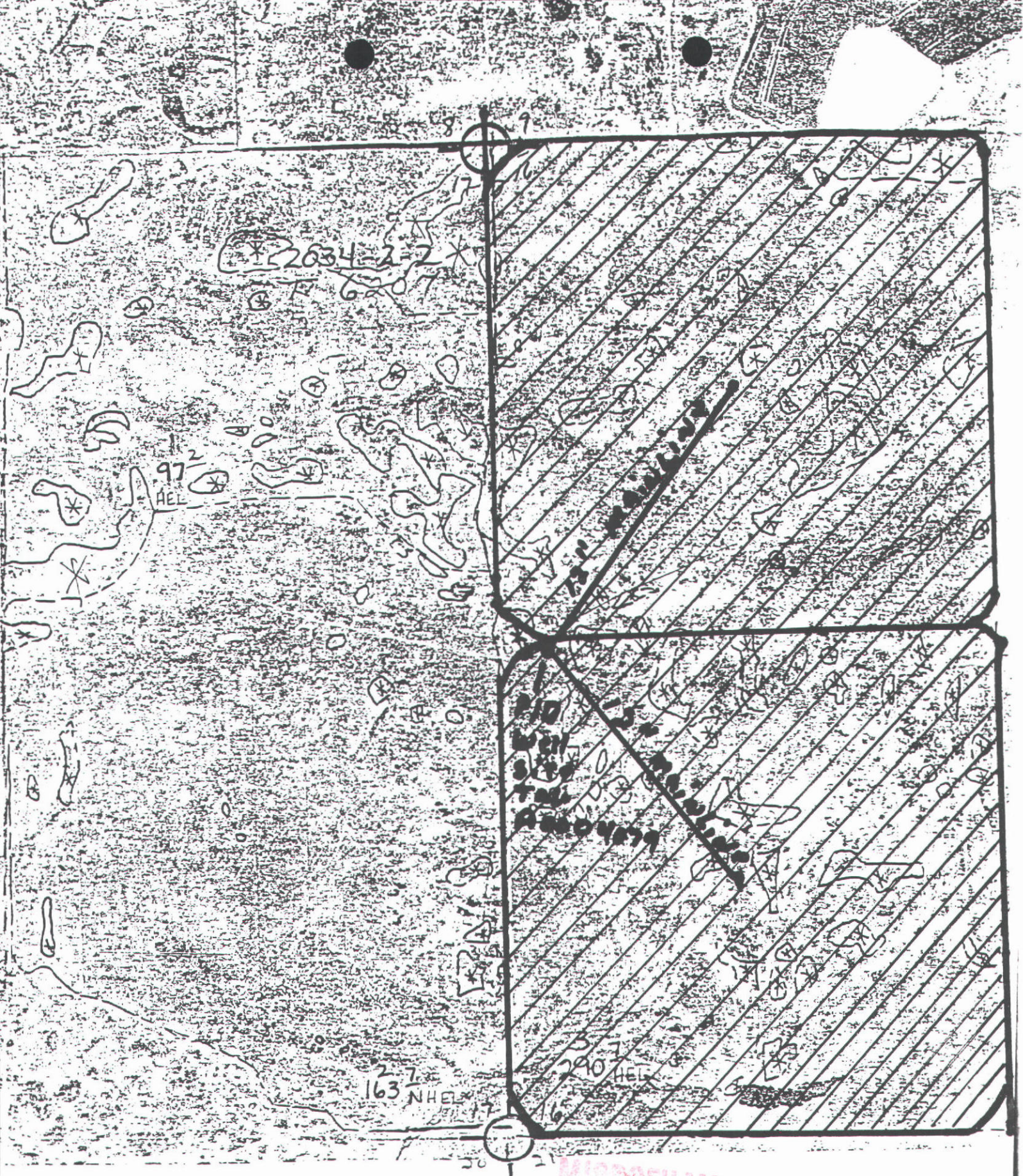
This picture shows the diversion works for 36-07416D.

OCT 03 1996

SECTION 16



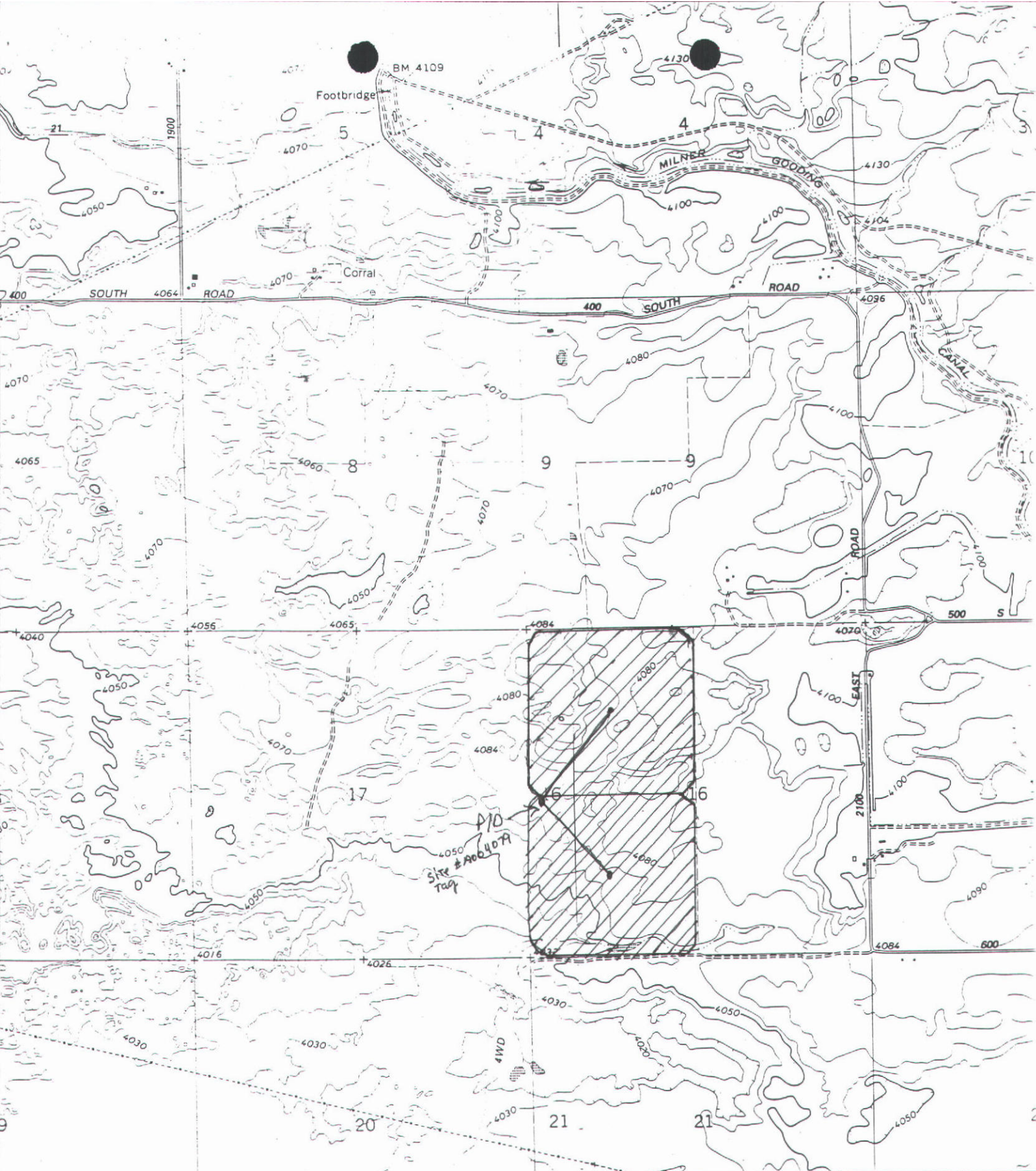
This system consists of 1 well which discharges into 2-12" mainlines. These mainlines feed 2-155 Acre center pivots. One pivot irrigates the NW $\frac{1}{4}$ of section 16 while the other pivot irrigates the SW $\frac{1}{4}$ of section 16.



R14

PROBABLE

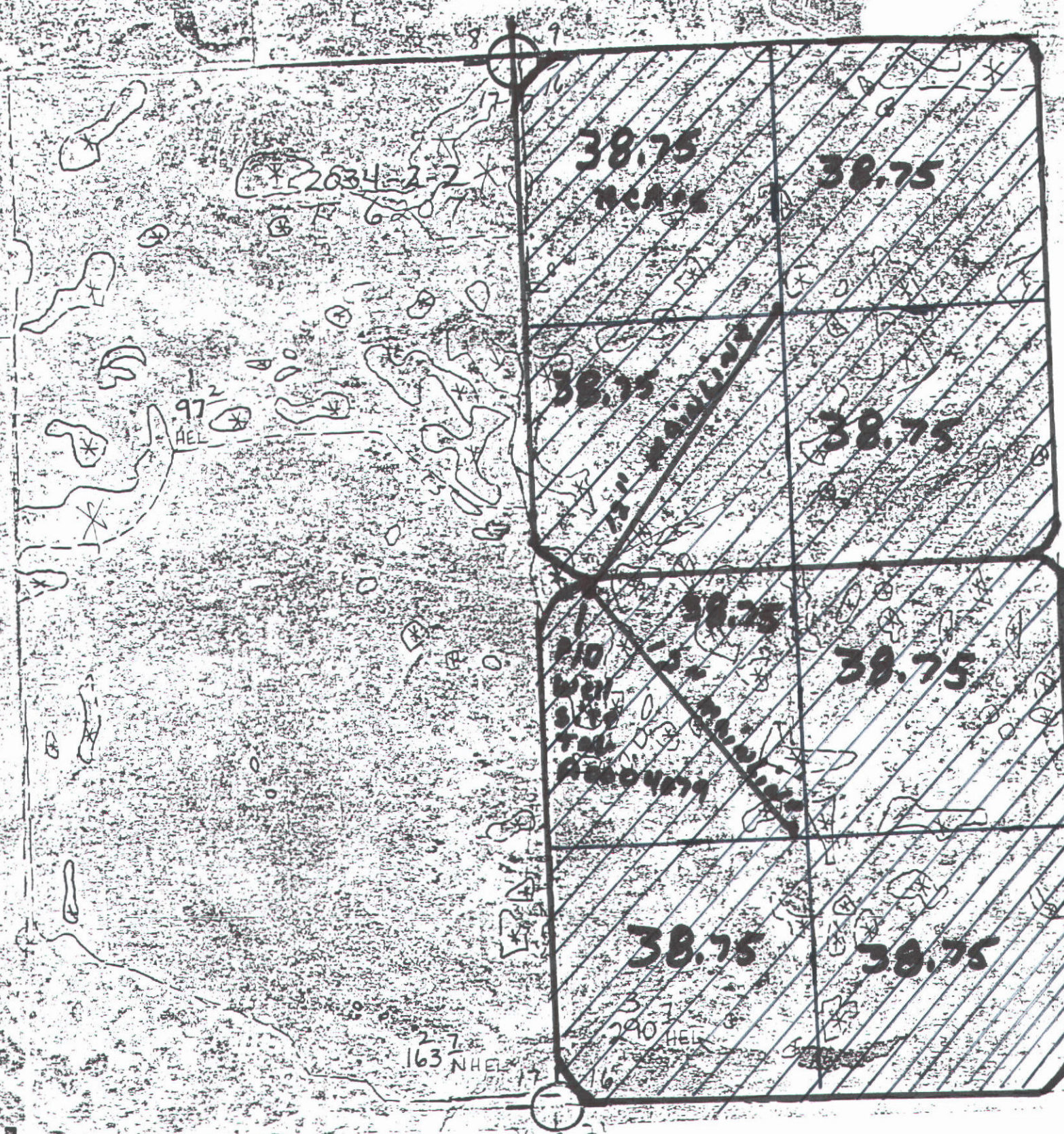
OCT 03 1996



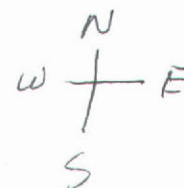
N. 0° 04' W.	N. 0° 07' W.	N. 0° 11' W.		
20.00	20.00	20.01	20.01	20.01
20.03	20.03	20.025	20.025	20.04
N. 0° 04' W.	N. 0° 06' W.	N. 0° 08' W.	N. 0° 08' W.	N. 0° 08' W.
20.01	20.01	20.02	20.02	20.00
20.03	20.03	20.025	20.025	20.04
N. 0° 04' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 06' W.
20.015	20.015	20.02	20.02	20.005
20.045	20.05	20.05	20.05	20.04
N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 06' W.	N. 0° 06' W.
20.02	20.02	20.02	20.02	20.02
20.045	20.05	20.05	20.045	20.04
N. 0° 05' W.	N. 0° 05' W.	N. 0° 06' W.	N. 0° 06' W.	N. 0° 06' W.
20.025	20.025	20.025	20.025	20.03
19.98	19.99	19.99	19.99	19.99
N. 0° 04' W.	N. 0° 04' W.	N. 0° 04' W.	N. 0° 05' W.	N. 0° 06' W.
20.02	20.02	20.025	20.025	20.025
19.98	19.99	19.99	19.99	19.99
N. 0° 04' W.	N. 0° 04' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.
20.01	20.01	20.025	20.025	20.025
20.00	19.99	19.99	19.98	19.98
N. 0° 04' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.
20.01	20.01	20.02	20.02	20.02
20.00	19.99	19.99	19.98	19.98
N. 0° 04' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.	N. 0° 05' W.
20.01	20.01	20.00	20.00	20.00

OCT 03 1996

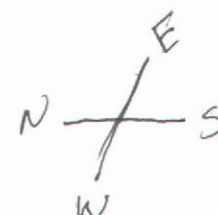
F. 2087898



RIH This is the ACERAGE FOR
 36-07416 C. THERE is a TOTAL OF 310 ACRES



This is The well FOR 36-07416C and The site Tab Location.

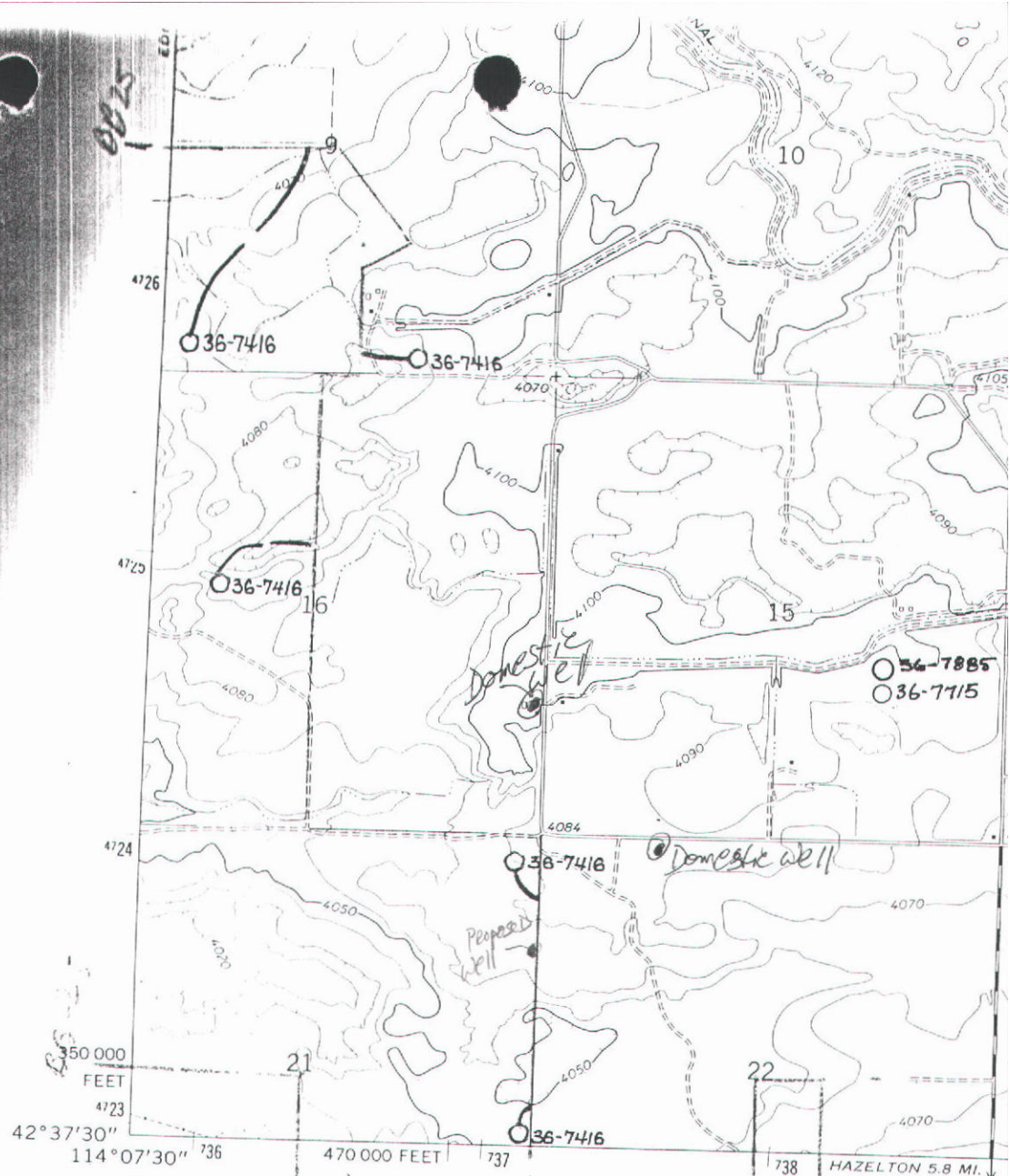


This is The Diversion works FOR well, IT SPLITS INTO TO main lines at The POINT Where The man is sitting on The pipe. OCT 03 1996

RECEIVED

APR 24 1990

Department of Water Resources



(EDEN)
3169 II SW

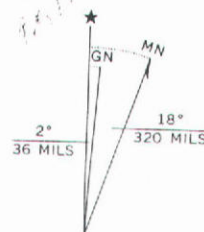
Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1962. Field checked 1964

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
central zone

1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Fine red dashed lines indicate selected fence lines

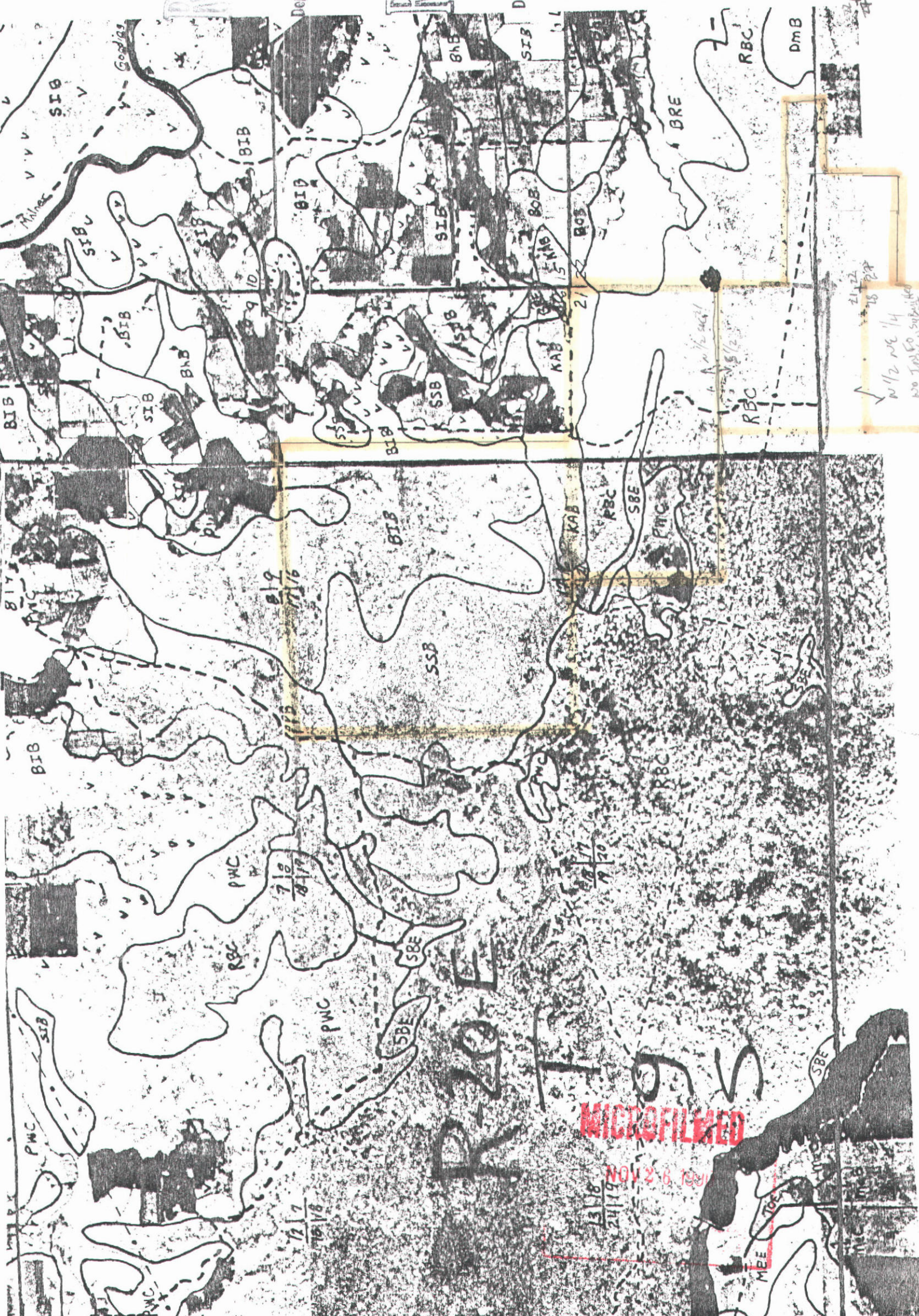


UTM GRID AND 1964 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

Location of wells w/in 1/2 mi. radius

MICROFILMED

NOV 26 1990



MAY 8 1966

Department of Water Resources

RECEIVED

MAY 8 1966

Department of Water Resources

MICROFILMED

NOV 26 1966

W 1/2 NE 1/4
NO 100 500 100
NO 100 500 100

21 1/2
18 1/2
24

WATER RIGHT NUMBER	NAME	CFS
36-07416	SPLIT INTO 36-7416A & 36-7416B.	
36-07416A	MECHAM , LYNN L.	
36-07416B	Split into 36-07416C & D for licensing purposes.	
36-07416C	SODERQUIST , KEITH EDWIN SODERQUIST , CHRISTIE	4.78
36-07416D	SODERQUIST , KEITH EDWIN SODERQUIST , CHRISTIE	4.00

OCT 03 1996

PART D

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07416D

Priority: February 22, 1974

Maximum Diversion Rate:

4.00 CFS

Maximum Diversion Volume:

1240.0 AF

This is to certify, that KEITH EDWIN SODERQUIST
CHRISTIE SODERQUIST

22295 KIMBERLY RD
KIMBERLY ID 83341

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 6, 1973; and has submitted Proof of Beneficial Use on January 7, 1995. An examination indicates that the works have a diversion capacity of 4.840 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.00 CFS	1240.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 17, Township 09S, Range 20E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	20E	17	NENE 38.8	NWNE 38.8	SWNE 38.8	
			SENE 38.8	NESE 38.8	NWSE 38.8	
			SWSE 38.8	SESE 38.8		310.4

Total number of acres irrigated: 310.4

CONDITIONS OF APPROVAL AND REMARKS

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

OCT 03 1996

State of Idaho
Department of Water Resources

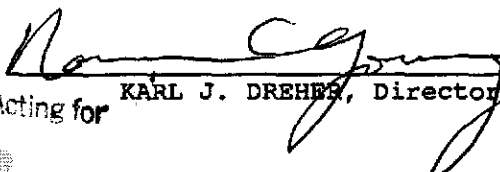
WATER RIGHT LICENSE

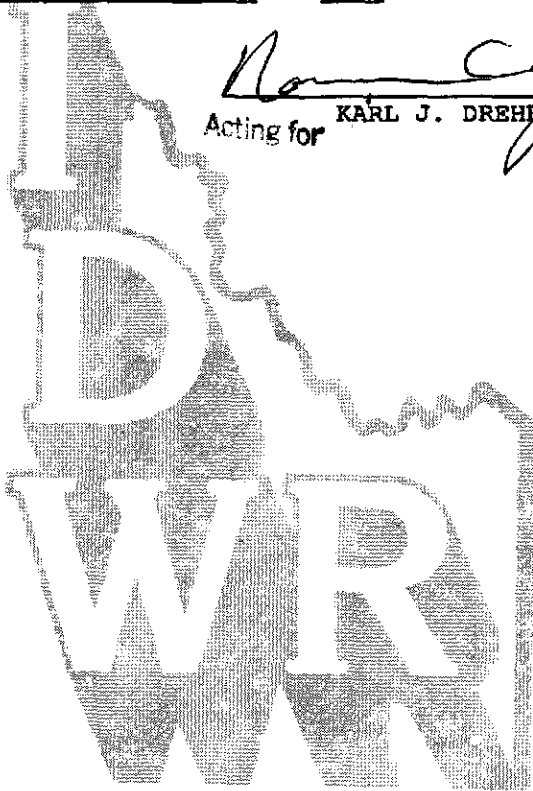
WATER RIGHT NO. 36-07416D

CONDITIONS OF APPROVAL AND REMARKS

6. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 20th day of SEPTEMBER, 1996.


Acting for KARL J. DREHER, Director



1996

PART C

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07416C

Priority: February 22, 1974

Maximum Diversion Rate:

4.78 CFS

Maximum Diversion Volume:

1240.0 AF

This is to certify, that KEITH EDWIN SODERQUIST
CHRISTIE SODERQUIST

22295 KIMBERLY RD
KIMBERLY ID 83341

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 6, 1973; and has submitted Proof of Beneficial Use on January 7, 1995. An examination indicates that the works have a diversion capacity of 4.860 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.78 CFS	1240.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 16, Township 09S, Range 20E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	20E	16	NENW 38.8	NWNW 38.8	SWNW 38.8	
			SEnw 38.8	NESW 38.8	NWSW 38.8	
			SWSW 38.8	SESW 38.8		310.4

Total number of acres irrigated: 310.4

CONDITIONS OF APPROVAL AND REMARKS

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

OCT 03 1996

State of Idaho
Department of Water Resources

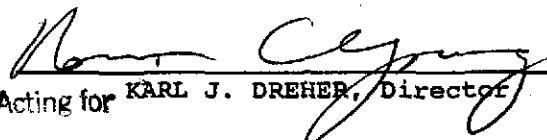
WATER RIGHT LICENSE

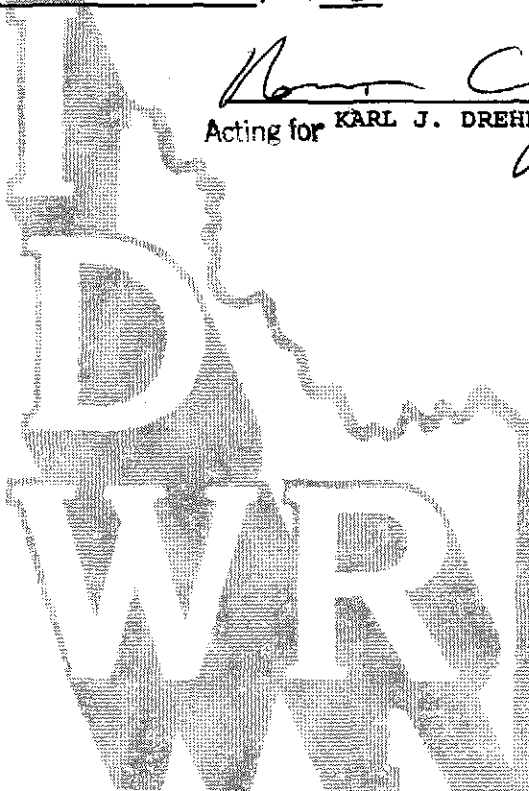
WATER RIGHT NO. 36-07416C

CONDITIONS OF APPROVAL AND REMARKS

6. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20th
day of SEPTEMBER, 1996.


Acting for KARL J. DREHER, Director



SEP 20 1996

Part B

RECEIVED

JAN 11 1996
Department of Water Resources
Southern Region

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 09 1996

Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, Delbert Kohtz, hereby assign to Keith Edwin &/or Christie Soderquist
(Permit Holder)
of 1701 N 1000 E, Montevideo, ID 83435 208-663-4553
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 36-07416B
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 29th day of Dec, 1995.

[Signature]
Permit Holder(s)

State of Idaho)
County of Blaine ss

On this 29th day of December, 1995, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public

[Signature]
Signature

My commission expires: 4-8-2000

DK

JAN 23 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-07416B)
)
IN THE NAME OF DELBERT KOHTZ) **ORDER OF**
) **REINSTATEMENT**

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before November 1, 1994; and,

WHEREAS, the Department notified the permit holder on August 31, 1994, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

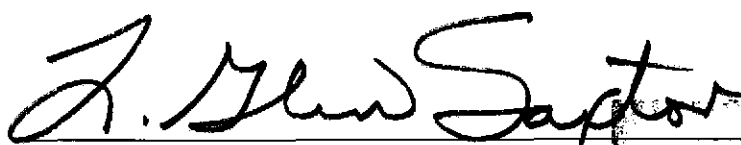
WHEREAS, the Department notified the permit holder on November 9, 1994, that the permit had lapsed for failure to submit an acceptable proof of beneficial use or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on January 7, 1995;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-07416B be REINSTATED with an advance in priority to February 22, 1994.

Dated this 20th day of January, 1995.


L. GLEN SAXTON
Chief, Water Allocation Bureau

FEB 13 1995

RECEIVED

FOR OFFICE USE ONLY
Amt. of Fee \$: 400.00
Receipt No. 3017665
Receipt By: AF
Date Received: 1/7/95

JAN 7 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southwest Region Office

RECEIVED

JAN 10 1995

PROOF OF BENEFICIAL USE

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

1. Permit No. 36-07416B Telephone No. 825-5617
2. Name(s) of Permit Holder(s): Delbert + Frances Kohrtz
3. Mailing Address: 1135 Valley Rd So. Eden, Id 83325
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 36 / yr. 93
- a. Well Driller: Kohrtz Drilling Arlo P. Lloyd Drilling Permit Number: 36-93-5-0328-000
36-94-5-0221-000
36-90-C-0027-000
- b. **OPTIONAL:**
Pump Horsepower: 600 Pressure (psi): 60 Dynamic pumping level (ft): 300

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): 640 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 12.8 cfs OR 2240 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes X or No _____
Has the measuring device been installed? Yes X or No _____

Flow Measurement Port: Is a flow measurement port required? Yes X or No X
Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ 400.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Charles Brockway Telephone Number: 423-6011
Address: Ag Research Station Kimberly, Id

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

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

Date: Jan 7, 1995

Rec. # 3017665 by AF

1/7/1995

FEB 13 1995

RECEIVED

Form 204
11-91

OCT 30 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by 96.16/10
Date 10-30-92
Receipt No. 5015130

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-074168

Name(s) of Permit Holder: Delbert Kohtz

Mailing Address: 1135 Valley Rd. South, Eden, ID 83325

Date Proof is Due 11-1-1992 Telephone No. 825-5617

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

One well is drilled, pump & mainline water 275 acres.

Costing \$ 40,000.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Lack of Finances due to continuing drought.

Permit holder(s) request an extension to

FEE: \$15.00

Nov. 1, 1994
[Signature]
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

NOV 17 1992

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1994.

IT IS FURTHER ORDERED that this permit may not be assigned without prior approval of the Department of Water Resources.

Signed this 4 day November, 19 92

[Signature]
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 36-7416B IN THE NAME	)	CONTINUATION ORDER
	)	
OF DELBERT KOHTZ	)	
	)	

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.
2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.
3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.
4. Permit No. 36-7416 was issued to Lynn Mecham authorizing the diversion of 33.22 cfs of groundwater for irrigation of 1661

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NOV 26 1990

acres. A portion of this permit was later assigned to Delbert Kohtz. The rate of diversion and number of acres under this assigned portion of the permit was amended to 12.8 cfs and 640 acres respectively.

5. Information submitted by the present permit holder shows that the irrigation of the 640 acres authorized under this permit did not occur prior to July 1, 1985.

6. The development and use of water authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 36-7416B is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

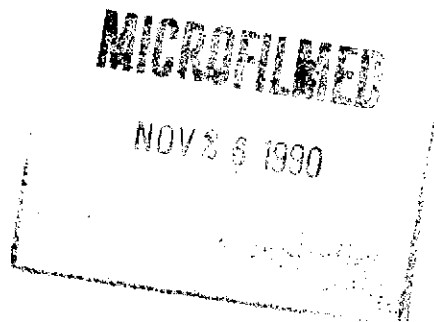
3. An order continuing the permit should be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 36-7416B is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before November 1, 1992.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to



determine availability of trust water and to reevaluate the public interest.

3. The construction of diversion works must be commenced within one (1) year of the date of this order and shall proceed diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.

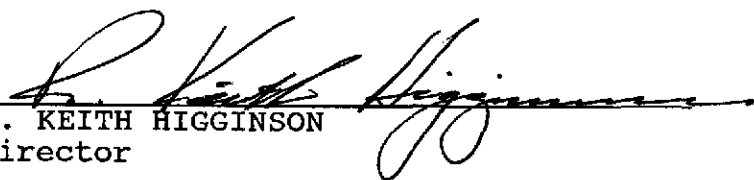
4. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

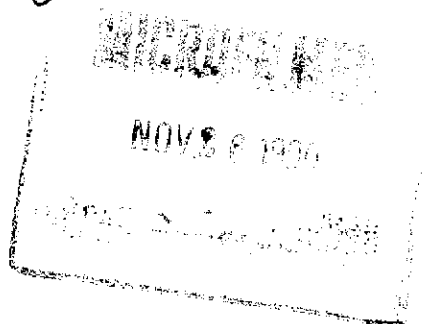
5. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

6. Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.

7. All conditions of approval contained in Permit No. 36-7416B are incorporated into and made a part of this order.

Dated this 7TH day of NOVEMBER, 1990.


R. KEITH HIGGINSON
Director



BEFORE THE DIRECTOR
OF THE
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF EVALUATING)
WHETHER DEVELOPMENT OF NEW)
IRRIGATED ACREAGE WILL CAUSE)
A SIGNIFICANT REDUCTION IN)
TRUST WATER AVAILABLE FOR)
POWER PRODUCTION)

MEMORANDUM DECISION
AND ORDER

This matter having come before the Director of the Idaho Department of Water Resources (IDWR) as a result of the Swan Falls water right settlement, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. "Trust water" is that portion of an unsubordinated water right used for hydropower generation purposes which is in excess of a minimum stream flow established by state action.

2. Section 42-203C(1), Idaho Code, provides as follows:

"If an applicant intends to appropriate water which is held in trust by the state of Idaho pursuant to subsection (5) of Section 42-203B, Idaho Code, the director shall consider, prior to approving the application, the criteria established in Section 42-203A, Idaho Code, and whether the proposed use, individually or cumulatively with other existing uses, or uses reasonably likely to exist within twelve (12) months of the proposed use, would significantly reduce the amount of trust water available to the holder of the water right used for power production that is defined by agreement pursuant to subsection (5) of Section 42-203B, Idaho Code, and, if so, whether the proposed reduction is in the public interest". (emphasis added).

3. The IDWR conducted a study to estimate the reduction in hydropower generation which would result from the development of the first 20,000 acres of newly irrigated land (new development) authorized under the Swan Falls settlement. The IDWR also conducted a study which involved 196,000 acres of new development.

The studies included several steps as follows:

a) Identify the location of the potential new development

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and the related water sources;

- b) Estimate the net depletion resulting from new irrigation development of these lands;
- c) Route the reduced flows through the aquifer and surface flow systems to the affected power plants;
- d) Compute the loss in potential generation at each plant resulting from the reduced flows.

4. Step a) in Finding of Fact No. 3. was accomplished by plotting land location as shown by the water right applications and permits being considered.

5. Step b) in Finding of Fact No. 3. was accomplished using simulation models which have previously established the "base" flows conditions.

6. Step c) in Finding of Fact No. 3. involved a ground water component and a surface water component. Withdrawals from the Snake Plain aquifer and from the tributary valleys affect the water in storage in the aquifer. Storage changes alter the gradients which eventually reduce aquifer discharges. If a new withdrawal is continued long enough, the aquifer outflows will be reduced by an amount approaching the magnitude of the withdrawal and resulting depletion.

7. The IDWR digital model of the Snake Plain aquifer (ground water model) was used to simulate this process and predict the outflow reductions after 15, 30, 45 and 60 years of annual withdrawals by new irrigation development at the assumed locations. The results of the ground water model runs indicate that aquifer outflows for the first 20,000 acres would be reduced by 76 percent of the annual depletion after 60 years. The outflows for the 196,000 acres would be reduced by 87 percent of the average annual depletion after 60 years.

8. Significant reduction should be determined by evaluating the depletion when its effect on the river is fully felt. Incremental change in the percent of annual depletion is very small sixty (60) years after the first depletion. The percent of annual depletion in the 60th year adequately represents the long-term effect of aquifer depletions on Snake River flows.

9. The IDWR routed the reduced flows through the aquifer and river system using a digital model of the Snake River system (river model). This model and its computed base conditions are described in "Stream Flows in the Snake River Basin, 1985 Conditions of Use and Management" Open-File Report, September 1986. The ground water depletion was input to the river model

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NOV 26 1990

assuming uniform depletions each month.

10. The river model computes flows at numerous points in the Snake Plain Basin including sites at, or near to, the power plants. These computed flows were used to compute power generation and were compared to similarly computed generation for base flow conditions.

11. The annual reduction in hydropower generation 60 years after the development of 20,000 new acres is estimated to be approximately 2.8 million KWH in power facilities upstream from the Murphy gage on the Snake River. Comparable reduction for 196,000 acres is approximately 21.9 million kwh.

12. In cooperation with staff of the Idaho Public Utilities Commission (IPUC), IDWR determined the rate impact of lost hydropower generation caused by the new development in the trust water area of the Snake River basin assuming that new thermal generation capacity is obtained to replace the lost hydropower generation.

13. The cost impact to the rate base of replacing the lost hydropower generation with thermal generation capacity must be considered in the evaluation of any significant reduction in hydropower generation, but the statutes and Water Appropriation rules do not require consideration of impacts to the rate base resulting from other aspects of the new development such as new pumping loads.

14. Step d) of Finding of Fact No. 3. was determined using an IPUC power supply model (power model) associated with the ratemaking process. Data from the 1966-1985 period was used to establish a base flow. The depletions were then input to the power model and the difference in ability to meet firm load requirements and to make economic spot market sales and purchases was determined. A comparison of the output of the power model run to base conditions produced increased total IPCO power supply costs due to Snake River depletions.

15. The power model shows that the impact of reduced hydropower generation at IPCO's facilities on the Snake River above the Hell's Canyon complex as a result of the development of 20,000 new acres (after 60 years) will result in an average increase in IPCO's power costs of \$159,553 per year which is approximately five one hundredths of one percent (0.05%). Comparable model results for 196,000 acres show an average power cost increase of \$837,654 per year, or approximately one quarter of one percent (0.25%).

16. During certain periods of each year there generally is unappropriated water in the Snake River. During these periods, a

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NOV 26 1990

new appropriation of water has no effect upon IPCO's water rights or ability to generate hydropower.

CONCLUSIONS OF LAW

1. The development of 196,000 new acres of land will not cumulatively cause a significant reduction in IPCO's hydropower generation capability at hydropower generation facilities upstream from the Hells Canyon complex on the Snake River.

2. The hydropower generating facilities of IPCO which are affected by reductions in river flow represent approximately 25% of IPCO's hydropower generating capacity as compared to the Hells Canyon complex facilities which represent approximately 75% of IPCO's hydropower generating capacity. The Hell's Canyon facilities are subordinated to later in time consumptive uses and are not properly included as a part of the evaluation of significant reduction. (Water Appropriation Rule 5,3,1,4.).

3. The reduction in IPCO's hydropower generation capability caused by new development is such that the timing of the reduction, either on an annual basis or a long term basis, need not be considered by IDWR. The computer model studies show that for the first 20,000 acres, it would take approximately 15 years for aquifer outflow to the Snake River to be reduced 23% of net new withdrawal. By the 60th year outflow would be reduced by 76% of the new depletion. Development of 196,000 acres would reduce outflow by 87% of the new depletions in the 60th year. Other factors present in a dynamic system as large as the Snake Plain aquifer will have more effect on the discharge of the Snake River than decreases caused by this amount of new development.

4. Staff of the IPUC advises that the effect of reduced hydropower production on "unit cost" is not a proper factor to consider when analyzing the effect of reduced flows to hydropower generating facilities. IPUC generally considers hydropower facilities to have zero unit or production costs. Thermal facilities on the other hand do have associated unit costs such as the cost of fuel.

5. The IDWR is unaware of any contract or regulatory permits including FERC licenses which require IPCO to produce or to maintain capability to produce hydropower at specific levels.

6. Approval of applications for permit or permits which propose the development of 196,000 acres of newly irrigated land with water from the Snake Plain aquifer will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

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NOV 26 1980

7. The development proposed by Permit No. 36-7416B will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

8. Permit No. 36-7416B should be continued without special conditions related to Section 42-203C(2), Idaho Code.

ORDER

It is therefore hereby ORDERED as follows:

Permit No. 36-7416B is hereby continued subject to the conditions shown on the continuation order.

Dated this 7TH day of NOVEMBER, 1990.


R. KEITH HIGGINSON
Director

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NOV 26 1990



OCT 23 1990

STATE OF IDAHO

Ident. No.

36-7416B

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now

Delbert Kohler

Phone

825-5617

of (address)

1135 Valley Rd So. Eden, Idaho

83325

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-7416B, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 SE 1/4, Section XI, Township XS, Range 20, B.M., County of Teton. Other points of diversion: NE 1/4 of

No change on Both wells DK
Reduced only Rate of flow from to 12.8 cfs

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

Amount 12.8 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre feet per annum)

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

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

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	20E	16					40	40	40	40	40	40	40	40					320 ^{#TJL}
9S	20E	17	40	40	40	40									40	40	40	40	320 ^{#TJL}

Total number of acres to be irrigated = 640

4. a. Who owns the property at the point of diversion? Delbert & Frances Kohler
b. Who owns the land to be irrigated or the place of use? Delbert & Frances Kohler
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

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NOV 26 1990

* Changes/added per clarification w/ Mr. Kohler via telecall 10-24-90
TJL

RECEIVED

STATE OF IDAHO

RECEIVED
APR 13 1990

6-74168

APR 10 1990

Department of Water Resources
Southern Region Office

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Delbert Kohtz

Phone 825-5617

of (address) 1135 Valley Road South, Eden, ID 83325, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-74168, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SW 1/4, Section 16, Township 9S, Range 20E, B.M.,
County of Jerome. Other points of diversion: NE 1/4 SE 1/4 Sec. 17 T.9S R.20E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

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

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

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

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

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

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

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NOV 26 1990

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Lelah Merle Wilcox, hereby assign to Delbert Kohrtz
of 1135 Valley Rd So. Eden, Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 36-7416B
to appropriate the public waters of the State of Idaho.

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

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

Made this 26th day of February, 19 90.

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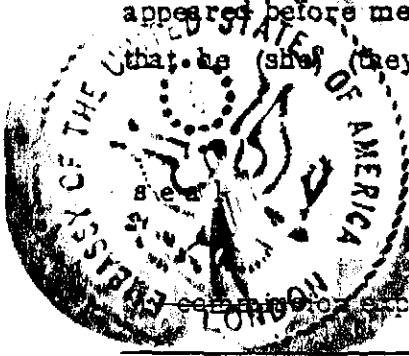
Department of Water Resources
Southern Region Office

x Lelah E. Wilcox
Permit Holder

x Wayne Wilcox
Spouse of Permit Holder

State of Idaho Great Britain and Northern Ireland)
County of London, England ss.) 86
Embassy of the United States of America

On this Twenty-Sixth day of February, 1990, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



RECEIVED

Notary Public residing at.

Simon Solberg
Vice Consul of
the United States of America
London, England

RECEIVED

JAN 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

For Office Use Only
\$15 FEE Received by CP
Date 11/12/89
Receipt # 0005077

Department of Water Resources

To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-07416B

Name(s) of Permit Holder: Lelah E. Mecham (Wilcox)

Post Office Address: 225 7th St, Idaho Falls Idaho 83401

Telephone No. (208) 522-5998

Date Proof is Due: January 1, 1989

Describe what work has been completed toward the development of this water right: None
(This must be filled out! If no work has been completed, show "none".)

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Litigation of Idaho Power/Swans Falls lawsuits w/uncertainty which holders of water permits would be involved; extremely depressed Farm economy made it financially unfeasible to develop water permit + Lands

Permit holder(s) request an extension to January 1, 1994. Lelah E. Mecham Wilcox
(1 yr. minimum) Lelah E. Wilcox
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

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ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1992.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to December 17, 1973, pursuant to Sec. 42-218a, Idaho Code.

Signed this 7th day of November, 19 90.

[Signature]
Chief, Water Allocations Bureau

For Office Use Only	
Fee Received	15.00
Date	11-8-83
Receipt #	32771

RW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

NOV 8 1983

Department of Water Resources

RECEIVED

LELAH E. MECHAM

(Name)

of 835 W. BRYAN #3

(Address)

State of IDAHO

deposes and says:

Pocatello

PH. 238-0355 HM

83201

236-3242 WK

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of
the State of Idaho No. 36-7416 B

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

JANUARY 1, 1984

That he has heretofore performed the following work described under said permit:

(This must be filled out! If no work has been completed put none.)

Brush removed on approx. 600 ac. 9000.00

Power lines surveyed in 600.00

Costing \$ 9000.00

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

IDAHO Power Moratorium since 1977,

STILL NOT SURE OF OUTCOME OF IDAHO

Power LITIGATION

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to JANUARY 1, 1989

(1 yr. minimum, 5 yrs. maximum)

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

x Lelah E. Mecham

(Signature)*

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit the statement of beneficial use is extended to January 1, 1989.

Signed this 17th day of January, 1984

J. Glen Saxton
Chief, Operations Bureau

JAMES C. MESERVY
Fuller & Meservy
Attorneys at Law
P.O. Box 30
Jerome, ID 83338
Telephone: (208) 324-8193
Attorneys for Plaintiff

OK to
process
as assignment
RC 4/20/83

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME
MAGISTRATE DIVISION

* * * * *

LELA E. MECHAM,	)	
	)	CASE NO. 7075
Plaintiff,	)	
	)	<u>AMENDED JUDGMENT AND</u>
vs.	)	<u>DECREE OF DIVORCE</u>
	)	
LYNN L. MECHAM,	)	
	)	
Defendant.	)	

* * * * *

WHEREAS, the above-entitled matter came on for trial
before this Court on the 14th day of December, 1981, and

WHEREAS, the Plaintiff produced evidence by and through
her attorney, James T. Jones, and the Defendant, Lynn L. Mecham,
being present and having presented evidence by and through his
attorney, Wayne L. Loveless, and

WHEREAS, the Court granted the Plaintiff a divorce and
thereafter signed a Judgment and Decree of Divorce dated the 24th
day of May, 1982, which was based upon Findings of Fact and
Conclusions of Law entered on the 30th day of December, 1981, and

WHEREAS, on the 19th day of May, 1982, a hearing was
held to divide property and debt, the Plaintiff being present and
represented by her attorney, James C. Meservy, and the Defendant
being present and represented by his attorney, Wayne L. Loveless,
and

RECORDED
INDEXED

WHEREAS, Findings of Fact and Conclusions of Law were entered on the 28th day of June, 1982, and an Order for division of property then having been entered on the 19th day of August, 1982, and

WHEREAS, on the 8th day of September, 1982, an Order To Show Cause hearing was held with the Plaintiff present and being represented by her attorney, James C. Meservy, and the Defendant being present and represented by his attorney, Wayne L. Loveless, and an Order then having been entered on the 8th day of September, 1982, and

WHEREAS, on the 17th day of September, 1982, a Motion to Reconsider being heard, the Plaintiff being present and represented by her attorney, James C. Meservy, and the Defendant being present and represented by his attorney, Wayne L. Loveless, and Findings of Fact and Conclusions of Law being entered on the 13th day of January, 1983;

IT IS THE ORDER OF THIS COURT, that the Judgment and Decree of Divorce dated the 24th day of May, 1982, is hereby reaffirmed, incorporated and merged into this Amended Judgment and Decree of Divorce in all respects. The parties hereto having been granted a Decree of Divorce on the grounds of irreconcilable differences and each party having been awarded as his or her separate property all that personal property which each possessed, and the Defendant having previously been awarded all Social Security benefits due him as his sole and separate property.

FURTHER, IT IS THE ORDER OF THIS COURT, that the Order dated the 19th day of August, 1982, dividing property, is hereby affirmed, ratified and in all respects incorporated and merged herein by this reference. In particular, the Plaintiff is awarded as her sole and separate property certain real property, to-wit: 1,310 acres of farmland more particularly described as:

TOWNSHIP 9 SOUTH, RANGE 20, EAST OF THE
BOISE MERIDIAN, JEROME COUNTY, IDAHO,

Section 16: $W\frac{1}{2}$;
Section 17: $E\frac{1}{2}$;
Section 21: $E\frac{1}{2}$; NW $\frac{1}{4}$;

Section 22: SW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 27: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 28: N $\frac{1}{2}$ NE $\frac{1}{4}$;

also referred to as Parcel "B" in the Findings of Fact and Conclusions of Law as entered on the 28th day of June, 1982, and as referred to as Parcel "B" in the hearing on division of property as held on the 19th day of May, 1982. The Plaintiff is also awarded as her sole and separate property a 1977 Datsun F 10 Hatchback, together with any debt due and owing thereon and all personal property in her possession. The Plaintiff shall furnish copies of all photographs and genealogy upon request to the Defendant, provided that a reasonable cost of the expense shall be paid to the Plaintiff by the Defendant.

PROVIDED FURTHER, that the Defendant is awarded as his sole and separate property certain real property, to-wit: 281.29 acres of land more particularly described as:

TOWNSHIP 9 SOUTH, RANGE 20, EAST OF THE
BOISE MERIDIAN, JEROME COUNTY, IDAHO,

Section 8: E $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 9: Farm Unit "D," Tract "D," and
Lots 4 and 5;

also referred to as Parcel "A" in the Findings of Fact and Conclusions of Law entered on the 28th day of June, 1982, and referred to as Parcel "A" at the hearing on division of property on the 19th day of May, 1982. The Defendant is also awarded the 1979 Dodge 3/4 Ton Pickup and the 1977 Chrysler New York automobile, together with all debt due and owing thereon. The Defendant is also awarded all farm machinery, provided that an offset shall be granted to the Plaintiff in the sum of \$5,462.00 representing one-half the value of said property.

PROVIDED FURTHER, that each party shall be responsible for one-half of the FHA mortgage encumbering aforesaid farm in the amount of \$26,820.05 as of the 29th day of June, 1982. Provided however, that the Plaintiff shall be given credit of \$5,462.00 representing her share of the farm machinery as aforesaid. The total amount for which the Plaintiff shall be liable

on the FHA mortgage shall be \$7,948.02 as of the 28th day of June, 1982.

PROVIDED FURTHER, that all livestock, including sheep and cattle, shall be divided equally between the parties, each to receive said livestock as his or her separate property.

PROVIDED FURTHER, that each party shall be responsible to pay one-half of the back property taxes due and owing as of the 28th day of June, 1982.

PROVIDED FURTHER, that all tax loss for the year 1981 may be divided equally between the parties for tax purposes.

PROVIDED FURTHER, that the interest held in the silver mine known as S & S, Limited be divided equally between the parties as his or her sole and separate property.

IT IS THE FURTHER ORDER OF THIS COURT, in consideration of the Findings of Fact and Conclusions of Law dated the 13th day of January, 1983, that the Defendant shall convey to the Plaintiff by January 20, 1983, by appropriate Deed, the real property as aforescribed, to carry out the previous Orders of this Court.

PROVIDED FURTHER, that each party shall receive all water rights and well drilling rights which apply to the lands as aforescribed as his or her sole and separate property.

PROVIDED FURTHER, that the Defendant shall pay the following indebtedness (should it exist):

- (a) His share of the FHA indebtedness as aforestated.
- (b) J. R. Simplot Company.
- (c) Obligations on motor vehicles as aforescribed which belong to him.
- (d) Any debt owing on the sheep camp.
- (e) Loan from Alvin Mecham of \$1,500.00.
- (f) One-half of appraiser's fee.
- (g) One-half of property taxes as heretofore stated.
- (h) Any obligation to Merl Gee.
- (i) Bean Growers Warehouse.
- (j) Goulds, Inc.

- (k) Leslie Davis & Son Implement.
- (l) Mountain Bell.
- (m) Idaho Power Company.
- (n) Jerome County Weed Department.
- (o) Walco Livestock Supply.
- (p) R. R. Brown Insurance.
- (q) Terry Dredge.
- (r) Any amounts due for breeding fees.
- (s) Any debt to the Lynn Mecham family.
- (t) \$650.00 representing the value of one-half of the sheep given to Kyle Morgan, or this debt can be satisfied by giving to the Plaintiff one-half the number of the sheep given to Kyle Morgan of equal value.
- (u) To the Plaintiff the sum of \$2,216.38 representing one-half of the proceeds of the sale of livestock which was sold by the Defendant on the 7th day of September, 1982.
- (v) All debt incurred since June 28, 1982, which relates to the business or personal expenses of the Defendant, unless otherwise stated herein.

PROVIDED FURTHER, that the Defendant is awarded as his sole and separate property the following:

- (a) 2,421 pounds of wool held by the Utah Wool Marketing Association.
- (b) One-half of the proceeds of the sale of livestock as sold by the Defendant on the 7th day of September, 1982.
- (c) All farm crops raised on the real property during the year of 1982.
- (d) All revenue from fall grazing.
- (e) One-half of all livestock, provided that one-half the sheep given to Kyle Morgan must be returned to the Plaintiff or the sum of \$650.00 as aforestated.

PROVIDED FURTHER, that the Plaintiff is awarded as her sole and separate property the following:

- (a) One-half of the sheep given to Kyle Morgan or the sum of \$650.00.
- (b) One-half of the proceeds of the sale of livestock as sold by the Defendant on the 7th day of September, 1982, or the sum of \$2,216.30.
- (c) All of the property as previously mentioned herein which shall be her sole and separate property.

PROVIDED FURTHER, that the Plaintiff shall be responsible for such indebtedness as previously stated herein.

PROVIDED FURTHER, that each party is to be responsible for their own personal indebtedness unless otherwise stated, as of the 14th day of December, 1981.

PROVIDED FURTHER, that each party is to be responsible for his or her own costs and attorney's fees.

SO ORDERED this 24th day of January, 1983.

1st Roger Brulick
MAGISTRATE JUDGE

State of Idaho
County of Jerome | 58.
I hereby certify the foregoing to be a full, true and correct copy of the original on file in the above entitled action.
Cheryl A. [Signature]
Clerk of the District Court
[Signature] Deputy
2/14/83 Date

MICROFILMED

PAKI A

ORIGINAL

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Orginial Permit	36-7416	Lynn L. Mecham	33.22 cfs Irrigation .00 cfs stock 33.22 cfs total
Partial assignment by divorce decree	~~36-7416 A~~	Lynn L. Mecham	$\begin{array}{r} 5.62 \\ 0.1 \\ \hline 5.62 \end{array}$ <del> 7.02 cfs Irrigation .13 cfs stock 7.02 cfs total </del>
	36-7416 B	Lela E. Mecham 1810 Warm Springs Boise, ID 83702 225- 7TH ST IDAHO FALLS 833401	$\begin{array}{r} 27.6 \\ .5 \\ \hline 27.6 \end{array}$ <del> 26.20 cfs Irrigation .47 cfs stock 26.20 cfs total </del>

Lapsed Jan. 89 - see microfilm records - kw 10/17/89

NO

kw 6/6/85

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

DEC 27 1978

To provide additional time in which to submit
proof of beneficial use on a water right permit

Department of Water Resources

Lynn L. Mechem (Name) of Rt. 1, Hazelton, Idaho (Address) 83335

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 36-7416.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Jan. 1, 19 79.

That he has heretofore performed the following work described under said permit:

Electric power lines surveyed in at approximately 600 acres.
Brush removed on approximately 600 acres "189000.00"

Costing \$ Appx \$9600.00

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

Refusal of power lines and hookups
by Idaho Power pending Peavey Idaho Power
law suit outcome also economical reasons at
this time ^{Note:} Drilling was stopped fall of 1977
Pending outcome of Peavey Idaho Power lawsuit

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Jan 1, 19 84.

Lynn L. Mechem
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to January 1, 1984.

Signed this 2nd day of January, 19 79.

J. Glen Saxton
Chief, Operations Bureau

MONITORING

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **36-7416**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

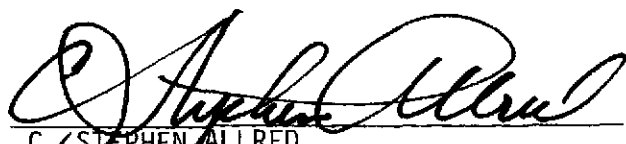
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit 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".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

RECORDED

Identification No. _____

Application No. 36-7416

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Lynn L. Mecham
post office address 652 West Bonneville, Pocatello, Idaho 83201 233-0869
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 9S
Range 20E B.M. Jerome County; additional points of diversion if any: _____
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21;
T. 9S, R. 20E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 33.22 cfs for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .60 cfs for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 33.22 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Wells and pumps

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 500,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: Same as 8B. $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 1500 head cattle, 2000 head sheep

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	20E	8													40			40	80
		9									40	40	40	40		21	20		201
		17	40	40	40	40									40	40	40	40	320
		16					40	40	40	40	40	40	40	40					320
		21	40	40	40	40	40	40	40	40					40	40	40	40	480
		22											40	40		20	20		120
		27					40	20											60
		28	40	40															80

Total number of acres to be irrigated 1661

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

121 acres irrigated with Milner Gooding Canal Water

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

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

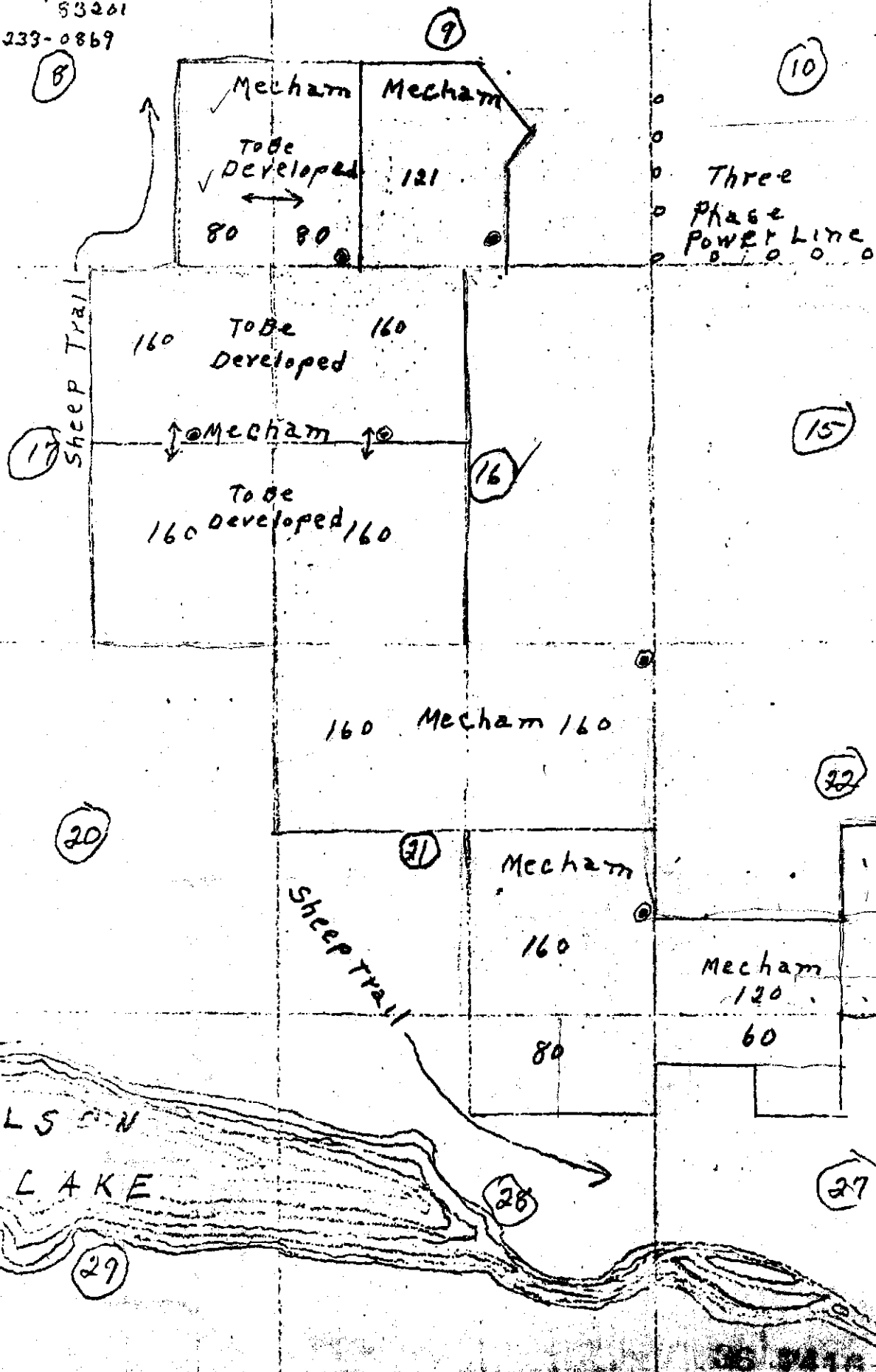
10. Remarks

ASP

Lynn L. Mecham
 652 West
 Bonneville
 Pocatello, Idaho
 83201
 Phone - 233-0869

Township 9.S, R. 29E.BM.
 Jerome County

North



Scale: 2 inches equal 1 mile

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

Lynn L. Mecham
 (Applicant)

12-6-1973
Proposed Priority

36 7416

Received by RAP Date 12-6-73 Time 12:30 PM

Preliminary check by RLH Fee \$ 285.00

Received by RLH Date 12-6-73 No. 11732

Publication prepared by jmm Date 12-7-73

Published in North Side News

Publication dates 12-13 & 12-20-73

Publication approved jmm Date 12-24-73

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 3DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7416, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 79.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 10 day of January, 19 74.

L. Keith Higin
Director

Proof of Publication
The Post-Register

RECEIVED
APR 16 1990

Department of Water Resources

State of Idaho, }
County of Bonneville } ss

I, Ted Delezene, first being duly sworn, depose and say: That I am the
Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for 2 consecutive weeks, first publication having been made
on the 4th day of April, 1990, last publication
having been made on the 11th day of April, 1990, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this

13th

day of

Ted Delezene
April

1990

Cathy von Borstel
Notary Public

My commission expires

March 5, 1996

B10

see reverse side

OK TJD 4-17-90

**NOTICE OF EXISTING
WATER RIGHT PERMIT**

Presently recorded as follows:

36-07416B

KOHTZ, DELBERT

MECHAM, LYNN L.

EDEN, ID 83325

Source: GROUNDWATER

Diversion Pt: SWSW Sec 9 T 09S R 20E

SWSE Sec 9 T 09S R 20E

SENW Sec 16 T 09S R 20E

SENE Sec 17 T 09S R 20E

NENE Sec 21 T 09S R 20E

NESE Sec 21 T 09S R 20E

Use: IRRIGATION (27,600 CFS)

STOCKWATER (.500 CFS)

Total Diversion: (27,600 CFS)

Priority: 12/ 6/ 1973

In: T09S R20E S16 NENW NWNW

SWNW SENW NESW NWSW SWSW

SESW

S17 NENE NWNE SWNE SENE NESE

NWSE SWSE SESE

S21 NENE NWNE SWNE SENE NENW

NWNW SWNW SENW NESE NWSE

SWSE SESE

S22 SWSW SESW NWSE SWSE

S27 NENW NWNW

S28 NENE NWNE

1380.0 ACRES TOTAL

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 82720 on or before APRIL 9, 1990. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

Published: April 4, 11, 1990

NOTICE OF EXISTING
WATER RIGHT PERMIT
Presently recorded as fol-
lows:

36-07416B
KOHTZ, DELBERT
MECHAM, LYNN L.
EDEN, ID 83325
Source: GROUNDWATER
Diversion Pt: SWSW Sec
9 T 09S R 20E
SWSE Sec 9 T 09S R 20E
SESW Sec 16 T 09S R
20E

SENE Sec 17 T 09S R
20E
NENE Sec 21 T 09S R
20E
NESE Sec 21 T 09S R
20E

Use: IRRIGATION (27.600
CFS)
STOCKWATER (.500
CFS)
Total Diversion: (27.600
CFS)

Priority: 12/6/1973

In: T09S R20E S16
NENW NWNW SWNW
SESW

NESE NWSW SWSW
SESW

S17 NENE NWNE SWNE
SENE

NESE NWSE SWSE
SESE

S21 NENE NWNE SWNE
SENE

NENW NWNW SWNW
SESW

NESE NWSE SWSE
SESE

S22 SWSW SESW NWSE
SESW

S27 NENW NWNW
SESW

S28 NENE NWNE
SESW

1380.0 ACRES TOTAL
Permits not developed by
July 1, 1985, are not re-
processed in compliance
with Section 42-203D,
Idaho Code. Protests
against the continuance of
permits must be filed with
the Director, Dept. of Wa-
ter Resources, Statehouse
Mail, Boise, Idaho 83720
on or before APRIL 9,
1990. Protests must be
based on the public inter-
est criteria of Section 42-
203C, Idaho Code, only.

R. Keith Higginson,
Director

PUBLISH: Thursday,
March 22 and 29, 1990.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

No 20970

I, Linda Copps McSwine being first duly sworn upon oath, depose
and say that I am Bureau Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive weeks,
commencing with the issue dated March 22, 1990,
and ending with the issue dated March 29, 1990.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 27 day of March in the year of 1990, before me,

a Notary Public, personally appeared Linda Copps McSwine,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sueva R. Feltman
Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County
5/19/94

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

 Date 032990

 INVOICE No. L00191914

 Account No. 964770
07416B

 Description 91914NOTIC

 Times 2

 Lines 70

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

 STATE OF IDAHO
1301 NORTH ORCHARD
BOISE
ID 83720

 \$ 87.50

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

 STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
ON MORNING TRIBUNE, a newspaper of general circulation
at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Tribune is an established paper and has been published regular-
ly at least once a day for more than 21 consecutive
days immediately preceding the first publication of this notice, and
so published uninterrupted for said period; that the

NOTICE OF EXISTING WATER

hereto and which is made a part of this affidavit was published in
Lewiston Morning Tribune, 2 time(s). Publication be-
gins on 032290 or once a
WEEK for 2 consecutive WEEKS, the first
thereof being on the 032290, and the last pub-
lication thereof being on the 032990, and said
NOTICE OF EXISTING WATER

published in the regular and entire issue of said newspaper and
supplement thereof and was so published in every issue and
of the said paper, during the period and times of publication as
above.

 SUBSCRIBED AND SWORN BEFORE ME THIS THE 30
March

1990

Shirley M. Lantz

 Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

 RECEIVED
APR 2 1990

Department of Water Resources

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

36-07416B

 KOHTZ, DELBERT
MECHAM, LYNN L.
EDEN, ID 83325

Source: GROUNDWATER

 Diversion Pt: SWSW Sec 9 T 09S R 20E
SWSE Sec 9 T 09S R 20E
SENE Sec 16 T 09S R 20E
SENE Sec 17 T 09S R 20E
NENE Sec 21 T 09S R 20E
NESE Sec 21 T 09S R 20E

 Use: IRRIGATION
STOCKWATER

Priority: 12/6/1973

In: T09S R20E

 Total Diversion: (27.600 CFS)
(.500 CFS)
(27.600 CFS)

S16	NENW	NWNW	SWNW	SENE
	NESW	NWSW	SWSW	SESW
S17	NENE	NWNE	SWNE	SENE
	NESE	NWSE	SWSE	SESE
S21	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENE
	NESE	NWSE	SWSE	SESE
S22	SWSW	SESW	NWSE	SWSE
S27	NENW	NWNW		
S28	NENE	NWNE		

1380.0 ACRES TOTAL

Permits not developed by July 1, 1985, are being reprocessed in compli-
ance with Section 42-203D, Idaho Code. Protests against the continuance of
permits must be filed with the Director, Dept. of Water Resources, State-
house Mail, Boise, Idaho 83720 on or before APRIL 9, 1990. Protests must be
based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 032990 INVOICE No. LDD191914

Account No. 964770 07416B

Description 91914NOTIC

Times 2 Lines 70

Tab Lines

\$ 87.50

LEGAL ADVERTISING INVOICE

SOLD TO:

STATE OF IDAHO
1301 NORTH ORCHARD
BOISE
ID 83720

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

RECEIVED
APR 2 1990

Department of Water Resources

1990 NISSAN 240SX

#400430

Reg. Price \$14,752

Sale Price \$13,348

**PUT YOURSELF IN
FAST FORWARD.**



**\$600 Off From GMAC...
And More...For
College Graduates.**

Qualify for GMAC's College
Graduate Finance Plan and you can
get \$600 off the purchase or lease
of a new

Come in today for details and a test
drive. We'll show you how to put
your life and career in gear.

**zimmer motor
company**

GMAC
FINANCIAL SERVICES

'89 Pontiac
'88 Pontiac
'88 Honda
'88 Pontiac
'87 Nissan
'87 Ford
'87 Nissan
'87 Pontiac
'86 Oldsmobile
'86 Buick
'86 Oldsmobile
'85 Buick
'85 Mercedes
'85 Oldsmobile
'85 Cadillac
'85 Dodge
'84 Buick
'84 Ford
'84 Cadillac
'84 Oldsmobile
'83 Pontiac
'82 Pontiac

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister

, being duly sworn,

deposes and says, I am the Legal Clerk

of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF EXISTING WATER

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 032290

WEEK for 2 consecutive WEEKS, or once a

publication thereof being on the 032290, and the last publication thereof being on the 032990, and said

NOTICE OF EXISTING WATER

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 30

day of March 1990

Sheryl M. Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED
APR 2 1990

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources

LEGAL ADVERTISING INVOICE

Amount Due

52.68

Account Name		Account Number	
Idaho Dept. of Water Resources State Office		47628	
Address		City/State	Zip
Statehouse Mail A		Boise ID	83720
Ordered By	P.O. Number	Rate	Run Dates
Sharla		nt	March 22, 29, 1990
Identification		Estimated Inches	Real Inches
Notice of Existing Water Right Permit			
1 Number of Affidavits Requested			Legal Number
			5110

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:
36-07416B

KOHTZ, DELBERT
MECHAM, LYNN L.
EDEN, IDAHO 83325
Source: GROUNDWATER
Diversion Pt: SWSW Sec. 9 T 09S R 20E

SWSE Sec 9 T 09S R 20E
SENE Sec 16 T 09S R 20E
SENE Sec 17 T 09S R 20E
NENE Sec 21 T 09S R 20E
NESE Sec 21 T 09S R 20E
Use: IRRIGATION (27,600 CFS)
STOCKWATER (.500 CFS)
Total Diversion: (27,600 CFS)
Priority: 12/6/1973
In: T09S R20E S16 NENW NWNW
SWNW SENW
NESW NWSW SWSW SESW
S17 NENE NWNE SWNE SENE
NESE NWSE SWSE SESE
S21 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESE NWSE SWSE SESE
S22 SWSW SESW NWSE SWSE
S27 NENW NWNW
S28 NENE NWNE
1380.0 ACRES TOTAL

Permit(s) not developed by July 1, 1985 are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 9, 1990. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

Keith Higginson,
Director
Pub. Mar. 22, 29, 1990

5110

Debbie Richards

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of March 22, 1990

and ending with the issue of March 29, 1990

Debbie Richards

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 29th day of March, 1990, before me, a Notary Public, personally appeared Debbie Richards, known or identified

to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Boise, Idaho

Residing at

My commission expires: 12/93

AFFIDAVIT of PUBLICATION

MAR 30 1990

COPY OF NOTICE

(Paste Here)

State of Idaho,
County of Jerome

SS.

Department of Water Resources

G. Manager.

Patty Nance, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2X consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21st day of March 1990, and the date of the last publication was on the 28th day of March, 1990.

Patty Nance

Subscribed and sworn to before me this 28 day of March, 1990.
(SEAL)

Norma DeVoe
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions 2X

Lines tabular at 6/Pica
Lines straight at 27.79 5¢/Pica
Subsequent lines at 22.23 4¢/Pica
TOTAL COST 50.02

Existing Water Right Permit
TITLE OF NOTICE
36-074168-Koltz

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Water Res.
BILL TO Boise

NOTICE OF EXISTING
WATER RIGHT PERMIT
Presently recorded as follows:
36-074168

KOLTZ, DELBERT
MECHAM, LYNN L.
EDEN, ID 83325
Source: GROUNDWATER
Diversion Pt: SWSW Sec 9 T 09S R 20E

SWSE Sec 9 T 09S R 20E
SENE Sec 16 T 09S R 20E
SENE Sec 17 T 09S R 20E
NENE SEC 21 T 09S R 20E
NESE SEC 21 T 09S R 20E
Use: IRRIGATION (27.600 CFS)
STOCKWATER (.500 CFS)
Total Diversion (27.600 CFS)
Priority: 12/6/1973

In: T09S R20E S16 NENW NWNW
SWNW SENW

NESW NWSW SWSW SESW
S17 NENE NWNE SWNE SENE
NESE NWSE SWSE SESE
S21 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESE NWSE SWSE SESE
S22 SWSW SESW NWSE SWSE
S27 NENW NWNW
S26 NENE NWNE
1380.0 ACRES TOTAL

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 8, 1990. Protests must be based on the public interest criteria of Section 42-203 C, Idaho Code, only.

R. Keith Higginson, Director
Pub: 3-21, 28 N13955

INC 3900

13955

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

Edgar H. Meacham, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13 day of Dec., 1973, and the date of the last publication was on the 20 day of Dec., 1973.

Subscribed and sworn to before me this 21st day of December, 1973.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>43</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	315c	
<u>43</u> Lines straight at	21c	<u>9.03</u>
<u>43</u> Subsequent lines at	15c	<u>6.45</u>
TOTAL COST		<u>15.48</u>

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE # 36-7416

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Joseph H. Hater Adm.

NOTICE OF APPLICATION

Notarized copy given that Lynn L. Meacham, 652 West Bonneville, Pocatello, ID has on December 6, 1973 submitted Application No. 36-7416 for a permit to appropriate 33.22 cubic feet per second of water from groundwater by means of wells and pumps within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; T. 9S, R. 20E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for stockwater, and from Mar. 15 to Nov. 15 for irrigation of 1,661 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; E $\frac{1}{2}$, Sec. 17; W $\frac{1}{2}$, Sec. 16; N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 21; S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28; T. 9S, R. 20E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before December 31, 1973.

R. KEITH HIGGINSON
Director

12-13-21c-n

No 2274

36 7416

PAGE 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-7866

DATE:

9/23/96

1:25pm

TO:

Bob Tessier
Choice Finance
(509) 456-7315

FROM:

Sharla

DOCUMENT DESCRIPTION:

2 water right licenses
36-07416C + 36-07416D

COVER SHEET + 4 PAGES

CONTACT:

Patti - secretary
(208) 327-7941

IF YOU DO NOT RECEIVE ALL THE PAGES

THANK YOU!

OCT 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 23, 1996

KEITH EDWIN SODERQUIST
CHRISTIE SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

RE: WATER RIGHT NOS. 36-07416C AND 36-07416D

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

OCT 3 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-074161 DATE 9/6/96 REVIEWER: S H A R L A

NAME	Change	OK	Address Change <u>yes</u>
SOURCE	—	☒	Is change clarification of originally intended source? <u>—</u>
			If not, prepare Notice of Intent to Void <u>—</u>
POINT OF DIV	—	☒	Amendment required <u>NO</u>
PLACE OF USE	—	☒	Amendment required <u>NO</u>

Does map agree with written description? ☒ yes ☐ no

OVERLAPS ☐ P/D ☐ P/U

RATE OF DIV

Permitted Rate	<u>12.8</u>	cfs	
Fee limit	<u>13.0</u>	cfs	<u>\$400⁰⁰</u>
Measured	<u>4.0</u>	cfs	
Theoretical	<u>4.84</u>	cfs	$300 \times 8.8 \times .7 / 243 + (2.31 \times 60) =$
			Recommended Total Div Rate <u>4.0</u> cfs

ANNUAL VOLUME/ NATURE OF USES

Use	Volume Calculation
<u>Ins</u>	<u>310.9 x 4.0 =</u> af
_____	_____ af
_____	_____ af
_____	_____ af
SUBTOTAL	<u>1241.6</u> af

Flow rate 4.0 cfs X 214 days X 1.98 ~~af~~ = 1694.9 af
 Total volume recommended 1241.6 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

OM modified

CONDITIONS

☐ Watermaster Control WD# _____
☐ GW Measurement/Measuring Device _____
R30 Overlap

☐ Use-specific conditions
 Advancement of Priority Date Required ☐ yes ☒ no

SRBA Claim Filed N/A

Adjustment Memo 310.9

1st Amend Letter N/A

2nd Amend Letter N/A

WR0749NP
No. L36-074160

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/06/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEITH EDWIN SODERQUIST	02/22/1974	IRRIGATION	03/15 11/15	4.000 CFS	1240.00 AFA
C	CHRISTIE SODERQUIST 22295 KIMBERLY RD KIMBERLY ID 83341 (208) 423-9630					
TOTAL DIVERSION:					4.000 CFS	1240.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 4.840 CFS

Point(s) of Diversion: T09S R20E S17

NESE

JEROME County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
09S	20E	17	:	38		38		38		38			:					:	38		38		38		310.4
TOTAL ACRES																							310.4		

Pou County: JEROME

Other Rights: MILNER GOODING CANAL.

Other Water Rights with Same Point(s) of Diversion and Source:
36-074168

Other Water Rights Listing Overlapping Place(s) of use:
36-074168

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Remarks: The right holder shall install a suitable measuring device or
shall enter into an agreement with the department to determine
the amount of water diverted from power records and shall
annually report the information to the department.

Dates: App. Received: 12/06/1973 Priority Date: 02/22/1974 (Priority Date Advanced.)
Proof Due Date: 11/01/1994 Proof Made Date: 01/07/1995 (Proof Received Late.)
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
L36074160	T09S R20E S17 GROUNDWATER																		
	:	38	38	38	38	:				:				:	38	38	38	38	: 304

NO MATCHES FOR THIS POU IN AJ-POU

~~36074160~~	~~GROUNDWATER~~	~~40~~	~~40~~	~~40~~	~~40~~	~~:~~	~~40~~	~~40~~	~~40~~	~~40~~	~~:~~	~~40~~	~~40~~	~~40~~	~~40~~	~~:~~	~~520~~
---------------------	------------------------	---------------	---------------	---------------	---------------	--------------	---------------	---------------	---------------	---------------	--------------	---------------	---------------	---------------	---------------	--------------	----------------

NO MAPPING INFO AVAILABLE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 30 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-07416D

1. Owner: Kieth E. Soderquist Phone No. (208) 423-9630

Current Address: 22295 Kimberly Road, Kimberly, Idaho 83341

2. Accompanied by: Kieth E. Soderquist EXAM DATE : July 3, 1996

Address: same as above Phone No. _____

Relationship to Permit Holder: owner

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
WELL SITE TAG # A0004080		N W	N E	S E	17	09S	20E	JEROME	Visual and ASCS map.

2. Place(s) of Use:

Indicate Method of Determination visual and ASCS map

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	20E	17	38.75	38.75	38.75	38.75									38.75	38.75	38.75	38.75	155 AC

OCT 03 1996

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

SEE ATTACHED SHEET

YES Copy of USGS Quadrange Attached Showing location(s) of YES Aerial Photo Attached

point(s) of diversion and place(s) of use (required). (required for irrigation of 10+ acres)

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL SITE TAG NUMBER A0004080	UNKNOWN	300 Hp	908245	LAYNE BOWLER	45551

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic Portable Flow meter	Tyme Flyte	149744	TF*P	N7H5506		April 1996

2. Measurements: SEE ATTACHED SHEET

RECEIVED
OCT 03 1996

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is pumped out of a well in the NW 1/4 - NE 1/4 - SE 1/4 of section 17 township 9S - range 20E. The water is drawn from the well and discharged into a mainline that splits into two mainlines approximately 20 feet from the well. The first mainline travels northwest and feeds a 155 acre center pivot in the NE 1/4 of section 17. The second mainline travels southwest and feeds a 155 acre center pivot in the SE 1/4 of section 17. This system irrigates a total of 310 acres in section 17.

RECOMMENDATIONS REMARKS:

I recommend that this permit be licensed as the primary water right for this land. There are no other water rights attached to this place of use or point of diversion, therefore this permit is the only way to irrigate these lands. Any future development can not exceed .02 cfs per acre or 1240 afa when combined with this permit.

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

10-03-1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Polysonic -- $1795 \text{ gpm} / 448.8 = 4.00 \text{ cfs}$ (see attached sheet for polysonic readings)**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 310 \text{ acres} \times 4.0 \text{ ir.} = 1240 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.00 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 1710.59$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1240 \text{ afa (per Vir)}$$

B

2. Volume Calculations for Other Uses:

B

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume	
	From	To	Q (cfs)	V (afa)	
IRRIGATION		April 1	Oct. 31	4.00 cfs	1240 afa
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
Totals:			4.00 cfs	1240 afa	

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other**I. AUTHENTICATION**Field Examiner's Name David A. Nelson Date 7-17-96

Reviewer _____ Date _____

SEAL

OCT 03 1996

POLYSONIC READINGS

PERMIT #: 36-07416D

WELL (PUMP #1)

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THE MAIN POINT OF DIVERSION.
THIS IS FOR PUMP #1 ON THE MAPS.

FLows IN GALLONS PER MINUTE (GPM)

INTEGRATER USED TO AVERAGE FLOW

AVERAGE FLOW WAS - 1795 gpm

Integrator
Average

1st SET OF
INFORMATION *Page 2*

MODE SELECT
INPUT

OUTER DIAMETER
12.0200 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1330 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

SPACING
9.299 IN U

ZERO MODE
CLEAR

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

07-03 10:1700 *R
+002.90 % A12

MODE SELECT
T0 CHECK

0445.9 MMSEC
101.53 % T0

2nd SET OF INFORMATION

10:23+ 1.789E 3GPM 00R
+00000 *10 G 00R
-00000 *10 G 00R

10:24+ 1.793E 3GPM 00R
+00179 *10 G 00R
-00000 *10 G 00R

10:25+ 1.796E 3GPM 00R
+00359 *10 G 00R
-00000 *10 G 00R

10:26+ 1.796E 3GPM 00R
+00539 *10 G 00R
-00000 *10 G 00R

10:27+ 1.802E 3GPM 00R
+00718 *10 G 00R
-00000 *10 G 00R

10:28+ 1.806E 3GPM 00R
+00897 *10 G 00R
-00000 *10 G 00R

10:29+ 1.797E 3GPM 00R
+01076 *10 G 00R
-00000 *10 G 00R

10:30+ 1.802E 3GPM 00R
+01256 *10 G 00R
-00000 *10 G 00R

10:31+ 1.790E 3GPM 00R
+01435 *10 G 00R
-00000 *10 G 00R

10:32+ 1.804E 3GPM 00R
+01615 *10 G 00R
-00000 *10 G 00R

10:33+ 1.791E 3GPM 00R
+01795 *10 G 00R
-00000 *10 G 00R

OCT 03 1996

SECTION 17

155 Acre
Center Pivot

12" main line

P/O
Well
Site Tag #
A0004080

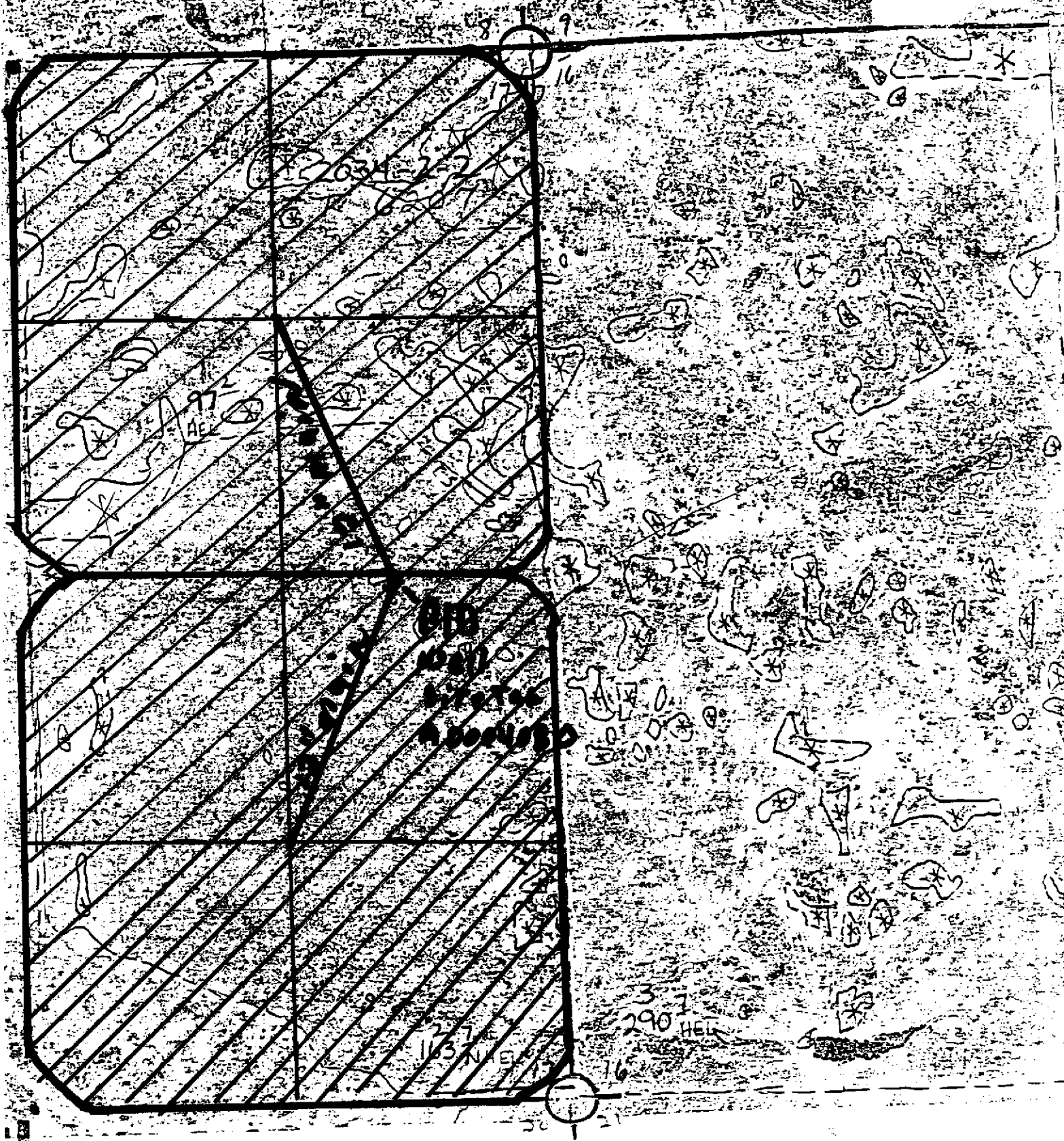
12" main line

155 Acre Center Pivot

OCT 08 1996

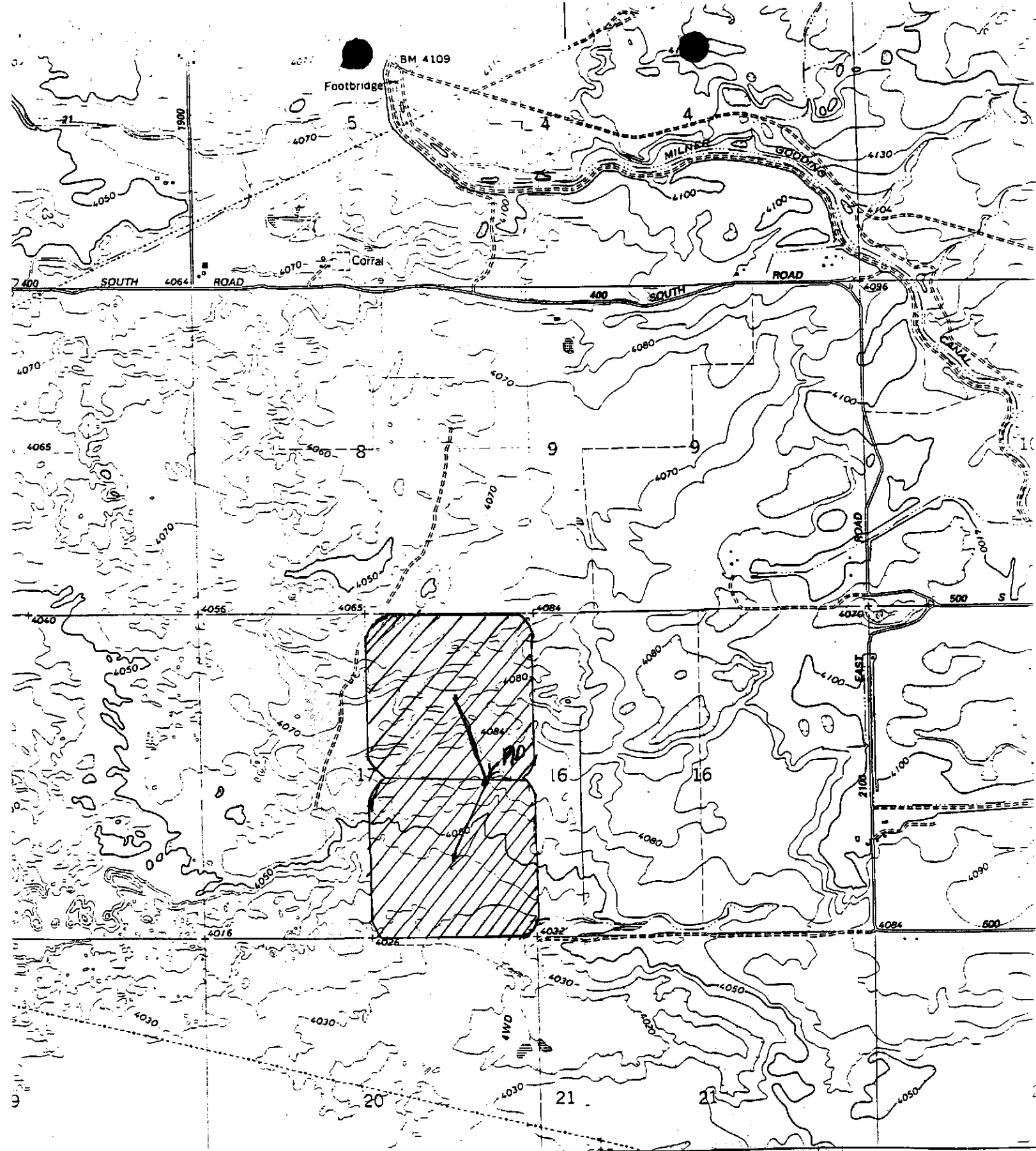
This system consists of 1 well that empties into 2 - 12 inch main lines. These main lines feed 2 - 155 acre center pivots. 1 center pivot irrigates the NE 1/4 of section 17 while the other pivot irrigates the SE 1/4 of section 17.

Scale APPROX. 8" TO THE MILE



R14

This is The SYSTEM WORKS 40 36-6921380



733

734

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1992
735000m. E.

114° 07' 30" 736

470 000 FEET

737

ROAD CLASSIFICATION

Medium-duty

Light-duty

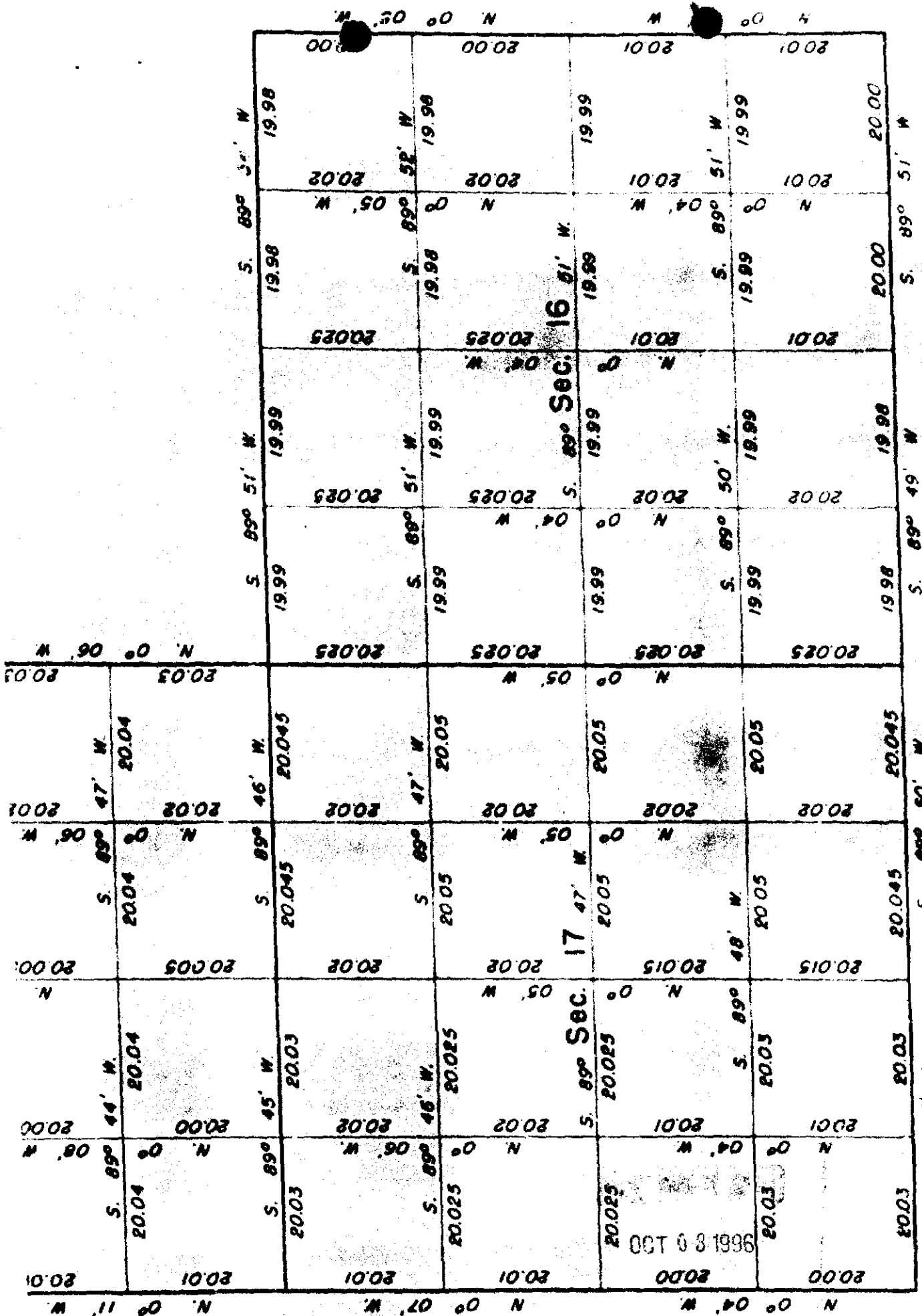
Unimproved dirt

Produced by the United States Geological Survey

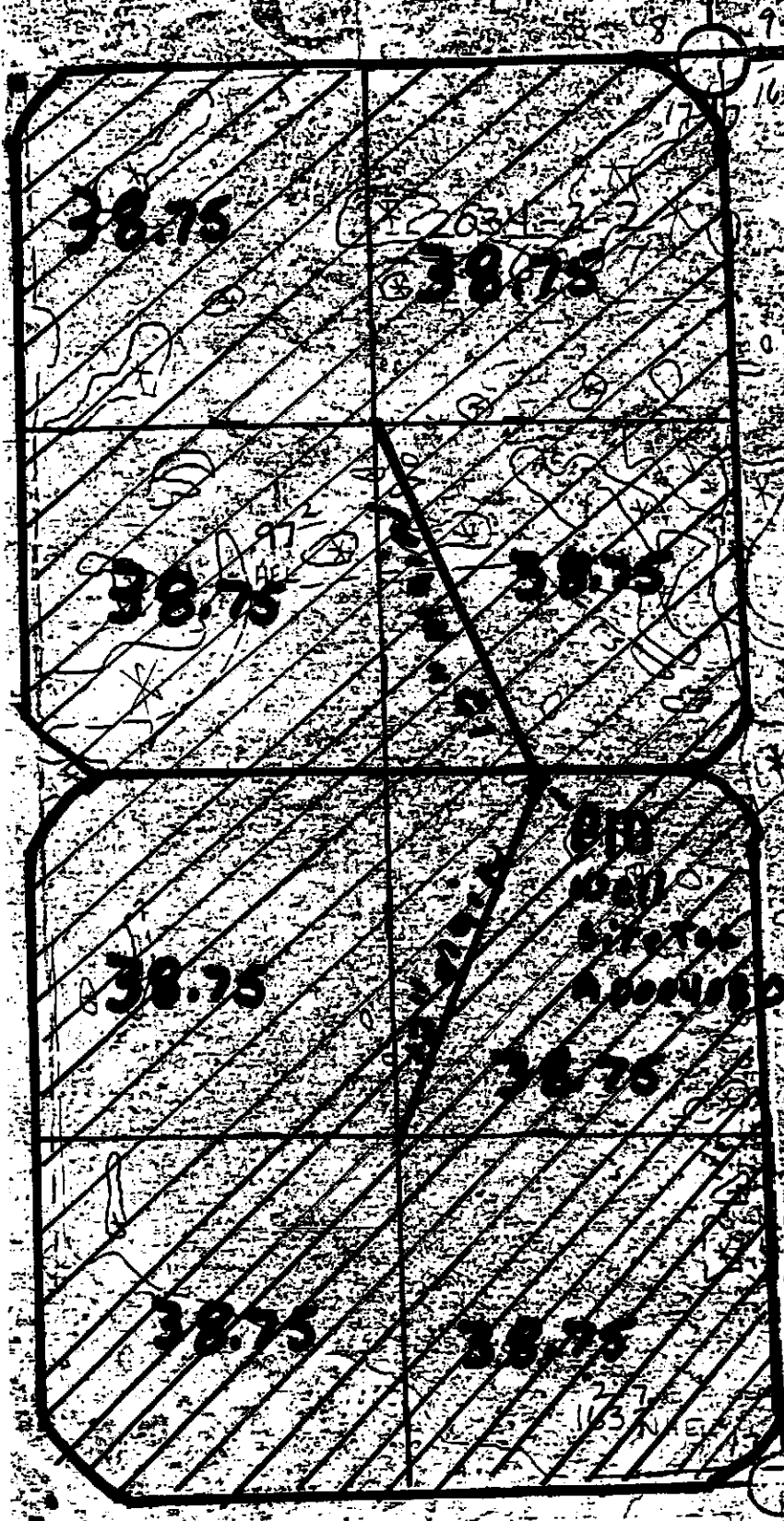
Control by USGS and NOAA

Compiled from aerial photographs taken 1962. Information shown in purple has been updated from aerial photographs taken 1987 and field checked. Map edited 1992. Conflicts may exist between some updated features and previously mapped contours

North American Datum of 1983 (NAD 83) Projection and

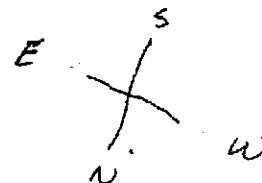


Area resurveyed 2664 63 Acres

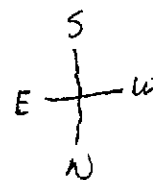
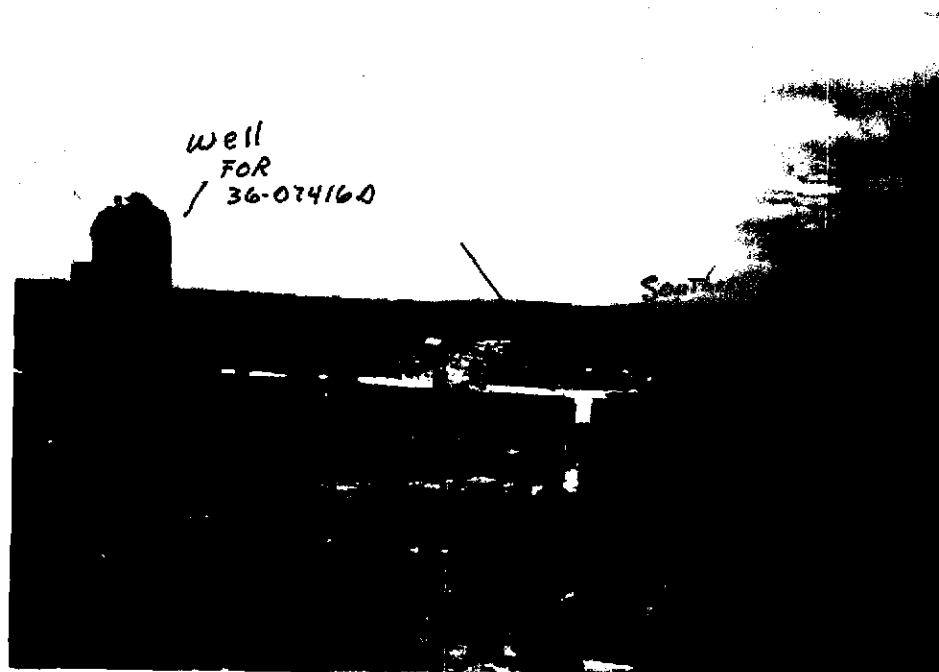


R14

007 0 8 386



This is the pump for 36-074160. This picture shows the site tab and the position of well for permit 36-074160 (section 16) to use as a reference.



This picture shows the diversion works for 36-074160.

OCT 23 1996

Part C



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 23, 1996

KEITH EDWIN SODERQUIST
CHRISTIE SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

RE: WATER RIGHT NOS. 36-07416C AND 36-07416D

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

OCT 03 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-07416C

DATE 9/6/96

REVIEWER: S H A R L A

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>yes</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change clarification of originally intended source? <u>—</u> If not, prepare Notice of Intent to Void <u>—</u>
POINT OF DIV	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>No</u>
PLACE OF USE	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>No</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>12.8</u> cfs
Fee limit	<u>13.0</u> cfs \$40000
Measured	<u>4.78</u> cfs
Theoretical	<u>4.86</u> cfs
Recommended Total Div Rate $300 \times 8.8 \times .7 / 242 + (2.31 \times 60) = 4.86$ <u>4.78</u> cfs	

ANNUAL VOLUME/ NATURE OF USES

Use <u>310.9 Irr</u>	Volume Calculation <u>310.9 x 4.0 =</u> af
<u> </u>	<u> </u> af
<u> </u>	<u> </u> af
<u> </u>	<u> </u> af
SUBTOTAL	<u>1241.6</u> af

Flow rate 4.78 cfs X 214 days X 1.98 ~~24~~ = 2025.4 af
Total volume recommended 1241.6 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD#

— GW Measurement/Measuring Device
R30 Overlap

— Use-specific conditions
Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
Adjustment Memo 310.9

1st Amend Letter N/A
2nd Amend Letter

WR0749NP
No. L36-07416C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/06/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEITH EDWIN SODERQUIST	02/22/1974	IRRIGATION	03/15 11/15	4.780 CFS	1240.00 AFA
C	CHRISTIE SODERQUIST					
	22295 KIMBERLY RD			TOTAL DIVERSION:	4.780 CFS	1240.00 AFA
	KIMBERLY ID 83341					
	(208) 423-9630					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 4.860 CFS

Point(s) of Diversion: T09S R20E S16

NWSW

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																		
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---
09S	20E	16	:									:	38	38	38	38			:	38	38	38	38			:							310.4	
																												TOTAL ACRES	310.4					

Pou County: JEROME

Other Rights: MILNER GOODING CANAL.

Other Water Rights with Same Point(s) of Diversion and Source:
36-07416B

Other Water Rights Listing Overlapping Place(s) of use:
36-07416B

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Remarks: The right holder shall install a suitable measuring device or
shall enter into an agreement with the department to determine
the amount of water diverted from power records and shall
annually report the information to the department.

Dates:	App. Received:	12/06/1973	Priority Date:	02/22/1974	(Priority Date Advanced.)
	Proof Due Date:	11/01/1994	Proof Made Date:	01/07/1995	(Proof Received Late.)
	Exam Made Date:		Exam Sent to S.O.:		
	Licensed Date:				

Misc: Water District Number: Field Exam Fee: R (Received)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		Lt	Ac
L3607416C	T09S R20E S16 GROUNDWATER																			
	:																			304
0100006	SNAKE RIVE :																			
~~3607416B~~	~~GROUNDWATER :~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~320~~
--86 MAP--	C53Q-BB 26 :	38	40	40	40	02				02	02			05	39	36	36	35	315	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 30 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-07416C

1. Owner: Kieth E. Soderquist Phone No. (208) 423-9630

Current Address: 22295 Kimberly Road, Kimberly, Idaho 83341

2. Accompanied by: Kieth E. Soderquist EXAM DATE : July 3, 1996

Address: same as above Phone No.

Relationship to Permit Holder: owner

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
WELL SITE TAG # A0004079		N W	N W	S W	16	09S	20E	JEROME	Visual and ASCS map.

2. Place(s) of Use:

Indicate Method of Determination visual and ASCS map

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	20E	16					38.75	38.75	38.75	38.75	38.75	38.75	38.75	38.75					310 AC

OCT 03 1996

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

SEE ATTACHED SHEET

YES Copy of USGS Quadrange Attached Showing location(s) of YES Aerial Photo Attached
point(s) of diversion and place(s) of use (required). (required for irrigation of 10+ acres)
YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL SITE TAG NUMBER A0004079	US ELECTRICAL	300 Hp	1387122	VERTILINE	D11424

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic Portable Flow meter	Tyme Flyte	149744	TF*P	N7H5506		April 1996

2. Measurements: SEE ATTACHED SHEET

OCT 03 1996

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is pumped out of a well in the NW 1/4 - NW 1/4 - SW 1/4 of section 16 township 9S - range 20E. The water is drawn from the well and discharged into a mainline that splits into two mainlines approximately 20 feet from the well. The first mainline travels northeast and feeds a 155 acre center pivot in the NW 1/4 of section 16. The second mainline travels southeast and feeds a 155 acre center pivot in the SW 1/4 of section 16. This system irrigates a total of 310 acres in section 16.

RECOMMENDATIONS REMARKS:

I recommend that this permit be licensed as the primary water right for this land. There are no other water rights attached to this place of use of point of diversion, therefore this permit is the only way to irrigate these lands. Any future development can not exceed .02 cfs per acre or 1240 afa when combined with this permit.

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

100-100000-01
007 03 1996

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Polysonic -- 2146 gpm / 448.8 = 4.78 cfs (see attached sheet for polysonic readings)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 310 \text{ acres} \times 4.0 \text{ ir.} = 1240 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.78 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 2028.96$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1240 \text{ afa (per Vir)}$$

B

2. Volume Calculations for Other Uses:

B

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)	
	From	To			
IRRIGATION		April 1	Oct. 31	4.78 cfs	1240 afa
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
Totals:			4.78 cfs	1240 afa	

2. Recommended Amendments

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

I. AUTHENTICATION

OCT 03 1996

Field Examiner's Name Daniel A. Nelson Date 7-17-96

Reviewer _____ Date _____

SEAL

POLYSONIC READINGS

PERMIT #: 36-07416C

WELL (PUMP #1)

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THE MAIN POINT OF DIVERSION.
THIS IS FOR PUMP #1 ON THE MAPS.

FLOWS IN GALLONS PER MINUTE (GPM)

INTEGRATER USED TO AVERAGE FLOW

AVERAGE FLOW WAS - 2146 gpm

2ND SET OF INFORMATION

08:28+	2.122E 3GPM	00R
	+00000 *10 G	00R
	-00000 *10 G	00R
08:29+	2.152E 3GPM	00R
	+00214 *10 G	00R
	-00000 *10 G	00R
08:30+	2.140E 3GPM	00R
	+00428 *10 G	00R
	-00000 *10 G	00R
08:31+	2.154E 3GPM	00R
	+00642 *10 G	00R
	-00000 *10 G	00R
08:32+	2.135E 3GPM	00R
	+00057 *10 G	00R
	-00000 *10 G	00R
08:33+	2.137E 3GPM	00R
	+01071 *10 G	00R
	-00000 *10 G	00R
08:34+	2.157E 3GPM	00R
	+01286 *10 G	00R
	-00000 *10 G	00R
08:35+	2.167E 3GPM	00R
	+01501 *10 G	00R
	-00000 *10 G	00R
08:36+	2.133E 3GPM	00R
	+01715 *10 G	00R
	-00000 *10 G	00R
08:37+	2.167E 3GPM	00R
	+01931 *10 G	00R
	-00000 *10 G	00R
08:38+	2.150E 3GPM	00R
	+02146 *10 G	00R
	-00000 *10 G	00R

Integrator
Average

1ST SET OF INFORMATION

MODE SELECT
INPUT

OUTER DIAMETER
12.0300 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.13500 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

SPACING
9.310 IN U

ZERO MODE
CLEAR

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

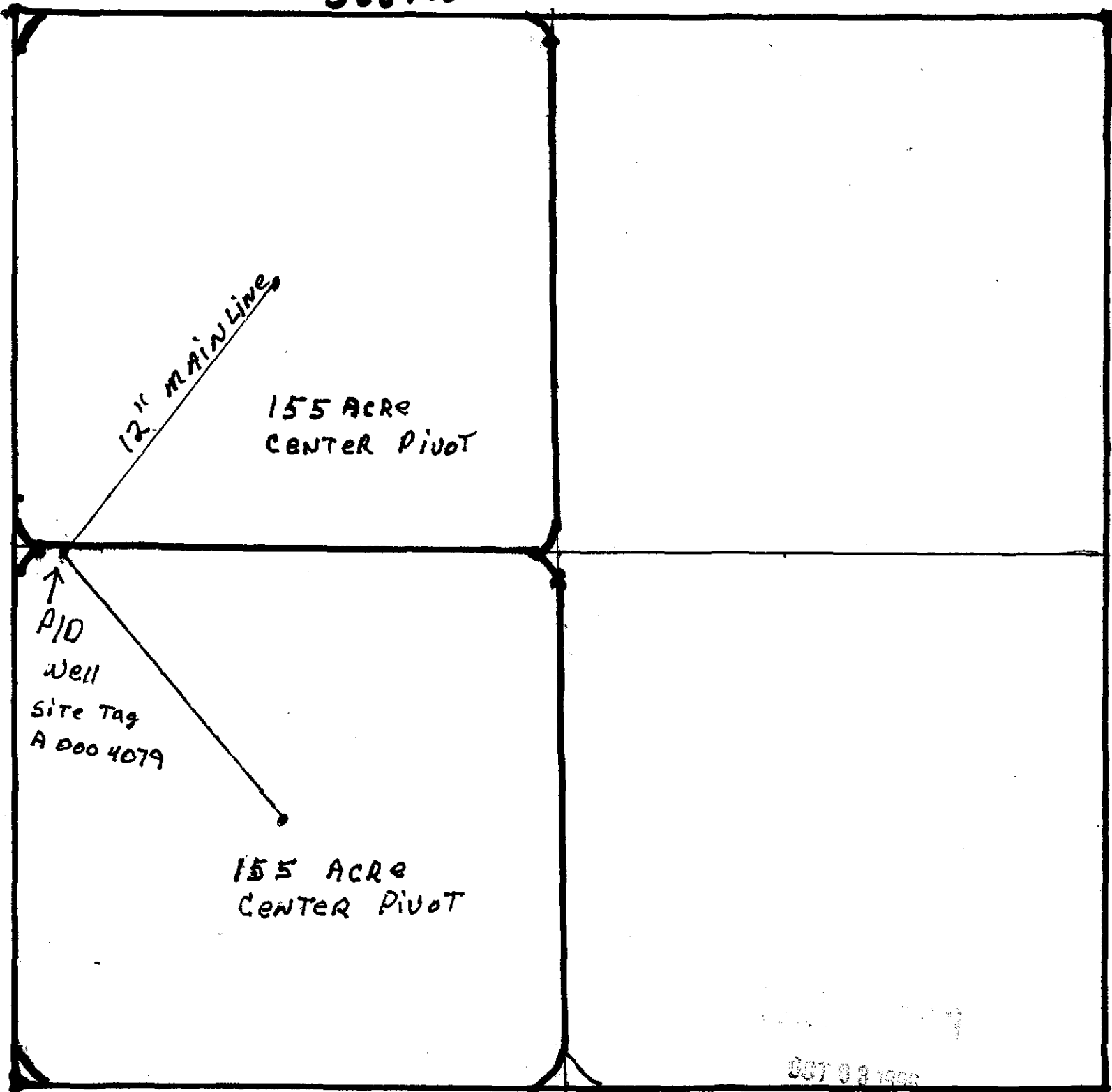
07-03 07:5900 *R
+002.90 % ATZ

MODE SELECT
TO CHECK

0445.8 MMSEC
101.44 % TO

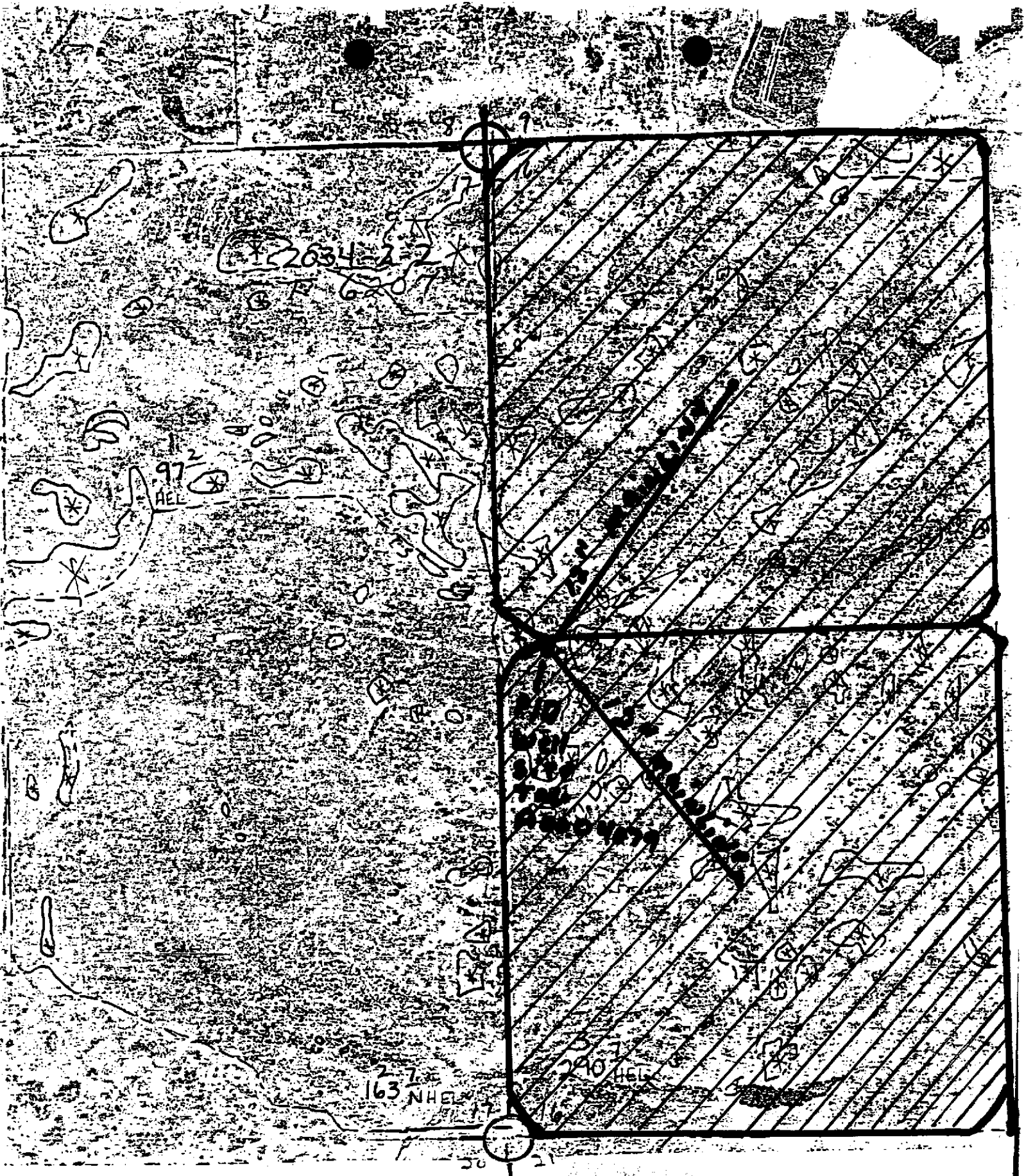
OCT 03 1996

SECTION 16



OCT 9 8 1986

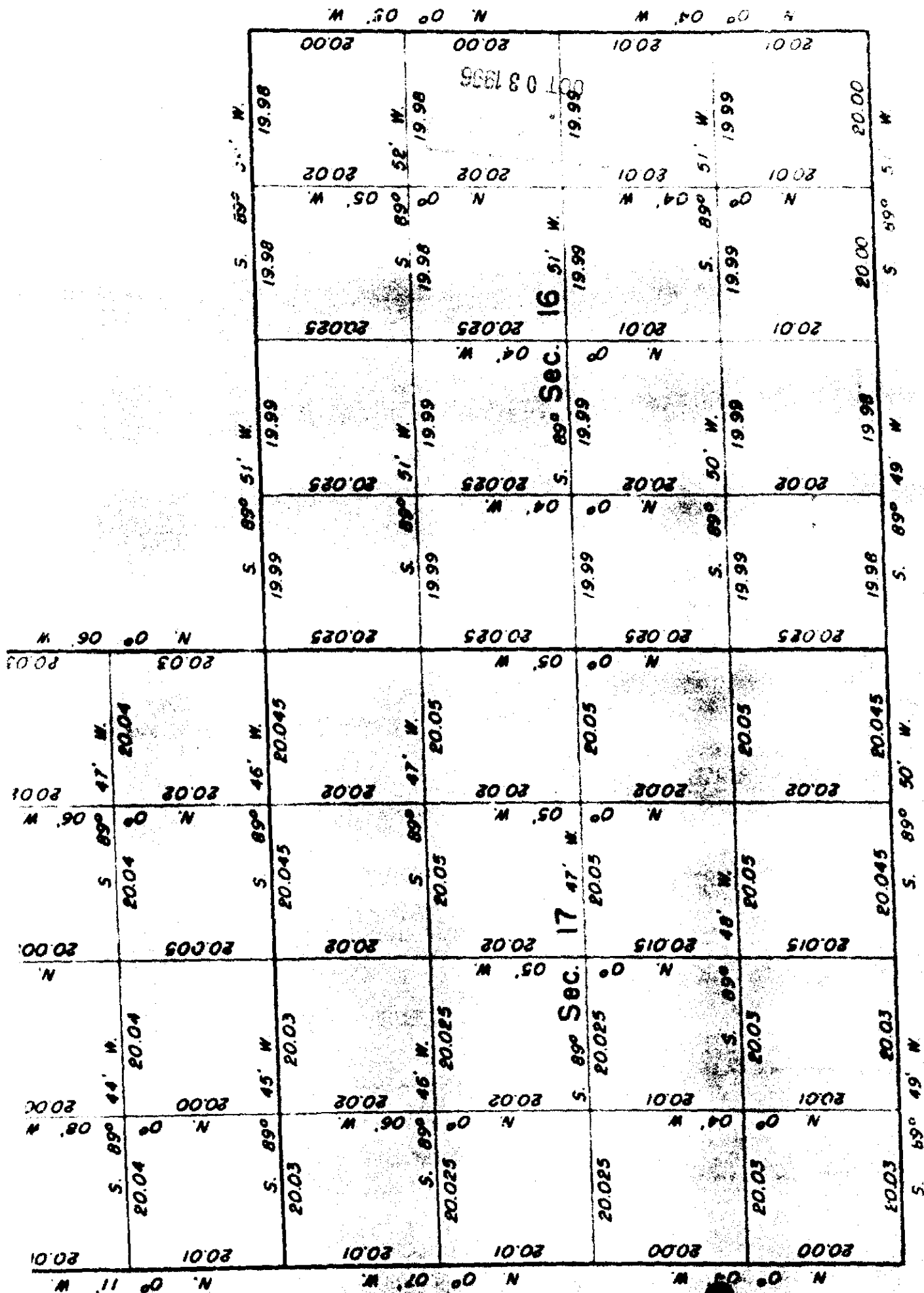
This system consists of 1 well which discharges into 2-12" mainlines. These mainlines feed 2-155 Acre center pivots. One pivot irrigates the NW $\frac{1}{4}$ of section 16 while the other pivot irrigates the SW $\frac{1}{4}$ of section 16.



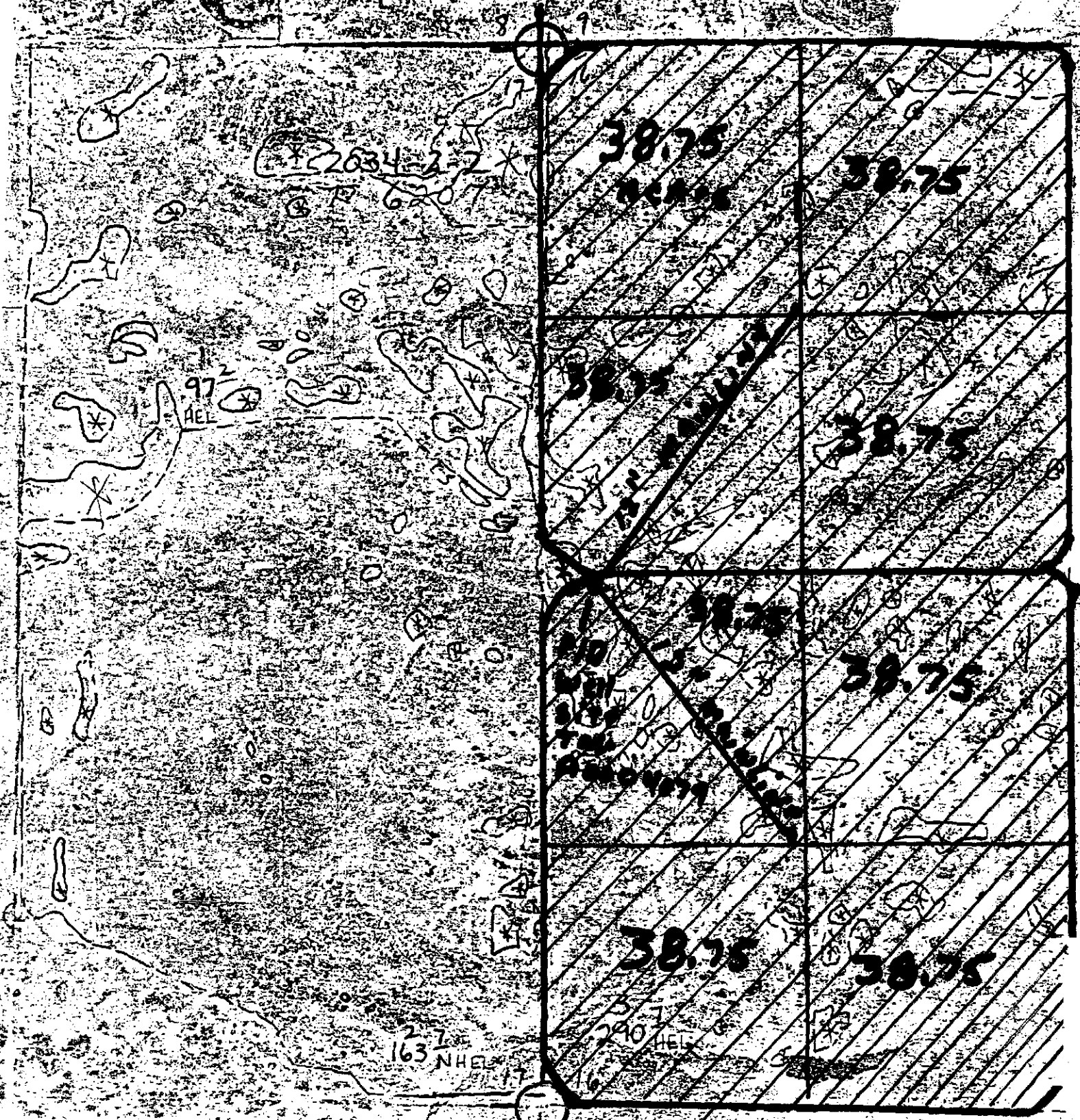
R14

007 0 3 1996

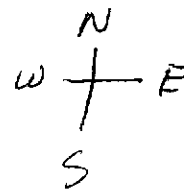
1-2-87



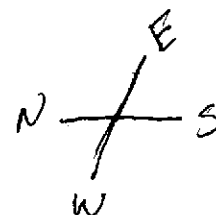
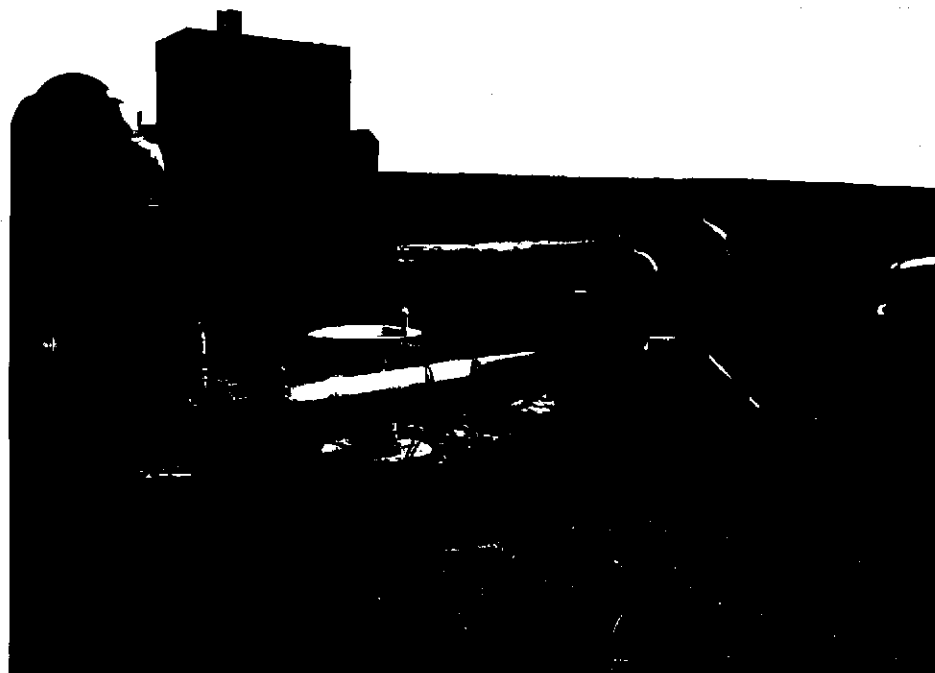
Area surveyed: 2664.63 Acres



R14 This is the ACRAB FOR
 36-07416 C. THERE IS A TOTAL OF 310 ACRES



This is The well FOR 36-07416C and The Site Tab Location.



This is The Diversion Works FOR well. IT SPLITS INTO TO main lines at The POINT Where The man is sitting on The PIPE. OCT 03 1983

Part B



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 17, 1996

To: State Examiner of Beneficial Use Field Reports

Subject: Permit split for permit number 36-07416B

Permit number 36-07416B consisted of two separate systems. Therefore, I recommend that this file be split into two separate licenses. This is how I wrote up the Field Reports. I placed half of the permit under the permit number of 36-07416C and the other half of the permit under the permit number 36-07416D. The flow rate of both systems and the number of the acres of both systems when combined together are below both the flow rate and the acreage of the original permit (36-07416B).

Sincerely

Daniel A. Nelson
Summer Field Examiner - Southern Region

OCT 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JANUARY 10, 1996

KEITH E SODERQUIST
CHRISTIE SODERQUIST
1701 N 1000 E
MONTEVIEW ID 83435

RE: Permit No. 36-07416B

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

JAN 23 1996

JEFFREY E. ROLIG
STEVEN D. PETERSON
BRIAN D. HARPER

ROLIG & PETERSON
ATTORNEYS AT LAW

FIRST SECURITY BANK BUILDING
102 MAIN AVE. SOUTH, SUITE 6
P.O. BOX 2749
TWIN FALLS, ID 83303-2749
TELEPHONE (208) 733-5500
FAX (208) 733-5553

January 5, 1996

RECEIVED

JAN 07 1996

Department of Water Resources
Southern Region

RECEIVED

JAN 09 1996

Dept. of Water Resources

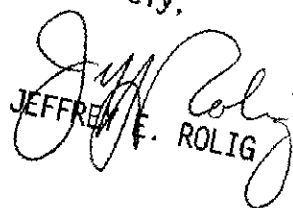
Department of Water Resources
222 Shoshone East
Twin Falls, ID 83301

Gentlemen:

RE: Permit No. 36-07416B

Enclosed please find an original Assignment of Permit from Delbert Kohtz to Keith and Christie Soderquist, together with the transfer fee of \$25.00. Please make the appropriate entries to reflect the transfer of this Permit on your records. Thank you for your assistance. Please do not hesitate to contact me if you have any questions.

Sincerely,


JEFFREY E. ROLIG

JER:kko

Enclosure

cc: Keith Soderquist

RECEIVED

JAN 23 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

RECEIVED

1. WELL OWNER

Name Delbert Kohtz
Address 1135 Valley Rd. So Eden, Id.
Drilling Permit No. 36-94-S-0271-000
Water Right Permit No. 36-07416B

7. WATER LEVEL

Static water level 242 feet below land surface.
Flowing? ☐ Yes ☒ No
Artesian closed-in pressure Department of Water Resources p.s.f.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 58 °F. Quality good
58 Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Well diameter increase
- ☐
- Modification
-
- ☐
- Abandoned (describe abandonment or modification procedures
-
- such as liners, screen, materials, plug depths, etc. in lithologic
-
- log, section 9.)

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Air ☐ Other _____

Discharge G.P.M. Pumping Level Hours Pumped

DEC 19 1994

3. PROPOSED USE

- ☐
- Domestic
- ☒
- Irrigation
- ☐
- Monitor
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

9. LITHOLOGIC LOG

Department of Water Resources
Southern Region Office

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
20	0	5	Alluvium		x
20	5	10	Black Lava		x
20	10	20	Black lava hard		x
20	20	40	Black lava hard		x
20	40	60	Black lava hard		x
20	60	70	Black lava		x
20	70	80	Black lava		x
20	80	85	Red clay		x
20	85	90	Red cinders		x
20	90	100	Red cinders		x
20	100	105	Black lava soft		x
20	105	120	Black lava hard		x
20	120	130	Brown clay		x
20	130	145	Brown clay		x
20	145	150	Black lava		x
20	150	155	Black lava hard		x
20	155	160	Black lava soft		x
20	160	170	Black lava hard		x
20	170	175	Black lava hard		x
20	175	195	Black lava soft		x
20	195	210	Black lava hard		x
20	210	215	Black lava soft		x
20	215	228	Brown clay		x
20	228	235	Black lava		x
20	235	240	Brown clay		x
20	240	260	Black lava broken	x	
20	260	270	Black lava broken	x	
20	270	275	Red cinders	x	
20	275	280	Brown clay	x	
20	280	290	Black lava lost cutting	x	
20	290	300	Black lava soft	x	
20	300	305	Black lava soft	x	
20	305	315	Black lava broken	x	
20	315	320	Black lava broken	x	
20	320	325	Black lava broken	x	
			lost cuttings	x	

4. METHOD DRILLED

- ☐
- Rotary
- ☐
- Air
- ☐
- Auger
- ☐
- Reverse rotary
-
- ☒
- Cable
- ☐
- Mud
- ☐
- Other _____
-
- (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____
Thickness Diameter From To
0.25 inches 20 inches + 1 feet 18 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feetWas casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☒ Yes ☐ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ GunSize of perforation? _____ inches by _____ inches
Number From To_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell screen installed? ☐ Yes ☒ No

Manufacturer _____ Type _____

Top Packer or Headpipe _____

Bottom of Tailpipe _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

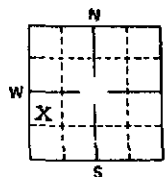
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 15' Material used in seal: ☒ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit☐ Temp. surface casing ☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded☐ Solvent Weld ☐ Cemented between strataDescribe access port 2" pipe 45 degree angle
2' long

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County JeromeNW ¼ SA Sec. 16, T. 9 S ☒ R. 20 W ☐

10.

Work started 9-1-93 finished 10-25-94

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Arlo P. Lloyd Firm No. 102Address Elba Ida Date Dec 15 1994Signed by Drilling Supervisor Arlo P. Lloydand
(Operator) Delbert Kohtz
(If different than the Drilling Supervisor)

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-07416B Reviewed by [Signature] Date 1/19/95

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

Jrr.
Correct Uses? yes

SOURCE OF WATER

Surface water source

yes Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 36-93-S-0328-000
36-94-S-0271-000

\$200.00 Amount paid for permit

yes Correct?

no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
400.00 Amount Submitted
yes Correct?

yes Required?
yes Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 1-7-95
Date proof due 11-1-94
No. of days late 67 = 67
Priority Date 12-17-73 + 351
New Priority Date 2-22-74

Lapsed on 11/9/94
so proof was received
in time

DEFICIENCIES OR ACTION ITEMS

Reinstate & advance priority to February 22, 1974.
Proof acceptable.

DATA ENTRY

New Address X

Proof Made 1/17/95



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 20, 1995

DELBERT & FRANCES KOHTZ
1135 VALLEY RD SOUTH
EDEN ID 83325

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 36-07416B

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof of beneficial use was received after the proof due date. Please note that the priority date has been advanced to February 22, 1974.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region



FEB 13 1995

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

November 8, 1994

DELBERT KOHTZ
1135 VALLEY RD. S.
EDEN ID 83325

LAPSE NOTICE

RE: PERMIT NO. 36-07416B

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

RECEIVED

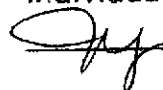
L. GLEN SAXTON
Chief, Water Allocation Bureau

FEB 13 1995

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11/9/94
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



August 31, 1994

DELBERT KOHTZ
1135 VALLEY RD. S.
EDEN ID 83325

PROOF DUE NOTICE

RE: PERMIT NO. 36-07416B

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1994.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

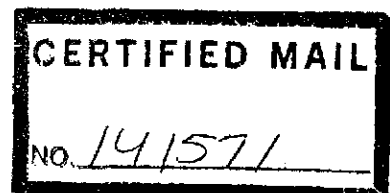
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APPROVED

FEB 13 1995





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 31, 1994

Delbert Kohtz
1135 Valley Rd. So.
Eden, ID 83325

RE: ASSIGNMENT OF PERMIT NO. 36-07416

Dear Mr. Kohtz:

On January 5, 1994, you contacted the department's Twin Falls office relative to the above referenced permit and asked for approval to assign 0.08 cfs of the right to Michael Schrank. Prior department approval for an assignment is required, since condition of approval no. 6. on the Continuation Order signed by the Director provides as follows:

Assignment or sale of this permit is subject to a determination by the department that the permit holder has proceeded with due diligence and without speculation.

The department will not approve the proposed assignment or similar assignments which may be proposed in the future, since the assignment of small portions of the permit constitutes speculation.

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

Sincerely,

A handwritten signature in black ink, reading 'L. Glen Saxton', is written over the typed name.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Jim Stanton - S. Region

RECEIVED

FEB 13 1995

ACTION REQUIRED

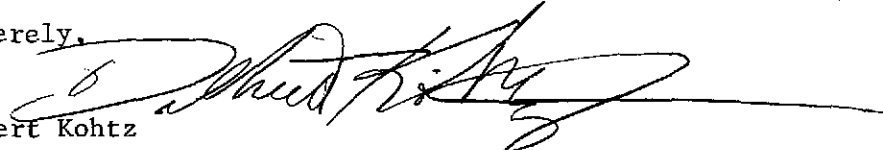
FROM: Southern Region

TO: Glen Saxton 1-5-94

RECEIVED
JAN 06 1994
Department of Water Resources

I, Delbert Kohtz, am the holder of Permit 36-07416B. Proof of beneficial use on this permit is due 11-1-1994. Development is in progress, and should be completed by the due date. I would now like to assign 0.08 cfs of this water to Michael Schrank so that he can develop an overnight RV park and 3 acres of irrigation in the Wendell area. If permission is granted by IDWR, I will complete the required Assignment of Permit form. The new owner will then submit an Application for Amendment to change the location and nature of use.

Sincerely,


Delbert Kohtz

RECEIVED

JAN 05 1994

Department of Water Resources
Southern Region Office

RECEIVED

FEB 13 1995

Anderson, Pike & Bush

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

Eugene L. Bush
(1928-1988)
Arthur L. Smith
(1916-1988)

of counsel
John M. Sharp

W. Joe Anderson
Edward W. Pike
Douglas R. Nelson
Gregory S. Anderson
Dale W. Storer
Blake G. Hall
Scott R. Hall
Joel E. Tingey
Todd R. Erikson

RECEIVED

OCT 04 1993

Department of Water Resources

490 MEMORIAL DRIVE
POST OFFICE BOX 51630
IDAHO FALLS, IDAHO 83405-1630
TELEPHONE (208) 522-3001
FAX (208) 523-7254

October 1, 1993

Idaho State Department
of Water Resources
1301 N. Orchard
Boise, Idaho 83707

Dear Sirs:

I represent Mrs. Lelah Wilcox of Idaho Falls, who is the seller under a contract of sale of property located in Jerome County. The purchaser is Delbert Kohtz. Included in the sale was the water permit held by Mrs. Wilcox, which is water permit no. 36-7416b. Mr. Kohtz has done some development, but under the terms of agreement, he is not to change the point of diversion or dispose of the water rights.

This letter is to have you on notice that no transfer of the water rights or change of point of diversion of the water right would be permissible under the terms of the contract without the consent of Mrs. Wilcox.

Sincerely yours,

W. J. Anderson
by kt

W. J. Anderson

WJA/kt
ISDWR/WJAC

cc: Lelah Wilcox Reiman

RECEIVED
FEB 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 4, 1992

Delbert Kohtz
1135 Valley Rd S
Eden, ID 83325

Re: Permit No. 36-07416B

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

The Department has also ordered that you may not assign this permit to another party or individual without prior approval of the Department of Water Resources.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED

NOV 17 1992

**ANALYSIS SHEET
FOR
EXTENSION OF TIME**

Permit No. 36-07416B Reviewed by Klg Date 11/3/92

BASIC INFORMATION

10/30/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend approval Based on due diligence
Extend to 11/1/94*

** All other extensions have been granted Based on litigation*

PRIORITY CALCULATION

Date extension received	<u>NA</u>	=	_____
Proof due date	/	=	_____
Number of days late	/	=	_____
Priority date	/	=	_____
New Priority Date	/	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 11/4/92 Klg
Change Priority Date _____

State of Idaho
Department of Water Resources

D R I L L I N G P E R M I T

1. Applicant Delbert Kohtz
2. Mailing Address 1135 Valley Road South, Eden, ID 83325
Telephone 825-5617
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 16, Twp. 9S, Rge. 20E, County Jerome,
Street Address of Well Site _____,
Lot, block and subdivision _____
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
(X) Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
() Other (describe fully) _____
5. Well construction information:
A. (X) New well () Deepen () Replace - See Condition 9.
B. Proposed surface diameter 16" Maximum depth 350'
C. Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date within 30 days
7. Anticipated Well Driller Darryl Smith
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Delbert Kohtz Date April 10, 1990
Title Owner
(Owner, Firm Representative, Other)

MICROFILMED

NOV 17 1992

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is ApprovedDate 4/10/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Larry O. Halverson
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5011919 Received by JA Fee \$100. Date 4-10-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

NOV 17 1992

Drilling permit No. 86-90-S-032

Water right No. 86-74168

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Delbert Korte, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Driller will be available soon, but may not be available later

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date

April 10, 1990

RECORDED

NOV 17 1992

Signature

Applicant

Delbert Korte

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

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

1. WELL OWNER

Name Delbert Kohtz - Blue Star Farms
Address 1135 Valley Rd So OK
Owner's Permit No. *36-07416 36-90-5-021

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

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

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness _____ Diameter _____ From _____ To _____
1.250 inches 20 inches + 1 feet 26 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 26' Material used in seal: ☒ Cement grout
☐ Bentonite ☐ Pudding clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld _____
☐ Cemented between strata
Describe access port 1 1/2" pipe in side of casing

7. WATER LEVEL

Static water level 243 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature -86 °F. Quality good
Describe artesian or temperature zones below.

8. WELL TEST DATA

- ☐ Pump ☒ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0	2	Top Soil		
"	2	12	Broken Red Basalt		✓
"	12	25	Gray Basalt Broken		✓
"	25	83	Gray Basalt		✓
"	83	96	Brown Clay		✓
"	96	108	Black Basalt		✓
"	108	139	Brown Clay		✓
"	139	178	Gray Basalt Broken		✓
"	178	228	Red Basalt		✓
"	228	231	Brown Clay		✓
"	231	243	Black Basalt		✓
"	243	254	Black Basalt		✓
"	254	259	Brown Clay		✓
"	259	281	Black Basalt		✓
"	281	295	Red Basalt lost 1/2 cutting		✓
"	295	321	Black Basalt lost 3/4 cutting		✓

RECEIVED

JUL 18 1991

Department of Water Resources
Southern Region Office

RECEIVED
AUG 14 1991

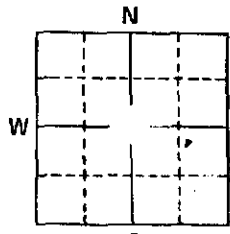
Department of Water Resources

10.

Work started May 14, 1991 finished June 22, 1991

6. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision NOV 17 1992

Lot No. _____ Block No. _____

County Jerome

N E 1/4 SE 1/4 Sec. 17 T. 9S R. 20E W.

11. DRILLERS CERTIFICATION

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

Firm Name DELBERT KOHTZ DRILLING Firm No. 493

Address EDEN, IDA. Date 7/17/91

Signed by (Firm Official) DELBERT KOHTZ

and
(Operator) Jack Alexander

August 31, 1992

DELBERT KOHTZ
1135 VALLEY RD. S.
EDEN ID 83325

PROOF DUE NOTICE

RE: PERMIT NO. 36-07416B

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

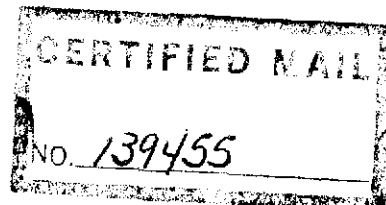
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

NOV 17 1992



7/90

Drilling Permit No. 36-07416Water Right Permit No. 36-91-2-002

Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Delfort Kohler - Blue Star Farms
 2. Mailing Address 1135 Valley Rd So
Eden, Idaho 83325 Telephone 825-5611

(x) Well Owner () Well Operator () Other, specify _____

3. Proposed well location NE 1/4 SE 1/4, or Gov't Lot No. _____Sec. 17, Twp. 9S, Rge. 20E, County Terre

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- (x) Non-Domestic: Any beneficial use not included within the definition of domestic. Irrigation

() Injection

- () Monitoring - A well bore schematic and map is required for each well.
 No. of proposed wells: _____

5. Well construction information:

A. (x) New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 20" Proposed Maximum Depth 350'

C. Anticipated bottom hole temperature:

- (x) 85°F or less (Cold water well)
 () 85°F to 212°F (Low temp. geothermal well)
 () 212° or more (Geothermal well)

MICROFILMED

NOV 17 1992

6. Construction Start Date April 19917. Anticipated Well Driller Kohler Drilling

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Delfort Kohler Date April 19, 1991Title owner

(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date April 18, 1991

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Bobby D. Flamm
Signature of Authorized Department Representative

Chief, Resource Protection Section
Title

Receipt No. 2020264 Received by lt Fee 200⁰⁰ Date 4-19-91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date NOV 17 1992

This extension is good for 60 days beyond the above extension approval date.

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 9, 1990

Delbert Kohtz
1135 Valley Rd. So.
Eden, ID 83325

RE: Permit No. 36-7416B

Dear Mr. Kohtz:

Enclosed is an order which authorizes the continuation of development for the above water right permit. Also enclosed is a memorandum decision and order which outlines certain review criteria and conclusions of the department pertaining to Sections 42-203C and 42-203D, Idaho Code. Also enclosed is an approved extension of time request which had been pending for the past 20 months.

Please note the conditions of approval which have been included in the continuation order, particularly that proof of beneficial use must be submitted to the department on or before November 1, 1992. This proof due date also appears on the approved extension of time form.

Although not added as a condition of approval, please be aware that you must comply with the drilling permit requirements of Section 42-235, Idaho Code. Our regional office in Twin Falls can advise you about these requirements and can assist you in obtaining any necessary drilling permits.

You may contact either this office or our Twin Falls office if you have any questions concerning the continuation of this permit. Thank you for your cooperation in this matter.

Sincerely,

Tim Luke

Sr. Water Resource Spec.

MICROFILMED

NOV 26 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 36-7416BReviewed by lyDate 1-18-1989

BASIC INFORMATION

- 9 Date stamp received
9 Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
9 Fee received and receipted
9 Name and signature same as permit
9 Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?
9 Has the permit been involved in litigation?
 a. Swan Falls YES Dismissed from Swan Falls No
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

Is delay by a government agency?

Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN -

Recommend holding action on ext. request until permit reviewed under 11-9-9011-9-90 - Recommend approval for 2 years - based on delay
Special conditions of remarks: Swan Falls - (trust water) litigation.

9 Reinstatement Date extension received Jan 12 = _____
 Proof due date Jan 1 = _____
 No. of days late _____ = 11
 Priority date Dec. 6, '73 = + _____
 ADJUSTED PRIORITY DATE Dec. 17, '73 = _____

Prepare coding sheet
 Change rolodex card



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 10, 1990

Delbert Kohtz
1135 Valley Rd. South
Eden, ID 83325

RE: Permit No. 36-7416B

Dear Mr. Kohtz:

I am in receipt of a letter dated October 2, 1990 from Bruce Smith, attorney for Idaho Power Co., and a second letter dated August 27, 1990, from your attorney, Roger Ling. Both letters concern amending the above referenced permit. As I understand it, the permit is to be reduced to 12.8 cfs and 640 acres.

In order to properly document the proposed amendment which appears to be the basis of the protest settlement between yourself and Idaho Power, I must ask that you complete and return the enclosed amendment form. The amendment fee will be waived since there are no significant changes other than reducing the rate of flow and number of irrigable acres. It will not be necessary to advertise the amendment. The department can complete processing of the permit and issue a continuation order immediately after receiving the amendment.

Please note that I have included copies of the letters by Ling and Smith. You should be able to use the information from the August 27 Ling letter to complete the amendment.

Please contact me if you have questions concerning this matter.

Sincerely,

Tim Luke

Sr. Water Resource Agent

MICROFILMED

NOV 26 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
F. BRUCE COVINGTON
JERRY JENSEN
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
JUSTIN R. SEAMONS

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

October 2, 1990

RECEIVED
OCT 3 1990

Department of Water Resources

Mr. Tim Luke
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Re: Permit No. 36-7416B - Delbert Kohtz

Dear Tim:

For your records, I am enclosing a copy of a letter from Roger Ling, attorney for Mr. Kohtz, regarding the processing of the above permit. This agreement is the basis for the withdrawal of Idaho Power's protest. Please send me copies of the amendments to this permit when they are filed.

Sincerely,



Bruce M. Smith

BMS/dj
52211
Enclosure

MICROFILMED

NOV 26 1990

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

615 "H" STREET

P. O. BOX 396

RUPERT, IDAHO 83350

ROGER D. LING
ROBERT W. NIELSEN
BRENT T. ROBINSON
DAVID W. HALEY

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

August 27, 1990

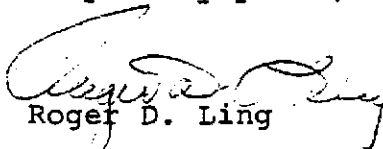
Mr. Bruce M. Smith
NELSON, ROSHOLT, ROBERTSON,
TOLMAN & TUCKER
Attorneys at Law
P.O. Box 2139
Boise, Idaho 83701

Re: Water Permit No. 36-7416B
Permit Holder - Delbert Kohtz

Dear Bruce:

After further consideration by Mr. Kohtz, he has determined that he will voluntarily amend the above permit to provide for the development of two wells, one in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16 and the second in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, for the irrigation of 640 acres from the two wells with an irrigation system consisting of four pivots and handlines. Mr. Kohtz will limit his maximum diversion from the two wells to 12.8 cfs. It is our understanding that as a result of this reduced development under the existing permit, the protest of Idaho Power Company will be withdrawn. It is our understanding that upon the withdrawal of the protest of Idaho Power Company under these conditions, the Department of Water Resources may proceed to authorize Mr. Kohtz to proceed with the development of the two wells for the irrigation of the E $\frac{1}{2}$ of Section 17 and the W $\frac{1}{2}$ of Section 16, all in Township 9 South, Range 20 East of the Boise Meridian, Jerome County, Idaho, under the permit, as amended.

Very truly yours,


Roger D. Ling

RDL:rah

cc: Delbert Kohtz

cc: Gary Spackman

MICROFILMED

NOV 26 1990

RECEIVED AUG 29 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 17, 1990

Delbert Kohtz
1135 Valley Rd. South
Eden, ID 83325

RE: Application for Permit No. 36-7416B

Dear Mr. Kohtz:

The Department acknowledges Idaho Power Company's withdrawal of protest against the continuance of permit no. 36-7416B.

The pre-hearing conference scheduled for October 23, 1990 concerning the protest is hereby cancelled. The Department will proceed with the reprocessing of the permit as required by Section 42-203D, Idaho Code.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tim Luke'.

Tim Luke

Sr. Water Resource Agent

MICROFILMED

NOV 26 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 17, 1990

Bruce M. Smith
Suite 400
1020 Main
Boise, ID 83702

RE: Permit No. 36-7416B - Delbert Kohtz
Application for Permit No. 36-8192 - Delis/

Dear Bruce:

The Department acknowledges Idaho Power Company's withdrawal of protests to application no. 36-8192 and continuation of permit no. 36-7416B.

The pre-hearing conference scheduled for October 23, 1990 concerning the protests of these two filings is hereby cancelled.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tim Luke'.

Tim Luke
Sr. Water Resource Agent

RECEIVED

NOV 26 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

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GARY L. QUIGLEY
TIM J. WILLIAMS
JUSTIN R. SEAMONS

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

September 11, 1990

RECEIVED
SEP 14 1990

Mr. Tim Luke
Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Permit 36-7416B - Delbert Kohtz
Permit 36-8192 - Delis/Annest

Dear Tim:

This is notice that Idaho Power Company hereby withdraws its protests to the processing of the two above-referenced applications.

Sincerely,



Bruce M. Smith

BMS/dj
51291
cc: Steve Herndon

MICROFILMED

NOV 26 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT TO	)	
	)	
APPROPRIATE WATER NO. 36-7416B	)	AMENDED NOTICE
	)	OF CONFERENCE
IN THE NAME OF DELBERT KOHTZ	)	
	)	

Upon stipulation of the parties, the original pre-hearing conference scheduled for June 29, 1990, is cancelled, and THE PRE-HEARING CONFERENCE IS SCHEDULED FOR OCTOBER 23, 1990, AT THE HOUR OF 10:00 A.M. The pre-hearing conference will be conducted in the 2nd floor conference room of the Idaho Department of Water Resources, State Office, 1301 No. Orchard, Boise, Idaho.

The following matters will be addressed at the pre-hearing conference:

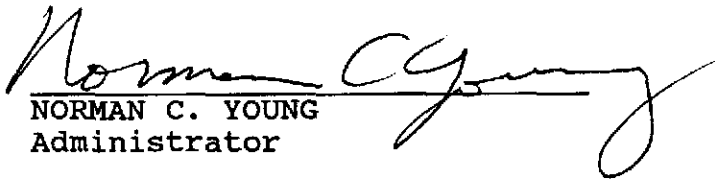
1. Definition of the respective burdens of proof and persuasion.
2. Procedure for determining whether the permit causes a significant reduction.
3. Procedure for the consideration of the public interest criteria of Idaho Code § 42-203C.
4. Schedule for submittal and exchange of proposed exhibits, studies, and pre-filed testimony.
5. Schedule for ultimate hearing of the protest.
6. Any other matters which may be pertinent to this proceeding.

Please come prepared to discuss your respective position in this matter, and to discuss possible resolution of the issues raised above, and also of the underlying dispute between the parties.

MICROFILMED

NOV 26 1990

Dated this 29TH day of AUGUST, 1990.


NORMAN C. YOUNG
Administrator

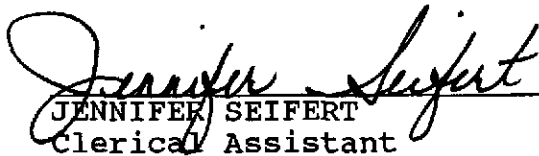
CERTIFICATE OF MAILING

I hereby certify that on this 30th day of August, 1990, I mailed a true and correct copy of the Amended Notice of Conference, postage prepaid, to the following individuals:

Delbert Kohtz
1135 Valley Rd.
Eden, ID 83325

Roger D. Ling
Attorney at Law
P.O. Box 396
Rupert, ID 83350

Bruce M. Smith
Attorney at Law
P.O. Box 2139
Boise, ID 83701-2139


JENNIFER SEIFERT
Clerical Assistant

MICROFILMED

NOV 26 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT TO	)	
	)	
APPROPRIATE WATER NO. 36-7416B	)	AMENDED NOTICE OF
	)	CONFERENCE
IN THE NAME OF DELBERT KOHTZ	)	
	)	

Upon stipulation of the parties, the original pre-hearing conference scheduled for June 4, 1990, is cancelled, and THE PRE-HEARING CONFERENCE IS SCHEDULED FOR JUNE 29, 1990, AT THE HOUR OF 10:00 A.M. The pre-hearing conference will be conducted in the 2nd floor conference room of the Idaho Department of Water Resources, State Office, 1301 No. Orchard, Boise, Idaho.

The following matters will be addressed at the pre-hearing conference:

1. Definition of the respective burdens of proof and persuasion.
2. Procedure for determining whether the permit causes a significant reduction.
3. Procedure for the consideration of the public interest criteria of Idaho Code § 42-203C.
4. Schedule for submittal and exchange of proposed exhibits, studies, and pre-filed testimony.
5. Schedule for ultimate hearing of the protest.
6. Any other matters which may be pertinent to this proceeding.

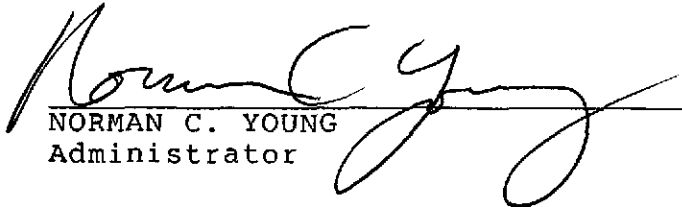
Please come prepared to discuss your respective position in this matter, and to discuss possible resolution of the issues

MICHAEL MED

NOV 26 1990

raised above, and also of the underlying dispute between the parties.

Dated this 6TH day of June, 1990.


NORMAN C. YOUNG
Administrator

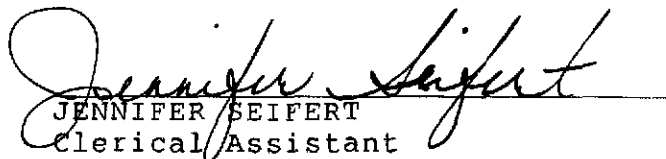
CERTIFICATE OF MAILING

I hereby certify that on this 7th day of June, 1990, I mailed a true and correct copy of the Amended Notice of Conference, postage prepaid, to the following individuals:

Delbert Kohtz
1135 Valley Rd.
Eden, ID 83325

Roger D. Ling
Attorney at Law
P.O. Box 396
Rupert, ID 83350

Bruce M. Smith
Attorney at Law
P.O. Box 2139
Boise, ID 83701-2139


JENNIFER SEIFERT
Clerical Assistant

MICROFILMED

NOV 26 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT TO	)	
	)	
APPROPRIATE WATER NO. 36-7416B	)	NOTICE OF CONFERENCE
	)	
IN THE NAME OF DELBERT KOHTZ	)	

Please take notice that a pre-hearing conference has been scheduled for June 4, 1990, at the hour of 10:00 a.m. The pre-hearing conference will be conducted in the Second Floor Conference Room of the Idaho Department of Water Resources State Office, 1301 No. Orchard, Boise, Idaho.

The following matters will be addressed at the pre-hearing conference.

1. Definition of the respective burdens of proof and persuasion.
2. Procedure for determining whether the permit causes a significant reduction.
3. Procedure for the consideration of the public interest criteria of Idaho Code § 42-203C.
4. Schedule for submittal and exchange of proposed exhibits, studies, and pre-filed testimony.
5. Schedule for ultimate hearing of the protest.
6. Any other matters which may be pertinent to this proceeding.

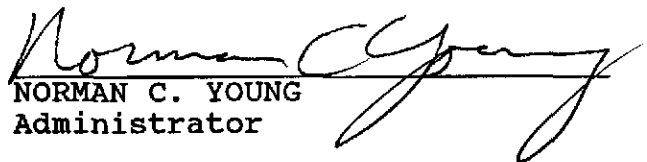
Please come prepared to discuss your respective position in this matter, and to discuss possible resolution of the issues

MICROFILMED

NOV 26 1990

raised above, and also of the underlying dispute between the parties.

Dated this 11TH day of MAY, 1990.


NORMAN C. YOUNG
Administrator

cc. Delbert Kohtz
Bruce M. Smith

RECEIVED

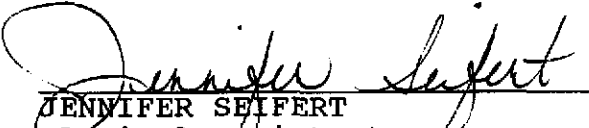
NOV 28 1990

CERTIFICATE OF MAILING

I hereby certify that on this 11th day of May, 1990,
I mailed a true and correct copy of the Notice of Conference to
the following individuals:

Delbert Kohtz
1135 Valley Rd.
Eden, ID 83325

Bruce M. Smith, Attorney at Law
P.O. Box 2139
Boise, ID 83701-2139


JENNIFER SEIFERT
Clerical Assistant

MICROFILMED

NOV 26 1990

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
DAVID W. HALEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW
616 "H" STREET
P.O. BOX 386
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 438-4717
FAX 438-8804

August 27, 1990

Mr. Bruce M. Smith
NELSON, ROEHOLT, ROBERTSON,
TOLMAN & TUCKER
Attorneys at Law
P.O. Box 2139
Boise, Idaho 83701

RECEIVED
AUG 29 1990

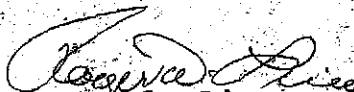
Department of Water Resources

Re: Water Permit No. 36-74168
Permit Holder - Delbert Kohtz

Dear Bruce:

After further consideration by Mr. Kohtz, he has determined that he will voluntarily amend the above permit to provide for the development of two wells, one in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16 and the second in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, for the irrigation of 640 acres from the two wells with an irrigation system consisting of four pivots and handlines. Mr. Kohtz will limit his maximum diversion from the two wells to 12.8 cfs. It is our understanding that as a result of this reduced development under the existing permit, the protest of Idaho Power Company will be withdrawn. It is our understanding that upon the withdrawal of the protest of Idaho Power Company under these conditions, the Department of Water Resources may proceed to authorize Mr. Kohtz to proceed with the development of the two wells for the irrigation of the E $\frac{1}{2}$ of Section 17 and the W $\frac{1}{2}$ of Section 16, all in Township 9 South, Range 20 East of the Boise Meridian, Jerome County, Idaho, under the permit, as amended.

Very truly yours,


Roger D. Ling

RDL:rah

cc: Delbert Kohtz

cc: Gary Spackman

MICROFILMED

NOV 26 1990

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
DAVID W. HALEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

May 29, 1990

RECEIVED
MAY 30 1990

Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

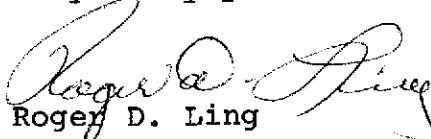
Department of Water Resources

Re: Permit No. 36-07416 B
Permittee: Delbert Kohtz
Idaho Power Company Protest

Dear Gentlemen:

A hearing on the protest of Idaho Power Company in regard to the above-described permit has been set for June 4, 1990. This office, on behalf of Delbert Kohtz, has been in contact with the attorney for Idaho Power Company and negotiations are still continuing to resolve the issues raised by the protest of Idaho Power Company. It is therefore our request that the hearing now set for June 4, 1990 be continued to give us the opportunity to resolve the protest of Idaho Power Company.

Very truly yours,


Roger D. Ling

RDL:rh

cc: Bruce Smith

Delbert Kohtz

MICROFILMED
NOV 26 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 26, 1990

Bruce M. Smith
Suite 400
1020 Main
Boise, ID 83702

RE: Permit 36-7416B - Delbert Kohtz
Application 36-8192 - Delis/Annest

Dear Bruce:

I am writing in response to your letter of April 24, 1990 and our phone conversation from earlier today concerning the above filings.

Mr. Kohtz has submitted information relevant to each of the rules outlined under Water Appropriation Rule 4,5,3. Information was submitted in two parts on April 13 and 23, 1990. Mr. Kohtz visited my office on April 23 and we discussed the information he had submitted. I had suggested that he submit several additional items. He indicated that he would submit this information within the next week or two. I would suggest that you wait until that information is received by the Department. I can contact you at that time. You are of course welcome to review the file at any time.

In regards to application 36-8192, the Department has not yet received the additional information required by Rule 4,5,3. This information was requested by Department notice on April 10, 1990. The applicants ~~are~~ have been given 30 days to submit the information. If the Department does not receive the information within that period, we will then proceed to issue a notice of pending action to void the application.

I hope this answers your questions. Please disregard this letter if it appears to be a duplicate. I had written this letter earlier in the week, but lost any record that it had been sent to you.

Sincerely,

Tim Luke
Sr. Water Resource Agent

MICROFILMED

NOV 26 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

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GARY D. SLETTE
F. BRUCE COVINGTON
JERRY JENSEN
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
SHARON F. DUNKIN
JUSTIN R. SEAMONS

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

April 23, 1990

RECEIVED

APR 24 1990

Mr. Tim Luke
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Permit 36-7416B - Delbert Kohtz
Application 36-8192 - Costa/Kalis/Annest

Dear Tim:

One of the reasons for Idaho Power's protest to the above claims are that the respective applicants had not submitted the required information requested by the Department. Can you confirm for me whether the requested information for each claim has been received by the Department. If so, I will come to your office to review the file. Thanks.

Sincerely,



Bruce M. Smith

BMS/sj
43141

MICROFILMED

NOV 26 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 20, 1990

Delbert Kohtz
1135 Valley Road South
Eden, ID 83325

RE: PERMIT 36-7416B - DELBERT KOHTZ

Dear Mr. Kohtz:

Enclosed is a copy of a protest filed against the continuance of your permit referenced above.

The objective of the department is to schedule a hearing within sixty (60) days to take evidence to determine whether the proposed use is allowed under Section 42-203C, Idaho Code. Based on the information presented at the conference and/or hearing, the department will either continue, condition or cancel the permit.

You must be prepared to present evidence and/or testimony to allow the department to evaluate whether the permit is allowed under Section 42-203C, Idaho Code. Although representation by legal counsel is not mandatory at a proceeding before the department, you may wish to retain an attorney on your behalf.

Water Appropriation Rule 4,4,2,2. provides that the protestant bears the initial burden of coming forward with evidence for the evaluation of the public interest criteria of Section 42-203C, Idaho Code, and Water Appropriation Rule 4,4,3. provides that the protestant has the ultimate burden of persuasion for the criteria of Section 42-203C, Idaho Code.

Please recognize that diversion and use or additional use of water as proposed by the permit is not authorized unless a continuation order is issued.

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

Sincerely,

Tim Luke
Sr. Water Resource Agent

RECEIVED

NOV 28 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 20, 1990

Bruce Smith
Nelson, Rosholt, Robertson, Tolman & Tucker
Suite 400
1020 Main
Boise, ID 83702

RE: PERMIT 36-7416B - Delbert Kohtz

Dear Mr. Smith:

The protest which you filed on behalf of Idaho Power Company against the continuance of the above referenced permit has been received and a copy has been sent to the applicant.

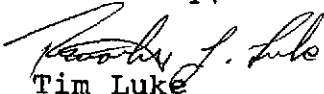
The objective of the department is to schedule a hearing to consider the protest within sixty (60) days to take evidence to determine whether the proposed use is allowed under Section 42-203C, Idaho Code. Based on the information presented at the conference and/or hearing, the department will either continue, condition or cancel the permit.

You must be prepared to present evidence and/or testimony to allow the department to evaluate whether the permit is allowed under Section 42-203C, Idaho Code.

Water Appropriation Rule 4,4,2,2. provides that the protestant bears the initial burden of coming forward with evidence for the evaluation of the public interest criteria of Section 42-203C, Idaho Code, and Water Appropriation Rule 4,4,3. provides that the protestant has the ultimate burden of persuasion for the criteria of Section 42-203C, Idaho Code.

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

Sincerely,


Tim Luke

Sr. Water Resource Agent

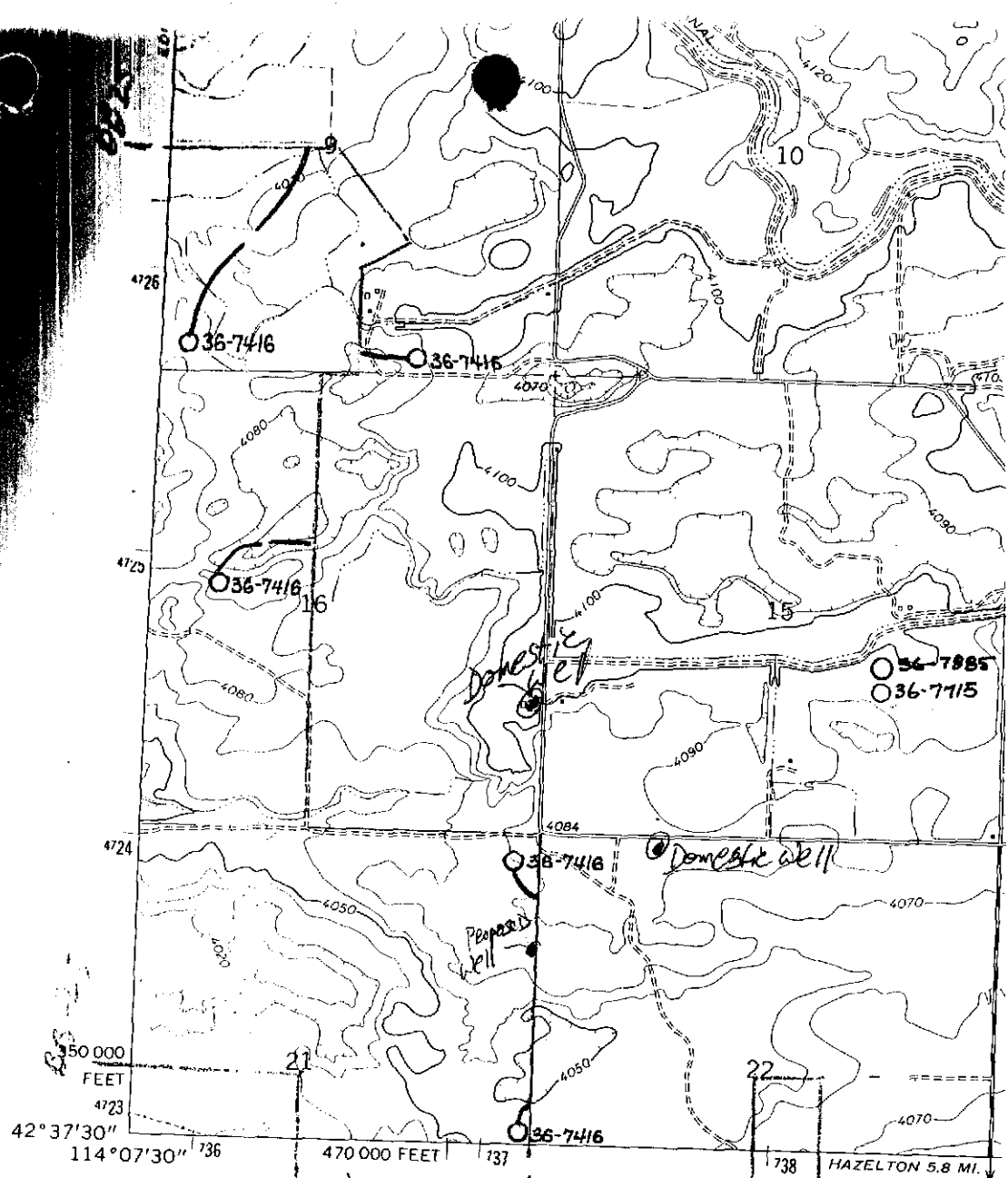
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NOV 26 1990

RECEIVED

APR 24 1990

Department of Water Resources



(EDEN)
3169 II SW

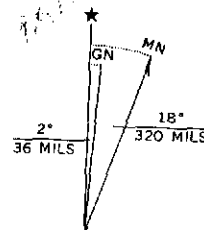
Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1962. Field checked 1964

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
central zone

1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Fine red dashed lines indicate selected fence lines



UTM GRID AND 1964 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

Location of wells w/in 1/2 mi. radius

MICROFILMED

NOV 26 1990

APRIL 13, 1990

COSTS FOR DEVELOPMENT OF
West 1/2 Sec 16 - East 1/2 Sec 17

Well Drilling.....48.00 x 350	\$16,800
x 2	\$16,800
Land Clearing.....30 x 500	
(own equipment)	\$ 5,000
2 Rebuilt pump & motor & column	\$20,000
4 Used Pivots	\$80,000
Mainline pump to laterals	\$15,000
Total cost of development	\$153,600
(Idaho Power has not submitted a solid bid on the power line)	

Development will be financed by rental of
potato ground at \$400/acre.

Income 1990 will be approximately \$200,000

RECEIVED

APR 13 1990

Department of Water Resources
Southern Region Office

RECEIVED
APR 16 1990

Department of Water Resources

MICROFILMED

NOV 26 1990

RECEIVED

Name Arbeni Kokić, Blue Star Fours

As of (date) _____
 Member _____
 Department of Water Resources

Southern Region Office

[illegible]

Have you ever taken bankruptcy? no Have you ever given a deed in lieu of foreclosure? no Are there other names under which you are doing business? _____
Have you filed all required income tax returns yes Are any returns under dispute? _____ Have you any judgments outstanding or suits or litigation on pending? _____
Explanation: _____

I (we) certify that the information provided in the above financial statement (exclusive of the entries in the columns designated "Assn. Use") is complete and accurate to the best of my (our) knowledge. I (we) understand that a false statement or report of facts material to the approval of a Farm Credit Bank (FLB or PCA) loan, knowingly made, may subject the maker to criminal liability under Federal criminal statutes as well as civil liability.

Signature [Signature] Title owner Date 7/10/11



State of Idaho

DEPARTMENT OF HEALTH AND WELFARE

Division of Environmental Quality

CECIL D. ANDRUS
Governor

RICHARD P. DONOVAN
Director

P.O. Box 1626
Twin Falls, ID 83303-1626
(208) 734-9520

April 16, 1990

RECEIVED
APR 17 1990

Department of Water Resources

Del Kohtz
1135 Valley Road South
Eden, Idaho 83325

Re: Water Right for Development of Center Pivot Irrigation System

Dear Mr. Kohtz:

The development of two groundwater wells and four center pivot irrigation systems being proposed north of Wilson Lake.

Two issues of concern related to the protection of water quality need to be addressed before the project is implemented and include:

- 1) All chemigation systems utilized shall have installed backflow prevention devices that insure back siphonage of chemicals into the well(s) and groundwater cannot occur.
- 2) A runoff control management system shall be designed and implemented if needed to insure sediments and chemicals from the irrigation system runoff do not enter waterways.

If the above two items are addressed, water quality impacts should be kept to a minimum.

Should any questions arise, please contact me.

Sincerely,

Michael J. McMasters

Michael J. McMasters
Water Quality Field Supervisor

MJM/ta

cc: Paul Jehn
Loren Holmes
Tim Luke

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Celebrate
IDAHO
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American Falls Reservoir District No. 2

BOX C
SHOSHONE, IDAHO 83352

On April 11, 1990 Mr. Del Koltz contacted me about the sprinkler project he is installing in sec. 16+17 9s 20E. Which is in the American Falls Reservoir Dist #2. District As manager of A.F.R.D #2 I have no problem with this project. As it is in the District however I am advising Mr. Koltz to get B.O.R.'s O.K.

Richard McNeils
Manager.

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Map Symbols	Land Capability	Eff. Depth (inches)	Texture Surface	Subsoil	stones	% Slope	By water	Hydric	Perm	Free water	18						
PWC	IIIe VIe																
1 Power	IIIe VIe	>60	SIL	SICL	11.5-12.5	-	1-6	S-M	No	0.2-0.6	130-140	Perm.	.49	5	5	56	
2 McCain	IIIe VIe	20-40	SIL	SIL	4-7	-	1-6	S-M	No	0.2-0.6	130-140	depth Perm.	.49	2	5	56	
QIB	IIIe VIc																
1 Quincy	IIIe VIe	>60	LFS	LFS	5.5-6.5	-	1-6	S	No	6-20	130-140	sandy surface AWC	.20	3	2	134	
2 Keck	IIIe VIe	>60	LFS	FSL	7.5-8.5	-	1-6	S	No	70-80	130-140	"	.20	5	2	134	
RBC	VIIc																
1 Rock outcrop																	
2 Banbury	IIIe VIe	10-20	L	L	1.5-3.5	-	2-6	S-silty	No	MODERATE 0.6-2.0	120-140	depth	.32	1	5	56	
3 Paulville	IIc	>60	L	CL	10-11	-	2-6	S	No	0.2-0.6	120-140		.32	5	5	56	
RdE	VIe																
Rad	VIe	>60	SIL	SIL	10-11	-	12-20	Severe	No	0.6-0.2	120-140	slope	.49	5	5	56	
SBE	VIIc					40% CB 15% ST 5% GR											
1 Suepert	VIIc	20-40	STX	CBX	2-3	-	1-15	S	No	0.6-2.0	120-140	stones depth slope	.05	2	8	-	
2 Taunton	IIIe VIe	20-40	FSL	FSL	3.5-5.5	-	1-15	S	No	2.0-6.0	120-140	depth	.37	2	3	86	
SSB	IIc VIc																
Shano	IIc VIc	>60	SIL	SIL	11-12	-	1-4	S-M	No	0.6-2.0	120-140		.49	5	5	56	
TSB	IIIe VIc																
Taunton	IIIe VIc	20-40	SL	FSL	3.5-5.5	-	1-4	S-M	No	2.0-6.0	120-140	depth	.37	2	3	86	
TSC	IIIe VIe																
Taunton	IIIe VIe	20-40	SL	FSL	3.5-5.5	-	4-8	M	No	2.0-6.0	120-140	depth slope	.37	2	3	86	
TTB	IIIe VIc																
1 Jestrack	IIIe VIe	21-38	LFS	FSL	2.5-4.5	1-2	1-8	M	No	2.0-6.0	120-140	depth sandy surface AWC	.10	2	2	134	
2 Kecko	IIIe VIe	>60	FSL	FSL	7-8	1-2	1-8	M	No	2.0-6.0	120-140		.24	5	3	86	

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		IIIe VIc	20-40	SIL	SIL	4.5-7.5	-	1 to 4	Moderate	No	0.6-2.0	130-140	depth	.49	2	5	56
		IIIe VIc	12-20	SIL	SIL	2.3-4	-	1 to 4	Moderate	No	0.6-2.0	130-140	depth	.49	1	5	56
		IIIe VIc	20-40	SIL	SIL	4.5-7.5	-	1 to 4	Moderate	No	0.6-2.0	130-140	depth	.49	2	5	56
		IIIe VIe	40 to 60	LS	SCL	4-5	-	1-8	S-M	No	0.2-0.6	130-140	Sandy surface Perm.	.10	3	2	134
		IIIe VIe	20-40	LFS	SCL	2.5-4	-	1-8	S-M	No	0.6-2.0	130-140	"	.20	2	2	134
		IVe VIIe	50-760	LS	LS	3.5-4.5	-	1-8	S-M	No	6-20	130-140	Sandy surface Low AWC	.10	5	2	134
		IIIe VIe	>60	L	L	9.5-10.5	-	2-15	M	No	0.6-2.0	130-140		.32	5	5	56
		IIIe VIe	20-40	L	L	4-6.5	-	2-15	M	"	0.6-2.0	"	depth	.32	2	5	56
										"		"					
		IIe VIc	40-60	FSL	SCL	7-9	-	1-4	S	No	0.2-0.6	130-140		.24	3	3	86
		VIe	>60	LFS	FSL	6-7.5	-	1-6	S	No	2-6.0	130-140	Sandy surface AWC	.20	5	2	134
		IIIe VIIe	20-40	LFS	FSL	3-4.5	-	1-6	S	No	6-20	"	"	.20	3	2	134
		VIc	>60	L	L	9.5-10.5	-	1-4	S	No	0.2-0.6	130-140	Perm.	.32	5	5	56
		IIIe VIe	20-40	L	L	4-6	-	1-4	S	No	0.2-0.6	130-140	depth Perm.	.32	2	5	56
		IIIe VIe	>60	SIL	SIL	10-12	-	1-8	S-M	No	0.2-0.6	130-140	Perm.	.43	5	6	48
		VIIe	>60	SIL	C	10-11	-	1-8	S-M	No	<0.6	130-140	Perm.	.43	5	6	48
		IIe VIc	>60	SIL	SICL	11.5-12.5	-	1-4	S	No	0.2-0.6	130-140	Perm.	.43	5	5	56

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SYMBOL ON MAP	SOIL NAME	LAND CAPABILITY	EFFECT. DEPTH (inches)	SOIL PROFILE TEXTURE SURFACE	SUBSOIL	AWC (inches)	COBBLES AND STONES	% SLOPE	EROS'N BY WATER HYDRIC	PERMA- BILITY	FROST FREE	LIMITING FACTORS	K	T	WEG	I	RCL/S/T LOWER SLOPE	R=13 UPPER SLOPE	CI/T C=40	C=30	C=50
SIB	SLUKA	IIIe VIe	20-40	SIL	SIL	3-6	—	1-4	(M) NO	.6-2.0	120-140	DEPTH	.49	2	4L	86	2.13	4.9	17.2	12.9	21.5
SIC	SLUKA	IVe VIe	20-40	SIL	SIL	3-6	—	4-8	M NO	.6-2.0	120-140	DEPTH / SLOPE	.49	2	4L	86	4.9	7.29	17.2	12.9	21.5
SID	SLUKA	IVe VIe	20-40	SIL	SIL	3-6	—	8-12	SEV NO	.6-2.0	120-140	SLOPE / DEPTH	.49	2	4L	86	7.29	9.08	17.2	12.9	21.5
SnA	SCOON	IVs VIe	10-20	L	L	1.5-3	—	0-2	Slight NO	.6-2.0	110-140	DEPTH / AWHC	.32	1	3	86	0	4.20	34.4	25.8	43
SnB	SCOON	IVe VIe	10-20	L	L	1.5-3	—	2-4	M NO	.6-2.0	110-140	DEPTH / SLP / AWHC	.32	1	3	86	4.20	6.49	34.4	25.8	43
SnC	SCOON	IVe VIe	10-20	L	L	1.5-3	—	4-8	M NO	.6-2.0	110-140	SLP / DEPTH / AWHC	.32	1	3	86	6.49	9.53	34.4	25.8	43
SOB	SCOON	IVs VIe	12-20	FSL	L	1.5-3	—	1-4	S NO	.6-2.0	130-140	DEPTH / AWHC	.32	1	3	86	2.79	5.32	34.4	25.8	43
SMB	SCHNIPPER	IVs	20-40	SIL	CL	4-7	—	2-5	M NO	.2-.6	100-110	PERM / RAINFALL	.37	3	5	56	1.62	2.79	7.46	5.6	9.33
SMC	SCHNIPPER	IVe	20-40	SIL	CL	4-7	—	5-12	M NO	.2-.6	100-110	SLP / PERM / RAINFALL	.37	3	5	56	2.79	4.57	7.46	5.6	9.33
TAA	TULCH	IIc VIe	>60	SIL	SICL	10-12	—	0-2	S NO	.2-.6	120-140	PERMEABILITY	.49	5	5	56	0	1.29	4.48	3.4	5.6
TBC	—	IVs	—	—	—	—	—	2-6	—	—	—	—	—	—	—	—	—	—	—	—	—
	BUDLEWIS	IVs	20-40	SIL	SIC	5-7	—	2-6	S NO	.06-.2	90-100	DEPTH / PERMEABILITY	.43	2	6	48	2.82	5.53	9.6	7.2	12
	TANNER	IVe	20-40	SIL	SICL	3.5-6.5	—	2-6	S NO	.06-.2	90-100	DEPTH / PERMEABILITY	.43	2	6	48	2.82	5.53	9.6	7.2	12
TKC	TOCK	VIe	20-40	L	SICL	3.5-6	—	1-6	S NO	.06-.2	90-100	DEPTH / PERMEABILITY	.32	2	6	48	1.39	4.12	11.2	8.4	14
ToA	TREVINO	IVs VIe	10-20	SIL	SIL	2.5-4	—	0-2	S NO	.6-2.0	120-140	DEPTH / AWHC	.43	1	5	56	0	5.65	22.4	16.8	28
ToC	TREVINO	IVe VIe	10-20	SIL	SIL	2.5-4	—	2-8	M NO	.6-2.0	120-140	SLOPE / DEPTH / AWHC	.43	1	5	56	5.65	12.8	22.4	16.8	28
ToE	TREVINO	VIIe	10-20	SIL	SIL	2.5-4	—	2-20	M NO	.6-2.0	120-140	ROC / DEPTH / AWHC	.43	1	5	56	5.65	17.78	22.4	16.8	28
TUB	TUCKER	IIIw	36-48	SIL	SIC	9.5-11	—	0-2	S YES	.06-.2	80-100	WATER TABLE / FFS	.43	5	6	48	0	1.13	4.48	3.4	5.6
ULF	UDAH	VIIe	20-40	GRY-L	GRY-SL	5-6	—	10-30	M NO	2-6	100-110	SLOPE / AWHC	.10	2	8	—	—	—	—	—	—
ULF	UDAH	VIIe	20-40	GRY-L	GRY-L	5-6	—	30-65	SEV NO	2-6	100-110	SLOPE / AWHC	.10	2	8	—	—	—	—	—	—
VkA	VICKERY	IIIe VIe	20-40	SIL	SIL	5-8	—	0-2	S NO	.6-2.0	110-140	DEPTH	.49	2	5	56	0	3.22	11.2	8.4	14
VkB	VICKERY	IIIe VIe	20-40	SIL	SIL	5-8	—	2-4	M NO	.6-2.0	110-140	DEPTH / SLOPE	.49	2	5	56	3.22	4.99	11.2	8.4	14
VkC	VICKERY	IIIe VIe	20-40	SIL	SIL	5-8	—	4-8	M NO	.6-2.0	110-140	SLOPE / DEPTH	.49	2	5	56	4.99	7.29	11.2	8.4	14
VNC	VINING	IIIe	20-40	SL	SL	3-6	—	2-8	M NO	2-6	130-140	DEPTH / PERMEABILITY	.20	2	3	86	1.3	2.98	17.2	12.9	21.5
WED	WEASH	VIe	10-20	GR-SL	SEL	8-10	—	2-12	M NO	.2-.6	100-110	PERMEABILITY / SLOPE	.15	1	3	86	1.97	5.56	34.4	25.8	43
YAA	YAHOO	IVe	10-20	SIL	SIL	2-4	—	0-1	S NO	.6-2.0	120-140	DEPTH	.49	1	4L	86	0	4.27	34.4	25.8	43
YAB	YAHOO	IVe	10-20	SIL	SIL	2-4	—	1-4	S NO	.6-2.0	120-140	DEPTH	.49	1	4L	86	4.27	9.94	34.4	25.8	43
ZDA	ZOLA	>60	L	CL	CL	9.5-11.5	—	0-2	S YES	.06-.2	80-100	PERMEABILITY / FFS	.32	5	6	48	0	0.84	3.84	2.8	4.8

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SYMB ON MAP	SOIL NAME	LAND CAPABILITY	DEPTH (inches)	TEXTURE SURFACE	SUBSOIL	AMC (inches)	SIL	Z SLOPE	BY WATER	HYDRIC	PERMA- BILITY	FROST FREE	LIMITING FACTORS	K	T	MEG	WATER SLOPE	UPPER SLOPE	CI/T C=40	C=30	C=50	
EAA	GOSINTA	IIc VIc	24-48	SIL	L	8.5-10	—	0-2	S	NO	.2-.6	110-140	WATER TABLE	.32	5	6	48	0	.84	3.8	2.9	4.8
EDE	—	VIc	—	—	—	—	—	6-40	M	NO	—	20-80	—	—	—	—	—	—	—	—	—	
	EED	VIc	30-40	CBV-SL	CBX-L	6-8	30-45	6-40	M	NO	.6-2.0	60-80	C.FRAG / ROC / SLP	.10	2	3	86	—	RANGE	12.9	21.5	
	DEHANA	VIc	>60	GR-L	GR-CL	7-8.5	—	6-40	M	NO	.2-.6	20-80	FFS / SLP / ROC	.15	5	5	56	—	—	3.4	5.6	
EDF	—	VIIc	—	—	—	—	—	40-75	SEV	NO	—	20-80	—	—	—	8	—	—	—	—	—	
	EED	VIIc	30-40	CBV-SL	GRV-CL	6-8	30-45	40-75	SEV	NO	.6-2.0	60-80	SLP / ROC / C.FRAG	.10	2	3	86	—	—	12.9	21.5	
	DEHANA	VIIc	>60	GR-L	GR-CL	7-8.5	—	40-75	SEV	NO	.2-.6	20-60	SLP / FFS / ROC	.15	5	5	56	—	—	3.4	5.6	
EEE	EED	VIc	30-40	CBV-SL	GRV-CL	6-8	30-45	6-35	M	NO	.6-2.0	60-100	SLOPE / C.FRAGMENTS	.10	2	3	86	—	—	12.9	21.5	
ELC	ELHINA	VIc IVc	20-40	GRV-L	C	2.5-3	—	2-6	S	NO	.06-.2	85-95	DEPTH / TEXTURE	.10	2	5	56	0.66	1.3	4.2	8.4	14
EnA	ESCALANTE	IIc VIc	>60	FSL	SL	6-7.5	—	0-2	S	NO	2-6	120-140	PERMEABILITY	.24	5	3	86	0	.63	6.88	5.2	8.6
EnB	ESCALANTE	IIc VIc	>60	FSL	SL	6-7.5	—	2-4	M	NO	2-6	120-140	PERMEABILITY / SLOPE	.24	5	3	86	.63	.97	6.88	5.2	8.6
EnC	ESCALANTE	IIIc VIc	>60	FSL	SL	6-7.5	—	4-8	M	NO	2-6	120-140	PERMEABILITY / SLOPE	.24	5	3	86	.97	1.43	6.88	5.2	8.6
FBE	FATHOM	VIIc	>60	BY-LFS	LFS	5.5-6	5-15	2-20	S	NO	6-20	130-140	AMHC / EROSION / BY	.20	5	2	134	—	—	RANGE	8.0	13.4
FMD	FATHOM	IVc VIc	>60	LFS	LFS	5.5-6	—	0-12	S	NO	6-20	130-140	AMHC / EROSION	.20	5	2	134	—	—	RANGE	8.0	13.4
FMS	FATHOM	VIIc	>60	LFS	LFS	5.5-6	—	30-60	SEV	NO	6-20	130-140	SLP / EROSION / AMHC	.20	5	2	134	—	—	RANGE	8.0	13.4
FVC	FORVIC	IIIc	20-40	SICL	GR-C	4-6	—	2-6	M	NO	.06-.2	80-90	PERMEABILITY/ DEPTH	.32	2	4	86	2.1	4.12	17.2	12.9	21.5
HHC	—	IVc	—	—	—	—	—	2-6	S	NO	—	90-100	—	—	—	—	.63	1.24	3.8	—	—	
	HONOREE	IVc	>60	L	GRV-C	4.5-6.5	—	2-6	S	NO	.06-.2	90-100	PERMEABILITY / SLOPE	.24	5	6	48	.63	1.24	3.8	2.9	4.8
	CHAYSON VA	IVc	20-40	L	CL	3.5-7	—	2-6	S	NO	.2-.6	90-100	DEPTH / PERMEABILITY	.28	2	6	48	1.84	3.6	RANGE	7.2	12
HNE	—	VIIc	—	—	—	—	—	15-30	M	NO	—	100-110	—	—	—	8	—	—	—	—	—	
	STRIP	VIIc	>60	STV-L	CBX-L	4-5.5	35-55	15-30	M	NO	.6-2.0	100-110	C.FRAG / ROC / SLP	.20	5	8	—	—	—	RANGE	8.6	—
	NATL	VIIc	40-60	STX-L	ST-C	3.5-7	40-55	15-30	M	NO	.06-.2	100-110	C.FRAG / ROC / SLP	.10	4	8	—	—	—	RANGE	—	—
HF	—	VIIc	—	—	—	—	—	30-75	SEV	NO	—	100-110	—	—	—	8	—	—	—	—	—	
	STV-L	VIIc	>60	STV-L	CBX-L	4-5.5	35-55	30-75	SEV	NO	.6-2.0	100-110	SLOPE / C.FRAG / ROC	.20	5	8	—	—	—	RANGE	8.6	—
	STX-L	VIIc	40-60	STX-L	ST-C	3.5-7	40-55	30-75	SEV	NO	.06-.2	100-110	SLOPE / C.FRAG / ROC	.10	4	8	—	—	—	RANGE	—	—
HLE	HOMALAT	VIc	9-20	GRX-L	GRV-CL	1-2.5	0-15	3-40	M	NO	.2-.6	20-50	DPT / ROC / FFS / AMHC	.05	1	5	56	0.8	—	22.4	16.8	21.5
IMC	—	IVc	—	—	—	—	—	2-6	S	NO	—	90-100	—	—	—	—	—	—	—	—	—	
	ISKQAT VARIET	IVc	40-60	SIL	SIC	5-6	—	2-6	S	NO	.06-.2	90-100	PERMEABILITY	.43	3	6	48	1.89	3.69	6.4	4.8	8.0
	BUDENIS	IVc	20-40	SIL	SICL	5-7	—	2-6	S	NO	.06-.2	90-100	DEPTH / PERMEABILITY	.43	2	6	48	2.8	5.53	9.6	7.2	12
ISO	ISKQAT	IVc	>60	GR-L	GRV-C	4-6	—	3-15	S	NO	.06-.2	80-90	TEXTURE / PERMEABILITY	.10	5	6	48	0.33	0.77	3.84	2.9	4.8
IMC	ISKQAT	IVc	>60	L	GRV-C	6-8	—	2-8	S	NO	.06-.2	80-90	TEXTURE / PERMEABILITY	.20	5	6	48	0.52	1.19	3.84	2.9	4.8
KAB	KECKO	IIc VIc	>60	FSL	LFS	6-7	—	1-4	S	NO	2-6	120-140	PERMEABILITY	.24	5	3	86	.42	.97	6.88	5.2	8.6
KAC	KECKO	IIIc VIc	>60	FSL	LFS	6-7	—	4-8	M	NO	2-6	120-140	SLOPE / PERMEABILITY	.24	5	3	86	.97	1.43	6.88	5.2	8.6

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AGREEMENT OF PURCHASE Department of Water Resources

THIS AGREEMENT, made and entered into this 15th day of February, 1990, by and between **LELAH E. WILCOX**, a married woman dealing with her sole and separate property, hereinafter referred to as "Seller", and **DELBERT KOHTZ** and **FRANCES KOHTZ**, husband and wife, hereinafter referred to as "Buyers",

W I T N E S S E T H :

WHEREAS, the Seller is the owner of certain real property situated in the County of Jerome, State of Idaho, more particularly described as follows:

TOWNSHIP 9 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN
JEROME COUNTY, IDAHO

Section 16: W²;

Section 17: E²;

Section 21: E²; NW⁴;

Section 22: SW⁴SW⁴; W²SE⁴SW⁴; NE⁴SE⁴SW⁴;
NW⁴SW⁴SE⁴;

Section 27: N²NW⁴NW⁴; NW⁴NE⁴NW⁴;

Section 28: N²NE⁴;

and,

WHEREAS, the parties wish to agree upon terms and conditions whereby Seller will sell to the Buyers, and Buyers will purchase from the Seller, all of Seller's right, title and interest in the above described real property,

IT IS THEREFORE AGREED in consideration of these premises and the mutual promises and covenants hereafter contained as follows:

1. **PURCHASE PRICE:** The purchase price is **ONE HUNDRED ELEVEN THOUSAND TWO HUNDRED FIFTY DOLLARS (\$111,250)** to be paid as follows:

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- \$27,750 down payment, including \$5,000 earnest money now on deposit, shall be paid as of the date of closing as hereinafter defined.
- The balance, to wit: the sum of \$83,500 shall accrue interest at the rate of 9% per annum from February 15, 1990, and shall be paid in equal annual installments of \$10,359.01 each, inclusive of interest, commencing with the 15th day of February, 1991, and continuing the 15th day of February each year thereafter until the 15th day of February, 2005, at which time all remaining principal and interest shall be fully due and payable.

2. **PREPAYMENT:** It is specifically understood and agreed that Buyers may pay all the unpaid balance, or any portion thereof, to Seller hereunder without penalty. In the event of payment of part, but not all of said balance, such prepayment shall be applied toward the last maturing installments due and owing hereunder, and Buyers shall not be relieved from making the current regular payments above required.

3. **DEED AND ESCROW:** It is specifically understood and agreed that Seller, on even date herewith, and as a part of this transaction, has executed a good and sufficient Warranty Deed to the Buyers, for said premises, and Buyers hereby approve said deed as to form and content; said deed, together with an executed copy of this agreement, shall be placed in escrow with **Land Title and Escrow, Inc.**, Jerome, Idaho, and said escrow holder is hereby authorized and directed to deliver said deed to the Buyers at the time of the payment of said deferred payments in full, together with all interest thereon. In case this agreement is forfeited or terminated, as herein provided, then said escrow holder is authorized and directed to return and deliver said deed to Seller. It is further agreed by the parties that all initial and ongoing costs of escrow shall be paid in equal shares.

4. **TAXES AND ASSESSMENTS:** All real property taxes and assessments levied and assessed against said premises shall be prorated between the parties as of February 15, 1990. Buyers shall have the full responsibility for payment of real property taxes and assessments for 1991 and successive years.

5. **POSSESSION DATE:** Buyers shall be let into and have possession of said premises as of February 15, 1990, and shall thereafter be entitled to remain in possession thereof, and have the use, issues and profits thereof during the entire life of this agreement, or until the same shall have been terminated as herein provided. In the event Buyers fail to perform this agreement as herein provided, and Seller serves notice of

NOV 26 1990

forfeiture upon them, as hereinafter provided, then and in that event, unless they perform this agreement within the time hereinafter provided, and as specified in the notice served upon them by Seller, they will forthwith, and without delay, surrender and deliver up possession of said property to Seller in a quiet and peaceable manner, and without suit or action.

6. **TITLE INSURANCE:** Seller shall, at the time of closing, furnish at her expense, a policy of title insurance in a responsible title insurance company, insuring the title of said property in the the sum of \$111,250 to be vested in the Seller, with a purchaser's clause in favor of the Buyers, showing a marketable title to said premises to be vested in the Seller, subject to taxes for 1990 and future years, and to any easements that may exist over, across and upon said premises and those other exceptions more particularly described on Exhibit "A" attached hereto.

It is further understood and agreed that title to said premises shall be and remain in Seller until the full purchase price, together with the interest thereon, shall have been fully paid.

7. **ENCUMBRANCES:** Nothing herein contained shall be construed to constitute the Buyers the agents of the Seller, and Buyers shall have no power or authority to bind Seller, or the property being acquired hereunder, for any material or labor used in making additions to said property, or improvements thereon, and Buyers specifically promise and agree that they will not suffer any lien or liens to be attached to said property or any part thereof by reason of the erection of any buildings and/or improvements thereon, or suffer any liens by operation of law, or otherwise, to attach to said property except as stated elsewhere in this agreement.

8. **INSPECTION:** Buyers agree and warrant as part of the consideration for the sale to them of said premises, that they have personally inspected the same and that they are not relying upon any representations made by the Seller, or by any servant or agent of the Seller, and that they are relying upon their own personal knowledge of the premises and that they knows the situation, character, quality and condition of the premises, and of the quantity of land being acquired hereunder, and of the existence of noxious weeds and/or rock thereon.

9. **CLOSING:** Closing of this transaction shall take place at the offices of LAND TITLE & ESCROW, INC., Jerome, Idaho, on or before the 15th day of February, 1990, or such other date as the parties may agree. All costs of closing shall be divided equally by the parties.

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NOV 26 1990

10. WASTE OR STRIP: Buyers shall commit no waste or strip and will permit no waste or strip to be committed on said premises during the life of this contract, and further agree that they will farm said premises in a good husbandlike manner, properly rotating crops and keeping said premises properly fertilized.

11. NO WATER RIGHTS: The parties recognize that the real property herein described is being sold to the Buyers with no water rights whatsoever, there being no water rights now appurtenant to said real property.

12. PROHIBITION OF SALE, ASSIGNMENT, OR ENCUMBRANCE: Buyers recognize that they shall not sell, convey, assign, or otherwise transfer or encumber any of their ownership interest in the real property above described to any third party without first having obtained written authorization from the Seller, which consent Seller agrees not to withhold unreasonably. Provided, however, that Seller recognizes that Buyers anticipate undertaking a program for the development of said real property for the application of irrigation water. This will necessitate the expenditure of money required to develop an irrigation system and electrical power associated therewith. To that end, Buyers may from time to time require that subparcels of the above described real property be sold to third parties. Seller hereby gives her consent to such reasonable sales and agrees to provide a partial release of real property from this agreement provided that said sales are reasonable, do not materially affect the value of Seller's collateral for the repayment of the remaining obligations owing hereunder, and that all proceeds from such sales, which shall be cash sales only, shall be applied to the then existing remaining balance due and owing hereunder. Notwithstanding any language in this paragraph to the contrary, Seller does further consent to allow Buyers to place upon Buyers' interest in the real property above described such encumbrances as may be necessary to procure the capital with which Buyers' development program for the irrigation and power systems may be undertaken. Seller's consent to such encumbrances shall only be effective upon Seller's written consent first having been obtained, following a demonstration that such encumbrances are reasonably necessary for the development of the irrigation and power systems and that Seller's superior security position will not be disturbed by such lien or encumbrance.

13. INTEGRATION: Seller and Buyers acknowledge that the terms, conditions and covenants of this agreement shall supersede any prior negotiations and agreements of the parties, that there are no other agreements not contained in this agreement, and that this agreement shall be the final and complete expression of the agreement of the parties and

NOV 26 1990

No modifications of this agreement shall be valid unless in writing and executed by all the parties hereto.

14. **DEFAULT:** Should Buyers fail to perform this Agreement in any aspect, or fail to make any payment required by this Agreement, then Seller shall serve notice of default, in writing, specifying the nature of such default, to Buyers at the following address:

Delbert Kohtz and Frances Kohtz
1135 Valley Road South
Eden, Idaho 83325

In the event the specified events of default remain uncured within **Fifteen** (15) days of the date of written notice, Seller may, at her option, pursue one or all of the following remedies:

a) Accelerate the full balance then due and owing the Seller pursuant to this Agreement, demand the full payment of said purchase price, treat this Agreement of Sale as a note and mortgage, and foreclose the same pursuant to the mortgage foreclosure laws of the State of Idaho.

b) Serve Buyers a notice of forfeiture of all rights under this Agreement, in which event all monies paid previously by Buyers under this Agreement shall be retained by the Seller, and constitute liquidated damages for the breach of this Agreement and the use of the above described property through the time of default. In such event, Buyers agree to promptly surrender up possession of the above described property to the Seller. Buyers shall then henceforth be regarded as a tenant holding over after the expiration of a lease, and shall be subject to the laws of the State of Idaho concerning forcible entry and unlawful detainer,

c) Treat this Agreement of Sale as rescinded, and proceed against the Buyers for damages equal to the unpaid balance of the Agreement, incidental and consequential damages for the breach, other sums due and owing under this Agreement, and all other damages to which the Seller may be entitled.

d) Sue for specific performance under this Agreement.

e) Pursue any other remedy to which the Seller may be entitled under the laws of the State of Idaho or the United States of America.

It is understood that the election of any option as to an appropriate remedy shall be exclusively the election of the Seller.

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NOV 26 1990

15. **NOTICE OF SERVICE:** It is further understood and agreed that any notices hereinafter provided for may be given as follows:

By Seller to Buyers, by certified mail, properly enclosed in a sealed envelope, addressed to Buyers at the address listed above.

By Buyers to Seller by sending the same by certified mail, addressed to Seller at the following addresses:

Lelah E. Wilcox
225 Seventh Street
Idaho Falls, Idaho 83401

Service of any such notices shall be complete upon the arrival thereof in the Post Office to which addressed as above required.

16. **ATTORNEY'S FEES:** If default be made by either party hereto in keeping or performing any of the covenants, conditions or agreements herein agreed to be kept by them, and the other party is required to employ an attorney to enforce any of the covenants, conditions or agreements herein contained, then and in such event, the party in default agrees to pay, in addition to all other sums herein agreed to be paid by them, a reasonable attorney's fee, together with any costs and disbursements that may be incurred in enforcing this agreement.

17. **MEMORANDUM OF AGREEMENT:** A Memorandum of this agreement shall be recorded after the time of closing.

18. **PREPARATION OF AGREEMENT:** The parties recognize that this agreement has been prepared by Robert E. Williams III, as attorney for the Seller. Buyers have been advised that they have the right to seek independent counsel of their own choosing with regard to all matters contained in this agreement.

19. **WATER PERMIT:** This sale includes all of Seller's right, title, and interest in State of Idaho Department of Water Resources Permit No. 36-7416b. Buyers agree not to change the point of diversion of the water now identified in said permit during the lifetime of this agreement without the written consent of the Seller.

20. **TIME IS OF THE ESSENCE:** It is understood and agreed that failure on the part of the Seller to require prompt performance on the part of the Buyers shall not extend the time of performance by Buyers, or be a waiver by Seller of time being the essence of this agreement, it being specifically

NOV 26 1990

understood and agreed that time is hereby made the essence of this agreement.

21. **BINDING ON SUCCESSORS:** This agreement shall inure to the benefit of, and be binding upon, the parties hereto, and their respective heirs, executors, administrators and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names, the day and year in this agreement first above written.

"SELLER"

Lelah E. Wilcox
LELAH E. WILCOX

"BUYERS"

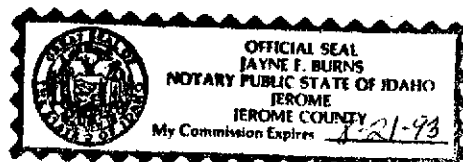
Delbert Kohtz
DELBERT KOHTZ

Frances Kohtz
FRANCES KOHTZ

STATE OF IDAHO)
) ss.
County of Jerome)

On this 15th day of February, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DELBERT KOHTZ and FRANCES KOHTZ, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



James L. Burns
NOTARY PUBLIC for Idaho

MICROFILMED

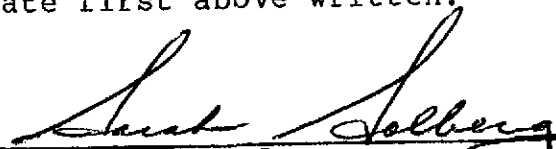
NOV 26 1990

Great Britain and Northern Ireland)
London, England) ss.) 86
Embassy of the United States of America)

On this Twenty-Sixth day of February, 1990, before me,
the undersigned, a ~~Notary Public~~ Notary in and for said London, England
and , personally appeared LELAH E. WILCOX, known to me
to be the person whose name is subscribed to the within and
foregoing instrument, and who acknowledged to me that she
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal,
the day and year in this certificate first above written.

Sarah Solberg
Vice Consul of
the United States of America
London, England


NOTARY PUBLIC for
Residing at:
Commission expires:



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NOV 26 1990

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE B—Section 2

Exceptions

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Taxes for 1989 and subsequent years, which are not yet due and payable.
7. Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

NOTE: Since the Title Company does not have adequate access to the records of security filings in the office of the Idaho Secretary of State, it assumes no responsibility for any filings or lack of filings as to any claimed security interest concerning goods, chattels, farm products, or fixtures that may affect the herein described real estate. The proposed insured is urged to check the records of the Secretary of State of Idaho.

Exceptions numbered none are hereby omitted.

The Owner's Policy to be issued, if any, shall contain the following items in addition to the ones set forth above:

- (1) The Deed of Trust, if any, required under Schedule B—Section 1, Item (b).
- (2) Unpatented mining claims, patents or exceptions in patents or in Acts authorizing issuance thereof; water rights, claims or title to water.
- (3) Any and all unpaid taxes, liens and unredeemed tax sales.

Schedule B—Section 2—Page 1—No. BF 463929

Whom it May concern

Dale Turnipsen - Idaho Dept of Fish
324-4350 & Game

Keith Brooks Bureau of Reclamation
678-0461 Burley

Mike McMasters Dept of Health &
734-9520 Welfare. Dept of
~~263-2444~~ environmental quality
~~Twinn Falls~~

Washington St
Twinn Falls, Idaho 83301

These & other people will send
comments on the project to you
or have already sent them.

Delbert Lotz

RECEIVED
APR 16 1990

Department of Water Resources

RECEIVED

APR 13 1990

Department of Water Resources
Southern Region Office

MICROFILMED

NOV 26 1990

RECEIVED
APR 9 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO
Department of Water Resources

* * * * *

IN THE MATTER OF)
PERMIT NO. 36-07416B) NOTICE OF PROTEST

* * * * *

COMES NOW Idaho Power Company (hereinafter "IPCO") by and through its attorneys of record Nelson, Rosholt, Robertson, Tolman & Tucker and gives notice of its protest to continuance or approval of Permit No. 36-07416B in the names of Delbert Kohtz and/or Lynn L. Mecham. This protest is based on the public interest criteria of I.C. § 42-203C. IPCO has examined Idaho Department of Water Resource records on this permit and has concluded that the present records are not sufficient to permit an evaluation of the impact of the project and thus a determination of whether Idaho Code section 42-203C criteria have been satisfied pursuant to IDWR Rule 4,4,2,3 of Practice and Procedure. This protest is submitted to preserve IPCO's right to challenge such permit. IPCO reserves the right to dismiss this protest if subsequent development of the record establishes the applicable criteria have been met.

RESPECTFULLY SUBMITTED this 9th day of April, 1990.

NELSON, ROSHOLT, ROBERTSON,
TOLMAN & TUCKER

MICROFILMED

NOV 26 1990

By: Thomas G. Nelson
Thomas G. Nelson

1 CERTIFICATE OF MAILING

2 I hereby certify that on this 9th day of April, 1990,
3 I served a copy of the foregoing NOTICE OF PROTEST, by
4 depositing same in the United States mail, postage prepaid, in
5 an envelope, addressed to the following:

6 Delbert Kohtz
7 Eden, Idaho 83325

8 Idaho Department of Water Resources
9 1301 North Orchard
10 Statehouse Mail
11 Boise, Idaho 83720

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13 _____

14 3449p
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MICROFILMED

NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 13, 1990

The Idaho Statesman
P. O. Box 40
Boise, ID 83707

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 9, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 13, 1990

Lewiston Morning Tribune
Box 957
Lewiston, ID 83501

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 9, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

RECEIVED

NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 13, 1990

Northside News
Box 468
Jerome, ID 83338

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 9, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 13, 1990

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

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 9, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

NOV 28 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 13, 1990

Post Register
P.O. Box 1800
Idaho Falls, ID 83401

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 9, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

NOV 26 1990

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

36-07416B

KOHTZ, DELBERT
~~MECHAN, LYNN L.~~
 EDEN, ID 83325

Source: GROUNDWATER

Diversion Pt:	SWSW	Sec 9 T 09S R 20E
	SWSE	Sec 9 T 09S R 20E
	SENE	Sec 16 T 09S R 20E
	SENE	Sec 17 T 09S R 20E
	NENE	Sec 21 T 09S R 20E
	NESE	Sec 21 T 09S R 20E

Use: IRRIGATION	(27.600 CFS)
STOCKWATER	(.500 CFS)
Total Diversion:	(27.600 CFS)

Priority: 12/ 6/ 1973

In: T09S R20E S16	NENW	NWNW	SWNW	SENE
	NESW	NWSW	SWSW	SESW
S17	NENE	NWNE	SWNE	SENE
	NESE	NWSE	SWSE	SESE
S21	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENE
	NESE	NWSE	SWSE	SESE
S22	SWSW	SESW	NWSE	SWSE
S27	NENW	NWNW		
S28	NENE	NWNE		

MICROFILMED

1380.0 ACRES TOTAL

NOV 26 1990

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filled with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 9, 1990. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

Published 3/21/1990 & 3/28/1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 13, 1990

RE: Permit No. 37-74168

Notice of Information Required by Water Appropriation Rule 4,5,3.

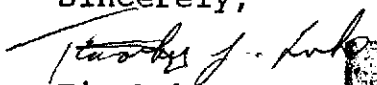
Dear Permit Holder:

The Department acknowledges receipt of the Trust Water Information Questionnaire for the above referenced permit. On behalf of the Department, I wish to thank you for your cooperation in returning the questionnaire.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5,3. if the undeveloped portion of the permit exceeds 200 acres. The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your permit. The project includes more than 200 acres and is therefore subject to the additional information requirements of Rule 4,5,3. In particular, you must submit the information outlined in Rules 4,5,3,1. through 4,5,3,5 (copy attached).

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed may be cause for the Department to advance the priority of the permit by the number of days that the information submittal is late. The Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing. Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,


Tim Luke

Sr. Water Resource Agent

MICROFILMED

NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

GENERAL INSTRUCTIONS: Please answer all questions thoroughly.
A separate questionnaire must be completed for each permit.

1. Permit number 36-074168.
2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes _____ No ✓

If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.

3. Are you still interested in developing or completing the development under your water right filing?
Yes ✓ No _____
If no, please complete and return the attached relinquishment form.
If yes, please submit the required \$20.00 readvertisement fee
4. If you answered yes to question #3, please indicate the number of acres you intend to develop. _____
1310 acres plus lots of livestock
5. Remarks: _____

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application or cancellation of the permit by the department.

[Signature]
Permit holder

March 1, 1990
Date

Address: 1135 Valley Rd So
Eden, Idaho

Phone (208) 825-5617

MICROFILMED

RECEIVED

\$20, received 3-1-90

NOV 26 1990

MAR 1 1990

Receipt 5011366 *gt*

Department of Water Resources
Southern Region Office

9/89

RECEIVED

MAR 2 1990

Department of Water Resources
Southern Region & Co.State of Idaho
Department of Water Resources
DRILLING PERMITDrilling Permit No. 6-90-S-021Water Right Permit No. 36-07416B

Injection Permit No. _____

RECEIVED

MAR 7 1990

1. Applicant (Please Print) Delbert Kohtz Department of Water Resources
2. Mailing Address 1135 Valley Road South, Eden, ID 83325
Telephone 825-5617
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 16, Twp. 9S, Rge. 20E, County Jerome,
Street Address of Well Site _____,
Lot, block and subdivision _____
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
(X) Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
() Other (describe fully) _____
5. Well construction information:
A. (X) New well () Deepen () Replace - See Condition 9.
B. Proposed surface diameter 16" Maximum depth 400'
C. Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date Within 30 days
7. Anticipated Well Driller Ray Commons - Joe Howard
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Delbert Kohtz Date March 1, 1990
Title owner
(Owner, Firm Representative, Other)

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NOV 26 1990

ACT OF DEPARTMENT OF WATER RESOURCES

This Permit is

Approved

Date

3/2/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Larry O. Thaler

Signature of Authorized Department Representative

Southern Region Mgr

Title

Receipt No.

SO/1366

Received by

js

Fee

\$/00.

Date

3-1-1990

EXTENSION OF DRILLING PERMIT

Extension approved by

Approval Date

NOV 26 1990

This extension is good for 60 days beyond the above extension approval date.

MICROFILMED

Drilling permit No. _____

Water right No. 36-07416B

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Delbert Kohtz, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

I want to start farming this ground this year. Due to the shortage of available
drillers, I need to be able to drill as soon as a driller is available. It will
be too late to farm if the well isn't drilled now.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date

Mar 1, 1990

MICROFILMED

NOV 26 1990

Signature

Applicant

Delbert Kohtz



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 20, 1990

RE: PERMIT NO. 36-7416B

Dear PERMIT HOLDER:

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

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

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

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

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

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

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

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,2,3 (copy enclosed).

NOV 26 1990

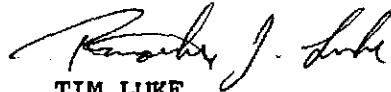
Page 2

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

NOV 26 1990

January 18, 1989

Lelah E. Mecham Wilcox
225 7th St.
Idaho Falls, ID 83401

RE: PERMIT 36-7416B - REQUEST FOR EXTENSION OF TIME

Dear Mrs. Wilcox:

The department has reviewed the request for extension of time submitted in connection with the above referenced permit. Since the permit is within the Swan Falls trust water area and has been named in Ada County Civil Case No. 81375 and not dismissed, the department will hold the request without action until the permit is reprocessed in compliance with the provisions of section 42-203D, Idaho Code.

The issuance of an order on March 25, 1988 by the Federal Energy Regulatory Commission (order effective May 24, 1988) made the Swan Falls Agreement effective. As a result of the order, the department is determining which permits can be reprocessed in a given year up to the 20,000 acres per year limitation.

When development under the permit can be authorized beyond the extent of development existing on July 1, 1985, the department will consider the request for extension of time and will advise you accordingly of our action.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Region

MICROFILMED

NOV 26 1990

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

January 9, 1989

LELA E. MECHAM
225 7TH ST.
IDAHO FALLS, ID 83401

Dear Ms. Mecham:

Re: Permit No. 36-7416B

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you date October 31, 1988.

Your permit cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 26 1990

RECEIVED
1.12.89
Jodi L. Schultz

RECEIVED
NOV 26 1990

INTER-DEPARTMENT MEMO — 1

FROM Jodi

DATE 11/23/88

TO file # 36-7414 B

SUBJECT

Re-mailed Proof Due Notice to
address on partial assignment statement.

Lela E. Mecham
225 7th St.

10/26/88
MICROFILMED 1B

83401

NOV 26 1990



SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



READY CHECKED
Undelivered ☒ Refused
Addressed Not Known
Incorrect address
No such person
The work office in state
do not remain in this envelope

RECEIVED

NOV 22 1988

Department of Water Resources

NOV 26 1988
138683

Any Check
No.
37745
☐ Hold

Date

11-1-88
1ST Notice
11/9
2ND Notice

Reason
11/16
Detailed Form
PS Form 384-A
Oct. 1985

Lela E. Mecham
225 7th St.
Idaho Falls, ID 83401

October 31, 1988

LELAH E. MECHAM
835 W. BRYAN #3
POCATELLO, ID 83201

138683

PROOF DUE NOTICE

RE: PERMIT NO. 36-07416B

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

NOV 2 6 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. Glen Saxton
L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

NOV 8 1985

January 18, 1984

Lelah E. Mecham
835 W. Bryan #3
Pocatello, ID 83201

Dear Ms. Mecham:

Re: Permit No. 36-74168

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to January 1, 1989.

The approval of the extension of time is based upon the past moratorium by Idaho Power Company against new power hookups.

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

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures: Ext. of Time

MICROFILMED

November 21, 1983

Re: Permit No. 36-74168

Lelah E. Mecham
835 W. Bryan #3
Pocatello, ID 83201

Dear Ms. Mecham:

This office has received the request for extension of time which you submitted in connection with the above-referenced permit. Since the extension request indicates that development of a water right under the permit has not been started and since the proposed use of water is hydraulically upstream of the Swan Falls Dam on the Snake River, the Department will delay action on the request for extension of time.

As background information, in November of 1982, the Idaho Supreme Court held that Idaho Power Company's use of Snake River water at Swan Falls Dam for power generation purposes was not subordinated to later-in-time upstream uses as was previously thought. Although certain issues in the case still need to be determined at the district court level, several potential implications of the case need to be carefully considered. It is possible that unless use of water began prior to the November 1982 ruling, development of a new water right cannot occur even though a permit has been issued by the Department. It is also possible that the Department will not issue any new water right permits for consumptive uses upstream from Swan Falls Dam in the Snake River drainage including tributary groundwater. It is also possible that compensation may have to be paid to Idaho Power Company by later in time water users in the impact area for depletion of Snake River flows used by Idaho Power Company to generate power at Swan Falls and at other dams along the Snake River.

Due to these concerns, the Department will hold your request for extension of time without action until the impacts of the Swan Falls issue have been determined.

If you have questions, please feel free to contact the Department.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED
NOV 23 1983

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 36-7416B

Y Date Received stamp

Y Fee receipted

Y Name on request same as on permit

N Address same as on permit

835 W. BRYAN #3

Y Proof due date correct

Pocatello, Idaho

Y Period of request correct

83201

Y Signature same as on permit

→ 1-1-1989 - New proof due date.

N First extension request

Y Permit holder named as defendant in 1983 Idaho Power lawsuit

Y Is extension filed before proof due date?

Date extension received _____

Proof due date - _____

Days late N/A

Priority date _____

Adjusted priority date _____

Y Is delay caused by litigation?

Date litigation began 12-29-1977

Date litigation completed ON GOING

Period of delay 5 yrs

New proof due date 1-1-1989

N Is there commencement of works?

47 Cover letter number

____ Rolodex card updated

Remarks:

HOLD ACTION - UPSTREAM FROM SWAN FALLS

Reviewed by:

Jui

Date:

11-10-83



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

EXTENSION OF TIME

November 8, 1983

Lelah E. Mecham

835 W. Bryan #3

Pocatello, Idaho 83201

PERMIT NO. 36-7416B

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 32771.

Roberta Garrett

Records Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138129

MECHAN, LELAH F.
5156 Elizabeth
Pocatello, ID 83201

PROOF DUE NOTICE

OCTOBER 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 36-74168 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

11/1/83

May 2, 1983

RE: Permit No. 36-7416 B

Lela E. Mecham
1810 Warm Springs
Boise, ID 83702

Dear Ms. Mecham:

This office acknowledges receipt of the Partial Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosure

*permit copy was picked up
by Lela Mecham on 4-20-83*

RC 5/2/83

MICROFILMED

GREG J. FULLER
JAMES C. MESERVY

OF COUNSEL
RICHARD H. SEELEY

FULLER & MESERVY
ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 30
235 NORTH LINCOLN
JEROME, IDAHO 83338

RECEIVED

TELEPHONE (208) 324-8193
FEB 15 1983
FROM TWIN FALLS
734-9001

Department of Water Resources

February 14, 1983

Mr. Darcy Frownfelter
Deputy Attorney General
Department of Water Resources
Statehouse Mail
Boise, ID 83720

Dear Darcy:

Enclosed you will find the certified copy of the Amended Judgment and Decree of Divorce in the Mecham case. I hope this information will assist you in transferring the water permit to Mrs. Mecham. If you need any additional information, please do not hesitate to call.

May I wish you every success in your new venture starting this fall. I would also like to thank you for the information regarding the distinction between a permit and a license. I am sure it will prove helpful in the future.

Sincerely,

FULLER & MESERVY

Jim

James C. Meservy

JCM:mb

Enc.

Good Luck in Texas. Best Wishes Always.

MICROFILMED

QUITCLAIM DEED

For Value Received LYNN L. MECHAM, a single man

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto
LELAH E. MECHAM, a single woman, as her sole and separate property
whose address is:

Hereinafter called the grantee, the following described premises, in Jerome County, Idaho
to-wit:

TOWNSHIP 9 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 16: W $\frac{1}{2}$;Section 17: E $\frac{1}{2}$;Section 21: E $\frac{1}{2}$; NW $\frac{1}{4}$;Section 22: SW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;Section 27: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;Section 28: N $\frac{1}{2}$ NE $\frac{1}{4}$;

TOGETHER WITH all water and water rights, ditches and ditch
rights used thereon or appurtenant thereto.

*Permit of personal property - permit
real property - license*

RECORDED AT THE REQUEST
of *Lela E. Mecham*
FEB 9 11 44 AM '83
JEROME COUNTY, IDAHO
FEES - DEP *92*

270794

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the gran-
tee's heirs and assigns forever.

Dated: *February 3, 1983*
~~September 16, 1982~~

Lynn L. Mecham
LYNN L. MECHAM

Instrument No.

STATE OF IDAHO, COUNTY OF

On this *9th* day of *February*, 1983,
before me, a notary public in and for said State, per-
sonally appeared

LYNN L. MECHAM

known to me to be the person whose name is
subscribed to this instrument, and acknowledged
to me that he executed the same.

Residing at

Jerome
Notary Public
, Idaho.

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at *minutes* past *o'clock* m.
this *day* of
19 *in my office*, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By

Deputy

Fees \$

Mail to:

MICROFILMED

PART A



STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720
(208) 384-2215

January 3, 1979

Lynn L. Mecham
Route 1
Hazelton, ID 83335

Dear Mr. Mecham:

Re: Permit No. 36-7416

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to January 1, 1984.

Sincerely,

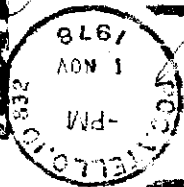
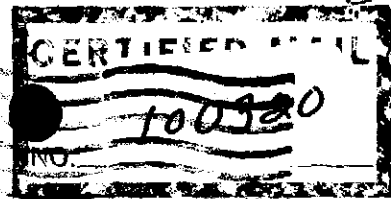
Jan Grover
Water Rights Supervisor

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State
Boise, Idaho 83720

RETURNED
TO
SENDER
NOT DELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

Lynn L. Mecham
652 West Bonneville
Pocatello, ID 83201



RECEIVED
NOV 6 1978

NOV 6 1978

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

CERTIFIED MAIL

103320

October 31, 1978

Re: Permit No. 36-7416

Lynn L. Mecham
652 West Bonneville
Pocatello, ID 83201

Dear Mr. Mecham:

One of the conditions of approval of your water Permit No. 36-7416 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

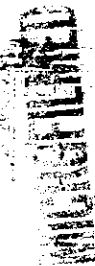
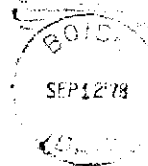
Encl: Proof affidavit

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State House
Boise, Idaho 83720

PRESS HERE

FIRST CLASS



by West
Lynn L. Mecham
652 Bonneville
Pocatello, ID 83201

ONE ADDRESS ONLY
NO ORDER ON FILE

RECEIVED

SEP 18 1978

Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

9/12/78

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 16, 1974

Re: Permit No. 36-7416

Lynn L. Mecham
652 West Bonneville
Pocatello, Idaho 83201

Dear Ms. Mecham:

Enclosed is a copy of your approved Application for Permit No. 36-7416. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

36 7416

December 7, 1973

RE: Application Nos. 36-7415 - Idaho Land & Cattle, Inc.
36-7416 - Lynn L. Mecham

North Side News
P.O. Box 468
Jerome, Idaho 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted _____ by _____

BH:jmm

36 7416

Enc.: Legal Notices (2)

John OK 12-1-73
JEROME LEGAL

NOTICE OF APPLICATION
FOR WATER PERMIT

done well to correct

Notice is hereby given that Lynn L. Mecham, 652 West Bonneville, Pocatello, ID has on December 6, 1973 submitted Application No. 36-7416 for a permit to appropriate 33.22 cubic feet per second of water from groundwater by means of wells and pumps within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; T. 9S, R. 20E, B.M., Jerome County to be used from Jan. 1 to Dec. 31 for stockwater, and from Mar. 15 to Nov. 15 for irrigation of 1,661 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; E $\frac{1}{2}$, Sec. 17; W $\frac{1}{2}$, Sec. 16; N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21; S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28; T. 9S, R. 20E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before December 31, 1973.

R. KEITH HIGGINSON
Director

12-13-2tc-n

36 7416

NOTICE OF APPLICATION FOR WATER PERMIT

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652 West Bonneville, Pocatello, ID

has on December 6, 1973 submitted Application No. 36-7416

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by means of wells and pumps

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; T. 9S, R. 20E, B.M., Jerome County

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for irrigation of 1,661 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9;

E $\frac{1}{2}$, Sec. 17; W $\frac{1}{2}$, Sec. 16; N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 21; S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27;
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R. KEITH HIGGINSON

Director

Published in the North Side News

on December 13 and December 20, 1973

36 7416

IDENT. NO. 36-2416

WATER RIGHT
DATA ENTRY LOG

Item

Transfer Approved

Assignment coded & entered