

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07455

Priority: October 30, 1980

Maximum Diversion Rate: 0.16 CFS
Maximum Diversion Volume: 35.0 AF

It is hereby certified that BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

Or

MARK DARRINGTON
887 E 500 S
DECLO ID 83323 have complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated October 30, 1980; and have submitted Proof of Beneficial Use on June 04, 1985. An examination indicates that the works have a diversion capacity of 0.19 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
IRRIGATION	03/15 to 11/15	0.16 CFS	34.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 11S, Rge 24E, B.M., CASSIA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 24E 14												X					

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 24E 14												8.6					8.6

Total Acres: 8.6

MICROFILMED
OCT 19 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07455

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. Right 45-07552 is also diverted through the point of diversion described above.
3. Rights 45-07552 and 45-07455 when combined shall not exceed a total diversion rate of 0.19 cfs.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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

Signed and sealed this 20TH day of September, 2001.

Acting for

KARL J. DREHER
Director

MICROFILMED
OCT 19 2001

RECEIVED

SEP 14 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 45-07455

Date of Priority: October 30, 1980

Maximum Diversion Rate: 0.16 CFS

Maximum Diversion Volume: 35.0 AF

Comes now BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

Or

MARK DARRINGTON
887 E 500 S
DECLO ID 83323

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. 45-07455, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
IRRIGATION	03/15 to 11/15	0.16 CFS	34.4 AF

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 11S, Rge 24E, B.M., CASSIA CountyPLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	14													X				

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	14																8.6	8.6

Total Acres: 8.6

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 12 day of September, 2001.

MICROFILMED

OCT 19 2001

Mark L Darrington
(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 45-07455

FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee = 50⁰⁰ Received by J. Dreher # 651240 Date 9/14/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 45-07455 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. Right 45-07552 is also diverted through the point of diversion described above.
3. Rights 45-07552 and 45-07455 when combined shall not exceed a total diversion rate of 0.19 cfs.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 20th day of September, 2001.


Acting for KARL J. DREHER
Director

MICROFILMED

OCT 19 2001

11/99

For Office Use Only
\$25 filing fee ☒
Receipt # 5024153
Date 7/17/2001

RECEIVED

JUL 19 2001 *K*

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEE NOT RECEIVED
UNTIL 7/17/2001 *P.S.*

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Bruce B Turner, hereby assign to Bruce B Turner or Mark Darrington
of, 887 E 500S Declo ID 83323
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 45-7455 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 for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

RECEIVED
JUL 11 2001
Department of Water Resource
Southern Region

Made this 5 day of July, 2001.

Bruce B. Turner
Permit Holder(s)

State of Idaho)

County of Cassia)ss

On this 5 day of July, 2001, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nelda Matthews
Notary Public residing at

SEAL

Declo, Idaho

My commission expires: 6-1-2003
MICROFILMED

OCT 19 2001

RECEIVED
JUN 6 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
JUN 4 1985

Department of Water Resources

Department of Water Resources
Boise, Idaho 83720

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 45-7455

Name(s) of Permit Holder: Bruce B. Turner ✓

Post Office Address: Water Canyon #13 Deer Id. ✓

83323 Telephone No. 654 2616

Source of Water: Deep Well ✓

Extent of Use:

Domestic 3 (number of households)

Stockwater cattle & Horses (number and type of stock)

Irrigation 00 (acres) ✓

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: _____

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

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

MICROFILMED

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

Bruce B. Turner ✓

(Name)

Water Canyon #13 Deer Id. 654-2616
(Address) (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

June 85 Bruce B. Turner ✓
Date Signature of Permit Holder (and Title, if appropriate)

Jan

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Bruce B. Turner Phone 654-7321

Post office address Water Canyon #13 - Declo, ID 83323

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 11S

Range 24E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .16 for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount ~~0.04~~ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated:

a. 0.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pipeline to 10,000 gal
storage tank - gravity flow in pipelines to homes and irrigation

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 350 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14 Township 11S
Range 24E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 4.

(5) If water is to be used for other purposes describe: domestic use for 1 home

RECORDED

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

[illegible]

Total number of acres to be irrigated 10

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

9. a. Who owns the property at the point of diversion Brad Bandy

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

G E G L

W-30466

Proposed Priority

10/30/80

Received by TGB Date 10-30-80 Time 3:30

Preliminary check by A.F. Fee \$ 30.00/100

Receipted by TGB Date 10-30-80 #16651

Publication prepared by maria Date 12/12/80

Published in south ida press

Publication dates 11/25 + 12/2/80

Publication approved maria Date 11/24/80

Protests filed by: none

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by JZ RA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7455 , 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 December 1 , 19 85 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 30th day of December , 19 80.

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Sumner, being first
duly sworn, deposes and says that she is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two
consecutive weeks, commencing with the issue
dated Nov. 25 1980, and ending
with the issue dated Dec. 2 1980.

Mary Sumner

Subscribed and sworn to before me

this 12th day of December

1980.

Norma M. Peterson Notary Public

Cost of Publication 8.32

Notary Fee _____

Total Cost 8.32

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

RECEIVED

DEC 16 1980

Department of Water Resources
Southern District Office

80-418

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following ap-
plication(s) have been submitted for permit to
appropriate the public waters of the State of
Idaho:

45-7455

TURNER, BRUCE B., WATER CANYON NO. 13,
DEVELO, ID 83323, Source: GROUNDWATER, Date
Filed: 10/30/1980, Amount: 0.20 CFS, Diversion
Point: NENW Sec 23 T 11S R 24E, CASSIA Co., Use:
IRRIGATION (0.16 CFS) from 03/15 to 11/15,
DOMESTIC (0.04 CFS) from 01/01 to 12/31, Place
of Use: SESW Sec 14 T 11S R 24E FOR 10 ACRES,
Diversion Means: WELL, PUMP, PIPELINE

*ok
mwp*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 21, 2001

BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

MARK DARRINGTON
887 E 500 S
DECLO ID 83323

RE: License No. 45-7455 - Issuance of License

Dear Water Right Holder(s):

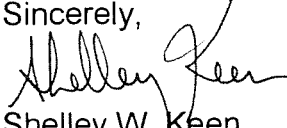
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
OCT 19 2001

CERTIFICATE OF MAILING

I hereby certify that on September 21, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 45-7455

BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

MARK DARRINGTON
887 E 500 S
DECLO ID 83323



Kari Lynn Townsend
Secretary

MICROFILMED
OCT 19 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

OCT 19 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 29, 2001

RECEIVED

SEP 14 2001

RE: Permit No. 45-07455

BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

OR

MARK DARRINGTON
887 E 500 S
DECLO ID 83323

Department of Water Resources

Dear Water Users:

The Department of Water Resources is reviewing the above referenced permit prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion is in a location other than what was described on the permit. Therefore, before a license can be issued, this permit must be amended to depict the water right as it was actually developed.

The enclosed Application for Amendment form depicts the water use and other information, as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the \$50.00 filing fee within 14 days. Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

In a review of our records, we have also found that a claim has not been filed on this permit in the Snake River Basin Adjudication (SRBA). A claim is required for all water rights that proof of beneficial use was submitted prior to November 17, 1987. The proof of beneficial use for this permit was submitted on June 4, 1985. If a license is issued on this permit and no claim has been submitted in the SRBA the water right may be lost even if licensed. Please contact our Southern Regional Office in Twin Falls at 736-3033 to get information about filing a claim on this permit.

If you do not concur with the above information, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,

Kay Walker
Kay Walker
Sr. Water Resource Agent

KW:k

Enclosure: Licensing Amendment

Cc: Doug Jones, IDWR, Southern Region SRBA

*Key, I had a ^{claim} ~~permit~~ ^{KW} 9/14/01
filed yesterday in Twin Falls.
9-12-01
I hope that all this brings
me into compliance on my
water use. Thank you for
your help!*

Mark L Darrington

MICROFILMED
OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 29, 2001

RE: Permit No. 45-07455

BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

OR

MARK DARRINGTON
887 E 500 S
DECLO ID 83323

Dear Water Users:

The Department of Water Resources is reviewing the above referenced permit prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion is in a location other than what was described on the permit. Therefore, before a license can be issued, this permit must be amended to depict the water right as it was actually developed.

The enclosed Application for Amendment form depicts the water use and other information, as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the \$50.00 filing fee within 14 days. Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

In a review of our records, we have also found that a claim has not been filed on this permit in the Snake River Basin Adjudication (SRBA). A claim is required for all water rights that proof of beneficial use was submitted prior to November 17, 1987. The proof of beneficial use for this permit was submitted on June 4, 1985. If a license is issued on this permit and no claim has been submitted in the SRBA the water right may be lost even if licensed. Please contact our Southern Regional Office in Twin Falls at 736-3033 to get information about filing a claim on this permit.

If you do not concur with the above information, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,

Kay Walker
Sr. Water Resource Agent

KW:k
Enclosure: Licensing Amendment

Cc: Doug Jones, IDWR, Southern Region SRBA

MICROFILMED

OCT 19 2001

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	45 2065	DANIEL MOSS,	CANYON CREEK	11S24E14									40	40	20						100
Right	45 2065	MRS R E BAUMAN,	CANYON CREEK	11S24E14									40	40	20						100
Claim	45 10781	MILDRED D INOUE, MITSUO INOUE,	GROUND WATER	11S24E14					X												0
Claim	45 10967	DANIEL D MOSS, JANN MOSS,	GROUND WATER	11S24E14									X								0
Claim	45 10967	DANIEL D MOSS, JANN MOSS,	GROUND WATER	11S24E14									X								0
Claim	45 12589	JANET L HARTWELL, JIMMY D HARTWELL,	GROUND WATER	11S24E14											X						0
Claim	45 7045	MITSUO INOUE, MILDRED D INOUE,	GROUND WATER	11S24E14		37	20		40	36	33	33									199
Claim	45 7120B	BRENT J STOKER, MARLA J STOKER,	GROUND WATER	11S24E14									40	34	35	20		30	3		162
Claim	45 7552A	BRUCE B TURNER,	GROUND WATER	11S24E14											5	3					8
Claim	45 7552A	BRUCE B TURNER,	GROUND WATER	11S24E14												X					0
Permit	45 7455	BRUCE B TURNER, MARK DARRINGTON,	GROUND WATER	11S24E14													10				10
Permit	45 7552	MARK DARRINGTON, BRUCE B TURNER,	GROUND WATER	11S24E14											1				5		6
Rec	45 7120B	MARLA J STOKER, BRENT J STOKER, DANIEL D MOSS,	GROUND WATER	11S24E14									40	34	35	20		30	3		162
Right	45 10781	MILDRED D INOUE, MITSUO INOUE,	GROUND WATER	11S24E14					X												0
Right	45 10967	JANN MOSS, DANIEL D MOSS,	GROUND WATER	11S24E14									X								0
Right	45 10967	JANN MOSS, DANIEL D MOSS,	GROUND WATER	11S24E14									X								0
Right	45 12589	JANET L HARTWELL, JIMMY D HARTWELL,	GROUND WATER	11S24E14												X					0
Right	45 2333A	WENDY STOKER, BRENT J STOKER, LA VEL STOKER, MARLA STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 2524C	LA VEL STOKER, MARLA STOKER, BRENT J STOKER, WENDY STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7045	MITSUO INOUE, MILDRED INOUE,	GROUND WATER	11S24E14		40	13		40	36	32	36									198
Right	45 7072C	MARLA STOKER, WENDY STOKER, LA VEL STOKER, BRENT J STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7105A	MARLA STOKER, BRENT J STOKER, LA VEL STOKER, WENDY STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7116A	LA VEL STOKER, WENDY STOKER, BRENT J STOKER, MARLA STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7120B	MARLA STOKER, WENDY STOKER, LA VEL STOKER, BRENT J STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7161A	BRENT J STOKER, WENDY STOKER, MARLA STOKER, LA VEL STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7358C	LA VEL STOKER, BRENT J STOKER, MARLA STOKER, WENDY STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7358D	WENDY STOKER, MARLA STOKER, BRENT J STOKER, LA VEL STOKER,	GROUND WATER	11S24E14									40	34	35	20		13	3		145
Right	45 7455	BRUCE B TURNER, MARK DARRINGTON,	GROUND WATER	11S24E14												8.6					8.6
Right	45 7455	BRUCE B TURNER, MARK DARRINGTON,	GROUND WATER	11S24E14												X					0
Right	45 7552	BRUCE B TURNER, MARK DARRINGTON,	GROUND WATER	11S24E14											5.9						5.9

↑
No OL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG - 8 2001 K

Department of Water Resources

GENERAL INFORMATION

Permit No. 45-74551. Owner: Bruce B Turner or Mark Darrington Phone No. 654-2852Current Address: 887E 500S Delo ID 833232. Accompanied by: Mark Darrington EXAM DATE: June 22, 2001Address: Same Phone No. SameRelationship to Permit Holder: Co-owner3. Source: Groundwater tributary to _____

OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 45-7552

DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

dent No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	SW	14	11S	24E	Cassia	GPS TAG# A0002766

2. Place(s) of Use:

Indicate Method of Determination GIS

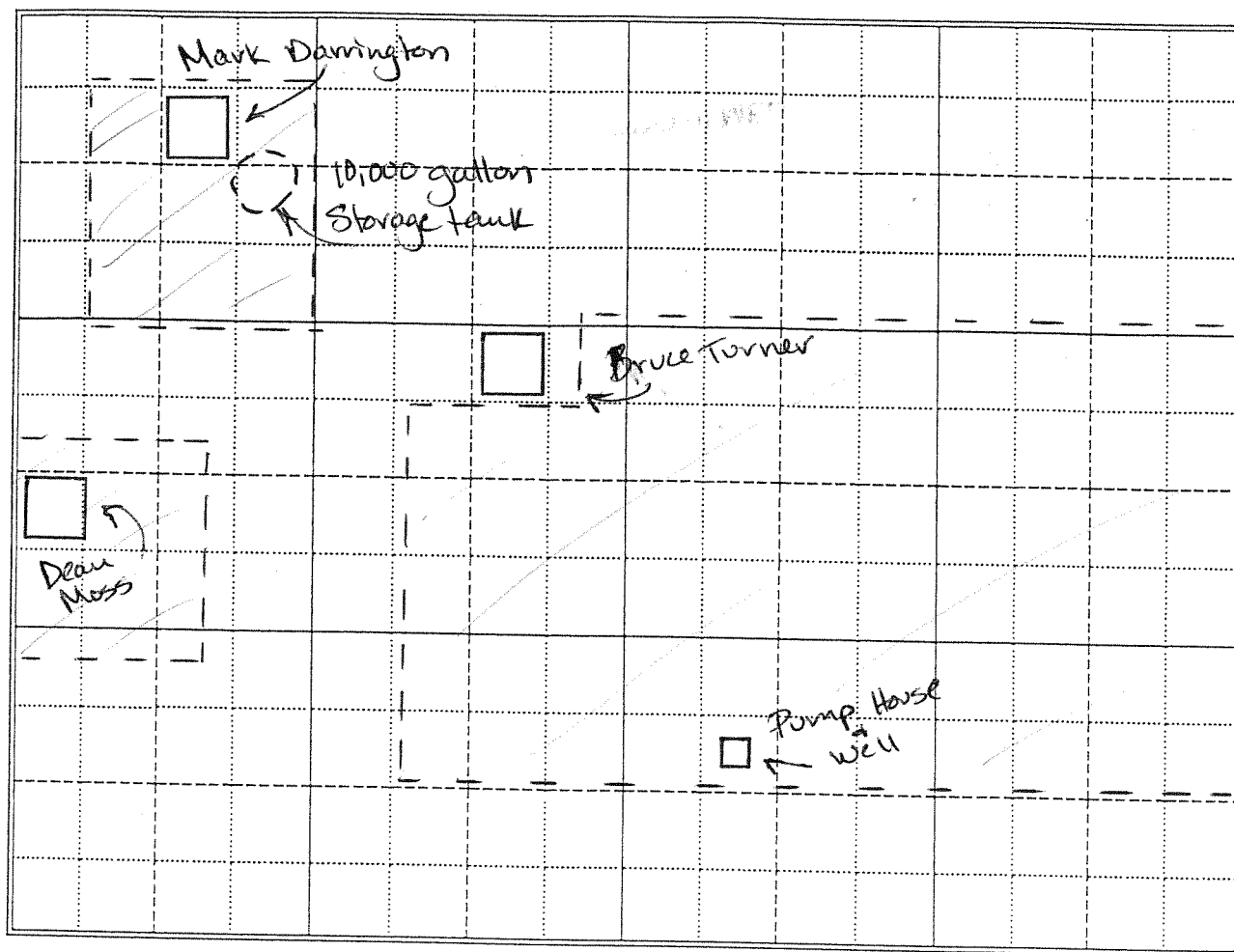
WP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18	24E	14												8.6					8.6
		14												X					

MICROFILMED

OCT 19 2001

Domestic
(1 home)

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible		15			
Booster	General Elect	35			

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Please see narrative

MICROFILMED

SEP 19 2001

E. NARRATIVE/REMARKS/COMMENTS

PERMIT: 45-7455
FROM: Amanda Folsom
DATE: July 20, 2001

I conducted the field exam for this permit on June 22, 2001. Mark Darrington, who is a co-owner of this water right, accompanied me during the exam. This permit was issued for 10 acres of irrigation, and a one home domestic use. Upon the examination I found that the point of diversion had been moved. At one time, there was a well drilled in the NENW $\frac{1}{4}$ of Sec 23, Twp 11S, Rge 24E. Since that time, this well has been abandoned due to poor quality of the water, and the point of diversion has been moved to a well located in the SWSW $\frac{1}{4}$ of Sec 14, Twp 11S, Rge 24E. This well overlaps with permit 45-7552, which is also in the ownership of Bruce Turner and Mark Darrington.

This well contains a 15 horsepower submersible pump in the well along with a 35 horsepower booster pump that works jointly with the other pump. The water is pumped up a grade to the southeast into a 10,000-gallon storage tank. The tank is buried on Mark Darrington's property. This tank feeds Mark Darrington's home, Mr. Turner's home, and Dean Moss' home, including all of the irrigation surrounding the homes. I calculated the acres with GIS, which came to 8.6 acres. Arnie Wetzstein measured this well in 1999. His measurement came to 83.7gpm. The pipes are now all submersed under water.

Water right permit 45-7552 was issued for another two homes and eleven acres located in the same area, from the same point of diversion. I am recommending the permitted amounts for irrigation and domestic use, which comes to a total of 0.16cfs and 35.0afa.

MICROFILMED
OCT 19 2001

E. NARRATIVE/REMARKS/COMMENTS

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

MICROFILMED
OCT 19 2001

Additional Computation Sheets Attached

Fuji Measurement $\rightarrow \frac{83.7 \text{ gpm}}{448.83} = 0.19 \text{ cfs}$

Permitted $\rightarrow \underline{0.166\text{ s}}$

1. Volume Calculations for Irrigation:

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8.6(4) = 34.4$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{0.16(246)(1.9835)} = 78.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{0.10 \text{ (I.R.) (0.133) = 0.10}}$$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	0.16	34.9
Domestic	1/1	12/31	0.04	0.6
Totals:			0.16	35.0

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Cherranda Tolson Date 7/23/01

Reviewer _____ Date _____

MICROFILMED SEAL

OCT 19 2000

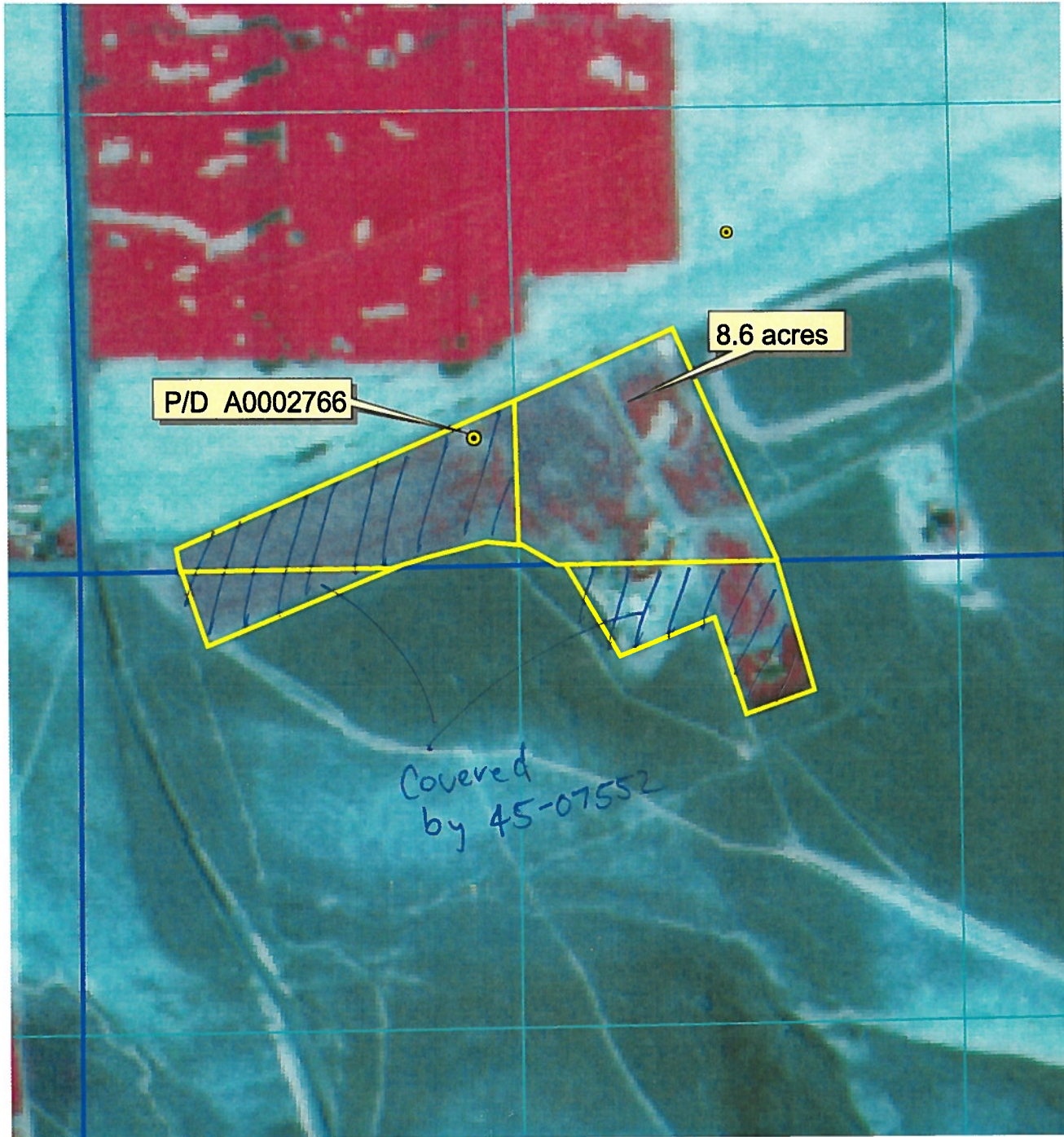
Idaho Department of Water Resource

Recommendation for Permits 45-7455

Bruce Turner

T11S

R24E



- Points of Diversion
- Quarter-quarter Lines
- Section Lines
- Place of Use



Points of Diversion
T11S R24E S14
Data entry on July 19, 2001

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom



Well and pump house. Irrigation to left and right of pump house. Well is white tube sticking out of ground with a 15hp sub. 35hp in house.



35hp booster pump.

MICROFILMED
OCT 19 2001



Mark Darrington's home



Dean Moss' home



Bruce Turner's home

MICROFILMED
OCT 19 2001

45-7455
Turner & Darrington
June 22, 2001

AGREEMENT, made December 4, 1978, between BRUCE B. TURNER and LILA TURNER, husband and wife, herein called "B. Turner", PETE GUTIEREZ and JUANITA GUTIEREZ, husband and wife, herein called "Gutierrez", BRADLEY BANDY and TERRY BANDY, husband and wife, herein called "Bandy" and MAX TURNER and MAURINE TURNER, husband and wife, and herein called "M. Turner".

1. RECITALS:

(a) The parties own certain lots in Water Canyon Heights Subdivision, Cassia County, Idaho, and being a part of Sections 14 and 23, Township 11 South, Range 24 East, Boise Meridian, and such ownership for the purposes of this agreement are identified as follows:

(1) B. Turner - Lots 13 and 14 of Block 3 of said Subdivision.

(2) Gutierrez - Lot 10, Block 2 of said Subdivision.

(3) Bandy - Lot 12, Block 3 of said Subdivision, and

(4) M. Turner - Lot 9, Block 2 of said Subdivision.

(b) The well, which is a subject matter of this agreement, is located on Lot 12, Block 3 of said Subdivision.

(c) The water storage facility, which is an object of this agreement, is located in the extreme Southeast corner of Lot 13, Block 3 of said Subdivision.

(d) The parties to this agreement have agreed among themselves as to the use of the well, storage facility and the construction of lines carrying the water to various parcels and such understanding is pursuant to the terms and conditions hereinafter set forth.

In consideration of the recitals, the mutual promises herein contained and the performance thereof, the parties

1 agree as follows:

2 2. WELL. The parties have constructed on Lot 12,
3 Block 3 of Water Canyon Heights Subdivision a well. Each party
4 shall pay twenty-five percent (25%) of the total cost of the
5 drilling the well, casing, pump, motor, and necessary equipment
6 for operation. The parties shall reimburse each other, as the
7 case may be for any of such costs that may have been paid by
8 any of the parties, Subject to the terms and conditions of
9 this agreement each party shall be entitled to 25% of the water
10 from the well. In the event of any water shortage all parties
11 shall be reduced proportionately.

12 3. WATER STORAGE FACILITY: The parties have
13 constructed on Lot 13, Block 3 of Water Canyon Heights Sub-
14 division as water storage facility. Each party shall pay 25%
15 of the total cost of the construction and operation. The parties
16 shall reimburse each other, as the case may be, for any of such
17 costs that may have been paid by any of the parties. Such to
18 the terms and conditions of this agreement each party shall be
19 entitled to 25% of the water from the water storage facility.
20 In the event of any water shortage all parties shall be reduced
21 proportionately.

22 4. COSTS, CHARGES AND EXPENSES: The parties agree
23 to pay all costs, charges and expenses incurred in, about and
24 upon the well and storage facility and such costs, charges and
25 expenses shall be paid 25% by each of the parties signatory
26 to this agreement. It being understood that the husband and
27 wives are considered one party for the purpose of the percentage
28 allocation. All subsequent costs, charges and expenses, including
29 the utility charges shall be paid the same ratio. If any party
30 or parties do not pay their respective percent of the costs,
31 charges and expenses, the other parties may take such steps as
32 shall be necessary to terminate the right to receive water from

MICROFILMED

OCT 19 2001

1 the well and storage facility. A majority of the parties may
2 make the determination as to what costs, charges and expenses
3 are from time to time necessary.

4 5. PERMISSIVE USE: Bandy and B. Turner give to
5 each other and each gives to Gutierrez and M. Turner the right
6 and permission to conduct and divert water from the well and
7 from the storage facility over and across the parcels of land
8 owned by each together with the necessary right of ingress and
9 egress thereto for the purpose of construction, maintenance
10 and repair. M. Turner is hereby given the right and permission
11 by Gutierrez to conduct and divert water across Lot 10, Block 2,
12 to the property owned by M. Turner, being Lot 9, Block 2 all
13 of the Water Canyon Heights Subdivision. It being the express
14 intent and purpose of this agreement that the permissive use is
15 hereby perpetually given by the respective property owners for
16 the necessary facilities to divert the water to the property
17 more particularly above described. The parties have not particu-
18 larly identified, by exact description, the location of the pipes
19 and apparatus but generally the facilities are adjacent to the bor-
20 der between Lots 12 and 13, Block 3 of said subdivision, thence
21 crossing the road to Lot 10, Block 2 and along the Southerly
22 border of Lot 10 to Lot 9, Block 2 of said Subdivision.

23 6. TERM: Any party may terminate its right to this
24 agreement at any time, by recording written notice in the office
25 of the County Recorder, County of Cassia, State of Idaho and
26 delivering a copy to the other parties or their successors.
27 Such termination shall not in any manner affect the continued
28 permissive use of the facilities that may exist on the respective
29 parcels for the benefit of other parcels, but shall only relieve
30 the terminating party of the obligation to make payments for
31 costs, charges and expenses, and the right to receive water.

32 9. ADDITIONAL PROPERTY: If any of the parties

MICROFILM

OCT 19 2001

1 to this agreement should acquire other lots within the Water
2 Canyon Heights Subdivision to which water from the well and
3 storage facility might appropriately be delivered, such party
4 shall not be entitled to use water on said lots without the
5 written agreement of the remaining parties. Such consent to
6 be effective must be recorded in the office of the County Recorder,
7 County of Cassia, State of Idaho.

8 10. BINDING EFFECT: This agreement shall be binding
9 upon the parties, their heirs, assigns, personal representatives,
10 and the successors in interest of the respective parcels as
11 described in paragraph 1(a). The permissive use of the properties
12 is revocable but only upon the written consent of the owner of
13 the lot for which the revocation is applicable.

14 11. AMENDMENT: This agreement may not be amended
15 orally and may only be amended by an instrument in writing signed
16 by the parties or their successors in interest in ownership in
17 the parcels described in paragraph 9 above.

18 12. UTILITY MEMBERSHIP: The energy to operate the
19 facility is currently supplied by Southside Electric Company,
20 Declo, Idaho. Any membership in Southside Electric or any succes-
21 sor in interest company, or any other utility having a membership
22 that may control the energy that operates the equipment, may
23 from time to time be held in the name of one or more of the
24 parties. If membership is held in the name of less than all
25 of the parties such holding shall be deemed to be in trust for
26 the benefit of all of the parties to this agreement or their
27 successors in interest in the respective lots. Each party shall
28 pay 25% of any membership or other charges of the utility company
29 for the privilege of receiving services. These charges shall
30 be in the same proportion as the periodic charges previously
31 expressed in this agreement.

32 13. INTENT: The parties agree to cooperate each

1 with the () er in making and continuin () make the water
2 distribution system operational. Each party agrees from time
3 to time to execute such other documents as may be necessary
4 to carry out the express intent of this agreement.

5 14. ATTORNEY FEES: The prevailing party or parties
6 in any action brought under this agreement shall be entitled to
7 a reasonable attorney's fee in addition to all other relief
8 awarded by the court.

9 15. INDIVIDUAL CONNECTION: The parties agree
10 that only the costs and expenses of maintenance of the well,
11 main line, and storage facility shall be shared as heretofore
12 stated and that individual hookups with various apparatus and
13 equipment in individual residences shall be paid for and
14 maintained by each of the individual parties. The main line
15 is the pipe from the well to the storage facility and from the
16 storage facility to the individual properties of the parties,
17 and that facility which carries the common water from its source.

18 16. INDEMNITY: Each party agrees to indemnify any
19 other party or parties to this agreement from any injuries to
20 person or damage to property that may be caused by one of the
21 parties signatory to this agreement. It being the express intent
22 and purpose that because of the jointness of the operation,
23 nevertheless, each party shall hold the others harmless because
24 of individual acts. Any claim that arises because of the joint
25 operation shall be shared equally by the parties in the percent-
26 ages elsewhere stated in this agreement or as may be amended
27 from time to time as herein provided.

28 17. WATER RIGHT: Each party shall be deemed to have
29 an undivided interest in the water right and should it be that
30 from time to time the water right must be in one or more
31 individual name, such individual or individuals shall be deemed
32 trustee for the remaining beneficiary entitled to receive the

water.

18. EFFECT OF AGREEMENT: The covenants and agreements herein contained shall run with the land and shall be binding on and inure to the benefit of the parties as further provided in paragraph 10 above.

IN WITNESS WHEREOF, the parties have executed this agreement, effective the day and year first above written.

Bruce B. Turner
Bruce B. Turner

Lila Turner
Lila Turner

Pete Gutierrez
Pete Gutierrez

Juanita Gutierrez
Juanita Gutierrez

Bradley Bandy
Bradley Bandy

Terry Bandy
Terry Bandy

Max Turner
Max Turner

Maurine Turner
Maurine Turner

STATE OF IDAHO)
County of Cassia) ss

On this 8th day of December, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared BRUCE B. TURNER and LILA TURNER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

M. H. B. +
Notary Public for Idaho
Residing at Burley

MICROFILMED
OCT 19 2001

153595

RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT

FILM 158

JUL 21 4 32 PM '83

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

FEE/4.00 DEPUTY AD

KEARNS

1 STATE OF IDAHO)
2) ss
3 County of Cassia)

4 On this 11 day of December, 1978, before me,
5 the undersigned, a Notary Public in and for said State, personally
6 appeared PETE GUTIEREZ and JUANITA GUTIEREZ, husband and wife,
7 known to me to be the persons whose names are subscribed to
8 the within instrument, and acknowledged to me that they executed
9 the same.

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

Notary Public for Idaho
Residing at Burley

11 STATE OF IDAHO)
12) ss
13 County of Cassia)

14 On this 11th day of December, 1978, before me,
15 the undersigned, a Notary Public in and for said State, personally
16 appeared BRADLEY BANDY and TERRY BANDY, husband and wife, known
17 to me to be the persons whose names are subscribed to the within
18 instrument, and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Burley

22 STATE OF UTAH)
23) ss
24 County of Cassia)

25 On this 11th day of December, 1978, before me,
26 the undersigned, a Notary Public in and for said State, personally
27 appeared MAX TURNER and MAURINE TURNER, husband and wife, known
28 to me to be the persons whose names are subscribed to the within
29 instrument, and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Burley

PARSONS, SMITH & STONE
LAWYERS
BURLEY, IDAHO

MICROFILMED
OCT 19 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 2001

Bruce B Turner
Water Canyon #13
Declo ID 83323

RE: Water Right Permits 45-7455 & 45-7552

Dear Bruce,

I am planning to conduct water right examinations in the vicinity of the above referenced permit beginning June 11, 2001. An examination is needed to verify your water use in order to issue a water right license.

Please be advised that the system will need to be operating under normal conditions during the examination. In order to conduct your exam as efficiently as possible, please contact this office to schedule a day and time convenient for you.

Sincerely,

A handwritten signature in cursive script that reads "Amanda Folsom".

Amanda Folsom
Field Agent

MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 20, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARK DARLINGTON
887 E 500 S
DECLO ID 83323

RE: Change of Ownership for Water Right Permit 45-7455 and 45-7552

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

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 of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
OCT 19 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Bruce Turnerof (address) Water Canyon #13, Declo, ID 83330, 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. 45-02455, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 SW 1/4, Section 14, Township 11S, Range 24E, B.M.,
County of Cassia. Other points of diversion: SE 1/4 NE 1/4 Sec. 16 T. 11S
R. 24E * SW 1/4 SE 1/4 Sec. 14

* Changed per telecon w/applicant 7-15-93

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:

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	
11S	24E	14											4.2	^D 1.4					5.6
		23					^D 4.4												4.4

Total number of acres to be irrigated = 10

4. a. Who owns the property at the point of diversion? Applicant Mark Darrington
- b. Who owns the land to be irrigated or the place of use? Applicant, Mark Darrington, Clyde Ward
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Mutual agreement to rotate use of wells on a time basis

SEP 14 1995

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

Hand-drawn diagram on graph paper. A horizontal line is drawn across the middle. Above the line, the text "R. 24E" is written. Below the line, there are three points labeled "16", "15", and "14" from left to right. Below "15" is the text "T. 1/15". Below "14" is a sketch of a face with two eyes, each labeled "PD". Below the face are two small squares. To the right of the face is another point labeled "PD" with a small circle above it.

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

Bruce B. Turner
(Signature)

Preliminary check by MTS Fee = \$20.00

Received by Q Date 6-7-93 5015851

Publication prepared by mb Date 7/13/93

Published in So. Ind. Press

Publication dates 7/23 & 7/30/93

I, _____, Director of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____

Director

SEP 14 1995

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

December 21, 1994

J E U E U V

Mr. Roger Ling
Ling, Nielsen & Robinson
Box 396
Rupert, Idaho 83350

DEC 22 1994
Department of Water Resource
Southern Region Office

RE: Turner - Inouye - Darrington

Dear Roger:

This letter will summarize what we have agreed relative to the Turner - Inouye - Darrington water case.

First of all, Turner is withdrawing his request on the Permit 45-07455 which was the domestic well small acreage request for amendment.

This would leave the 45-07120A for further disposition and it is in that connection that I write this letter.

The matter will be continued and Allen Merritt has been so advised. Immediately Chuck Brockway and Mr. Bearclaw will design a well test at the appropriate time to measure the Darrington and Inouye wells at the time the Turner well is pumping under a supervised test. We have advised Chuck to be in touch with Mr. Bearclaw to design the test and he indicates that he will do so right away. The pumping of course needs to be done before the influence of the irrigation season but it also needs to be tailored because of the freezing temperature and what happens to the tested water as it can't just flow on Turner's ground as it has got to be moved into a canal or a drain.

The costs of the test and the measuring will be paid for by Turner.

As soon as the testing is complete then the parties can take further action as may be deemed appropriate within the department such as withdrawing the protests, requesting the hearing continue or Turner withdrawing his request or such other appropriate action that may be necessary depending on the tests. The tests are of course without prejudice to the position of any of the parties and it is merely a way to provide additional data upon which a competent decision could be made.

RECEIVED
SEP 14 1995

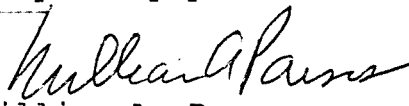
Page 2 -Roger D. Ling
December 21, 1994

I have sent a copy of this letter to the Department so that it knows the position on the one application and knows what the parties are doing on the contested matter.

If there is further clarification needed on this matter let me know.

Thank you for your cooperation and we look forward to receiving the information from the parties respective experts.

Very truly yours,


William A. Parsons

WAP:rt

cc: Bruce Turner
Water Canyon #13
Declo, Idaho 83323

Allen D. Merritt
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Chuck Brockway
760 Sunrise Blvd. North
Twin Falls, Idaho 83301

RECEIVED
SEP 14 1995

FROM: Allen Merritt

DATE: December 21, 1994

TO: TURNER TRANSFER & AMENDMENT FILES

SUBJECT: POSTPONE 12/22/94 HEARING

YESTERDAY I TALKED WITH ROGER LING AND HE INDICATED THAT MR. PARSONS AND HE WERE INTERESTED IN POSSIBLY POSTPONING THE HEARING. I NOTIFIED GLEN VIA MAIL. THIS MORNING GLEN CALLED AND INDICATED THAT HE WOULD NEED TO KNOW FROM THE APPLICANT'S SIDE BY 3:00PM SINCE HE WAS LEAVING BOISE. I PHONED LING AROUND 11:00AM. HE INDICATED HE WAS WORKING ON IT WITH HIS CLIENTS. AT 2:30 I CALLED PARSONS AND HE CONFIRMED HE HAD JUST TALKED TO LING AND THEY AGREED TO POSTPONE THE HEARING. ADDITIONALLY THEY AGREED TO WITHDRAW THE AMENDMENT OF PERMIT 45-07455 AND TO DO MORE PUMP TESTS BEFORE ANY HEARING ON THE TRANSFER #3663. HE INDICATED THAT THEY WOULD SEND A LETTER TO THAT AFFECT. I NOTIFIED GLEN HE DIDN'T HAVE TO COME DOWN AT AROUND 2:30PM.

RECEIVED

SEP 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR TRANSFER NO. 3663,)
45-07120A & AMENDMENT, 45-07455)
IN THE NAME OF BRUCE B. TURNER)
)
)

NOTICE OF HEARING

On June 2, 1989, Bruce B. Turner, applicant, filed with the Department of Water Resources an Application for Transfer of Water Right No. 3663 (45-07120A) and an Application for Amendment of Permit No. 45-07455 was filed on June 6, 1993. Protests against the granting of the applications were received by the department, and the joint pre-hearing conference held on November 28, 1989 did not resolve the matter of protests.

The Department has scheduled the matter for a joint hearing on Thursday, December 22, 1994 at 10:00 a.m. in the Forest Service Conference Room, 3650 Overland Avenue, Burley.

The joint-hearing will be held in accordance with provisions of chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code and the adopted Rules of Procedure of the department. A copy of the rules may be obtained from the department upon request. The presiding officer at the hearing will be Glen Saxton.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01606 requires that you provide a copy of exhibits to each party and to the presiding officer.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans With Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 15th day of November, 1994.


Allen D. Merritt, P.E.
Acting Southern Region Manager

RECEIVED

SEP 14 1995

I hereby certify that on the 15th day of November, 1994, I mailed a true and correct copy, postage prepaid by certified mail, of the foregoing Notice of Hearing to the applicant, protestants, and legal counsels listed below:

Mary A. Baldwin
Secretary

BRUCE B TURNER
WATER CANYON #13
DECLO ID 83323

WILLIAM PARSONS
PO BOX 910
BURLEY ID 83318

CHUCK BROCKWAY
706 SUNRISE BLVD N
TWIN FALLS ID 83301

ROBERT DARRINGTON
STAR RT
DECLO ID 83323

MITSUO INOUYE
RT 1 BOX 105E
DECLO ID 83323

ROGER LING/BOB NIELSON
PO BOX 396
RUPERT ID 83350

SEP 14 1995

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

NAME AND ADDRESS OF SENDER		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☐ Certified ☐ Express Mail		Check appropriate block for Registered Mail: ☐ With Postal Insurance ☐ Without Postal Insurance		Affix stamp here if issue certificate of mailing additional copies		POSTMARK	ECEIPT
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	Re
1	1534	W. D. Pardue AM 10-18-94 T # 4434, 36-2648	.29	1.00	1.00	2.29			
2	1535	Wm. R. Will							
3	1536	(3) R. J. Reichard Rep							
4	1537	(1) Wade Fairchild AM 10-27-94 47-8366	.29	1.00	1.00	2.29			
5	1538	W. D. Pardue 36-22648, T # 4434 AM 11-14-94	.29	1.00	1.00	2.29			
6	1539	Wm. R. Will							
7	1540	R. J. Reichard, Rep.							
8	1541	(4) Evan Robertson, Esq. 45-7120, 45-7455 AM 11/15/94	.29	1.00	1.00	2.29			
9	1542	Bruce Turner							
10	1543	Wm. Parsons							
11	1544	Chuck Brockway							
12	1545	Robert Harrington							
13	1546	Mitsuo Inouye							
14	1547	(6) Roger Ling / Bob Nielson							
15									

Total Number of Pieces Listed by Sender

Total Number of Pieces Received at Post Office

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international mail. The maximum indemnity payable for nonnegotiable documents under Express Mail reconstruction insurance is \$50,000 per piece subject to a limit of occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for Insured Mail. Special handling charges apply only to Third-class and Special Delivery.

SEP 14 1995
 3877, Feb 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 15, 1994

ATTN CARA SHANK
USDA-FOREST SERVICE
3650 OVERLAND AVE
BURLEY ID 83318

Dear Ms. Shank:

This is a follow-up to our telephone conversation on this date to confirm the reservation of the Conference Room for a public meeting to be held by this office on Thursday, December 22, 1994 from 10:00a.m.- 5:00p.m.

If you have any questions please feel free to contact me or Allen Merritt, the Acting Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

Mary Baldwin
Sr. Secretary

RECEIVED

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 17, 1994

Bruce B Turner
Water Canyon #13
Declo, ID 83323

RE: Setting Hearing for Transfer #3663 of License 45-07120A and
Amendment of Permit 45-07455

Dear Mr. Turner:

Both Mr. Ling & Mr. Parsons have contacted me advising that one will be out of state and the other has a trial set for the week of December 12, 1994. As we discussed in our recent phone conversation I am again back to square one in attempting to schedule the hearing for this matter.

In light of this conflict with both attorneys involved I have decided it best to again re-target the hearing date. The target date and place is now **December 22, 1994 at 10:00am somewhere in the Burley area.**

By copy of this letter all known parties are again being notified. (Please note the name and address of the parties listed below) If any party wishes to have the date changed to another day or time, then please contact all other parties and find a date and time acceptable to all parties; then notify this office no later than October 28, 1994. After October 28 this office will send out the formal notice of the hearing giving the place. The previously set deadline date of **November 15, 1994** for the sharing of exhibits or prepared testimony remains the same.

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

Sincerely,

Allen Merritt, P.E.
Acting Southern Region Manager

CC: Robert Darrington Star Rt, Declo, ID 83323
Mitsuo Inouye Rt 1 Box 105E, Declo, ID 83323
Roger Ling/ Bob Nielson PO Box 396, Rupert, ID 83350
William Parsons PO Box 910, Burley, ID 83318
Chuck Brockway 706 Sunrise Blvd N, Twin Falls, 83301
Glen Saxton - IDWR State Office

MICROFILMED

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 5, 1994

Bruce B Turner
Water Canyon #13
Declo, ID 83323

RE: Setting Hearing for Transfer #3663 of License 45-07120A and
Amendment of Permit 45-07455

Dear Mr. Turner:

As you may recall my last letter of July 25, 1994 attempted to again schedule a hearing on the protested matters referenced above for November 3, 1994. Since you have informed our office you will not be in the state on that date due to a prior commitment, I am again back to square "one" in attempting to schedule the hearing for this matter.

A review of the files finds that in the several attempts to accommodate the various parties, the proposed date for this hearing has been changed several times. Although the department generally tries to accommodate the parties in scheduling hearings, in this situation the reshuffling of dates is bordering the ridiculous.

It is my desire for all parties concerned to bring the issues at hand before the department so a decision can be made before the next irrigation season. To accomplish this task the hearing is to be scheduled within the week of December 12th, 1994. The target date is **December 15th at 10:00 am in the Burley area.**

By copy of this letter the parties are being notified. (Please note the names and addresses of the parties listed below) If any party wishes to have the date changed to another day or time within the week of December 12th, then it will be their obligation to contact all other parties including the department to find a date and time acceptable to all parties. If another date or time is to be set this must be done no later than **October 15, 1994.** After October 15 this office will send out the formal notice of the hearing giving the set date, time and place.

One matter that needs to be addressed prior to the hearing is the exchange of exhibits or prepared testimony. If such items are to be offered at the hearing, copies shall be exchanged with all other parties and a copy provided to the department prior to **November 15, 1994.**

MICROFILMED

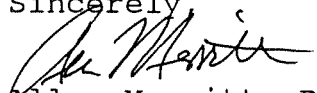
SEP 14 1995

Page 2
10/5/94 Turner Letter

Hopefully with everyone's cooperation we can get this matter scheduled.

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

Sincerely,



Allen Merritt, P.E.
Acting Southern Region Manager

CC: Robert Darrington Star Rt, Declo, ID 83323
Mitsuo Inouye Rt 1 Box 105E, Declo, ID 83323
Roger Ling/ Bob Nielsen PO Box 396, Rupert, ID 83350
William Parsons PO Box 910, Burley, ID 83318
Chuck Brockway 706 Sunrise Blvd N, Twin Falls, 83301

Glen Saxton - IDWR State Office

MICROFILMED

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

25-Jul-1994 11:39

Bruce B Turner
Water Canyon #13
Declo, ID 83323

RE: -Transfer #3663 of License 45-07120A to add Point of Diversion
-Amendment of Permit 45-07455 to change Points of Diversion and
Place of Use

Dear Mr. Turner:

As you know the Department has recently been trying to schedule the hearing for the above referenced protested matters. The tentative dates discussed earlier for August and September of this year have not worked out for all parties. At your request, which has been echoed by others, I have tried to schedule a date after harvest and have come up with a tentative date of November 3, 1994 which I understand may be acceptable to all parties.

The Department will send formal notice of the November 3, 1994 hearing around October 15, 1994. The notice will set the time and place. Glen Saxton is scheduled to be the Department's hearing officer and as explained in earlier letters the hearing will be held in accordance with provisions of the Idaho Code, and the adopted Rules of Procedure of the Department. Please note that the hearing will combine the two protested matters referenced above since the same parties are involved and the protests may involve similar issues.

By copy of this letter I am notifying the other parties of the current proposed schedule.

If you or the other parties have questions please feel free to contact our office.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

CC: Robert Darrington
Mitsuo Inouye
Glen Saxton

William Parsons
Roger Ling/ Robert Nielsen

RECEIVED

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

25-Aug-1993

R. KEITH HIGGINSON
Director

BRUCE TURNER
WATER CANYON #13
DECL0 ID 83323

RE: APPLICATION FOR AMENDMENT OF A PERMIT NO. 45-07455

Dear Mr. Turner:

Enclosed is a copy of a protest filed against the above referenced application.

The Department suggests you contact the protestant directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosures

RECEIVED

SEP 14 1993

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER/AMENDMENT

ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer:

1. Will the proposed transfer injure other water rights?
2. Will the proposed transfer constitute an enlargement in the use of the original right?
3. Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
4. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, and 4 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

RECEIVED

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

25-Aug-1993

R. KEITH HIGGINSON
Director

BRENT C TINGEY ESQUIRE
PO BOX 396
RUPERT ID 83350

RE: APPLICATION FOR AMENDMENT OF PERMIT NO. 45-07455,
(Turner)

Dear Mr. Tingey:

The protest on behalf of your client, Mitsui Inouye, against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

RECEIVED

SEP 14 1995

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
~~DONALD R. WORKMAN~~
BRENT C. TINGEY

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

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

RECEIVED

August 6, 1993

AUG 09 1993

Department of Water Resources
Southern Region Office

Idaho Department of Water Resources
222 Shoshone Street
Twin Falls, ID 83301

RE: Water Right File #45-07455
Protest by Mitsuo Inouye

Gentlemen:

Our firm represents Mitsuo Inouye of Declo. We are filing the enclosed Protest of the Application of Bruce Turner for Amendment to a Water Permit. We would appreciate you providing notice of any further proceedings in this matter to Mr. Inouye at Route 1, Box 105E, Declo, Idaho 83323.

If you have any questions please contact me.

Very truly yours,

LING, NIELSEN AND ROBINSON

Brent C. Tingey

Brent C. Tingey

BCT:slg
Enc.
pc: Mitsuo Inouye

SEP 14 1993

RECEIVED

AUG 09 1993

Department of Water Resources
Southern Region OfficeBEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE)
APPLICATION FOR PERMIT) PROTEST
NUMBER 45-07455 OF BRUCE)
TURNER.)

COMES NOW Mitsuo Inouye, by and through his attor-
neys, Ling, Nielsen and Robinson, Rupert, Idaho, and respect-
fully alleges:

1. That protestant is a holder of a water right
license number 45-7045 with a priority date of December 16,
1969 for diversion of 5.47 cfs within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 11, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 11 South, Range
24 East, Boise Meridian, Cassia County, Idaho.

2. That Application No. 45-07455 filed by Applicant,
Bruce Turner, proposes to amend his permit to change and add
points of diversion, and change the place of use.

3. That the proposed point of diversion in Applica-
tion No. 45-07455 is the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 14,
Township 11 South, Range 24 East, Boise Meridian, Cassia
County, Idaho.

4. That the proposed point of diversion is in the
same Section 14, Township 11 South, Range 24 East, Boise

SEP 14 1995

1 Meridian, Cassia County, Idaho as the Protestant's irrigation
2 well under Water Right No. 45-7045.

3
4 5. Protestant's water right has priority over the
5 water right of the Applicant.

6 6. That the water table in the general area of
7 Protestant's well is dropping and the pumping by the Applicant
8 from the subterranean source near the Protestant's well will
9 affect the Protestant's water right.

10 NOW, THEREFORE, Mitsuo Inouye protests Application
11 No. 45-07455 for the reason that the pumping of a new well
12 closer to the vicinity of Protestant's well will reduce the
13 quantity of water under the existing Water Right of the
14 Protestant.

15 WHEREFORE, Mitsuo Inouye respectfully requests that
16 Application No. 45-07455 be denied by the Department of Water
17 Resources and that no amendment to the permit be allowed.

18 DATED this 6th day of August, 1993.

19 LING, NIELSEN AND ROBINSON

20
21 By: Brent C. Tingey

22 Brent C. Tingey
23 Attorneys for Protestant
24 615 H Street
25 P. O. Box 396
26 Rupert, ID 83350
27 Telephone No. (208) 436-4717
28

RECEIVED
SEP 14 1995

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

RUPERT, IDAHO 83350

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of August, 1993, I served a copy of the foregoing **Protest** upon:

Bruce Turner
c/o William A. Parsons, Esq.
PARSONS, SMITH STONE &
FLETCHER
Attorneys at Law
P.O. Box 910
Burley, Idaho 83318

by depositing a copy thereof in the United States mail, postage prepaid, in an envelope addressed to said person at the foregoing address.

Brent C Tingey
Brent C. Tingey

RECEIVED
SEP 14 1993

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

irrigation 0.16 cfs
(03/15 to 11/15)
domestic 0.04 cfs
(01/01 to 12/31)

Any protest against approval of the amending of Permit No. 45-07455 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before August 9, 1993.

Published in the South Idaho Press on July 23 and 30, 1993.

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

g first duly sworn, deposes and says that she is the General Manager of The South Idaho Press, a daily newspaper published at Burley, Idaho, in the county of Blaine, Idaho; the paper is of general circulation therein. Deponent further states that notice attached hereto was duly published according to law in the The South Idaho Press for two consecutive week(s), commencing on July 23, 1993, and ending with the issue

* 30, 19 93.

55.9

— day of August in the year of 1993 before me, a Notary Public,
Kary Miller, known or identified to
whose name is subscribed to the within instrument, and being by me first duly
the statements therein are true, and acknowledged to me that he executed the

Notary Public for Idaho

Residing at

My commission expires:

\$ 51.84

50

\$ 52.34

OK MB
8/4/93

SEP 14 1995

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
STATE OF IDAHO) ss

RECEIVED

AUG 04 1993
Department of Water Resources
South Idaho Region Office

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive week(s), commencing with the issue dated July 23, 19 93, and ending with the issue dated July 30, 19 93.

Kary D Miller

STATE OF IDAHO)
COUNTY OF CASSIA)

On this 2nd day of August in the year of 1993 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is 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.

Kelly Johnson

Notary Public for Idaho

Residing at

Burley, ID

My commission expires:

May 23, 1997

Cost of Publication

\$ 51.84

Notary Fee

.50

Total Cost

\$ 52.34

OK
MB
8/4/93

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

15-Jul-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

*Charles legal
This replaces
sent on 7/1
Thank*

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 required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

SEP 14 1995

NOTICE OF AMENDMENT TO A WATER
PERMIT
NO. 45-07455

Notice is hereby given that
BRUCE TURNER of Declo, ID is
the holder of Approved Permit
No. 45-07455 with a priority
date of 10/30/1980 authorizing
the diversion of 0.20 cubic
feet per second of water from
groundwater in the NE1/4NW1/4,
S23, T11S, R24E, County of
Cassia, for domestic use and of
10 acres within SE1/4SW1/4,
S14, T11S, R24E.

This Application for Amendment
proposes to change and add
points of diversion, and change
place of use.

The permit holder has applied
to the Department of Water
Resources for an Amendment to
the Permit, to be changed as
follows:

Amount & Use:

irrigation 0.16 cfs
(03/15 to 11/15)
domestic 0.04 cfs
(01/01 to 12/31)

Point of Diversion:
SW1/4SW1/4, SW1/4SE1/4, S14,
T11S, R24E; Cassia County.

Place of Use: Domestic use
within SE1/4SW1/4, S14, T11S,
R24E and NE1/4NW1/4, S23, T11S,
R24E; irrigation of 10 acres
within SW1/4SW1/4, S14, T11S,
R24E and NW1/4NW1/4, S23, T11S,
R24E.

Any protest against approval of
the amending of Permit No.
45-07455 as set forth above
must be filed with the Idaho
Department of Water Resources,
222 Shoshone Street East, Twin
Falls, ID 83301 on or before
August 9, 1993.

R. Keith Higginson, Director

Published in the South Idaho
Press on 7/23 & 7/30/93.

RECEIVED

SEP 14 1995

NOTICE OF AMENDMENT TO A WATER
PERMIT
NO. 45-07455

Notice is hereby given that
BRUCE TURNER of Declo, ID is
the holder of Approved Permit
No. 45-07455 with a priority
date of 10/30/1980 authorizing
the diversion of 0.20 cubic
feet per second of water from
groundwater in the NE1/4NW1/4,
S23, T11S, R24E, County of
Cassia, for domestic use and of
10 acres within SE1/4SW1/4,
S14, T11S, R24E.

This Application for Amendment
proposes to change and add
points of diversion, and change
place of use.

The permit holder has applied
to the Department of Water
Resources for an Amendment to
the Permit, to be changed as
follows:

Amount & Use:

irrigation 0.16 cfs
(03/15 to 11/15)
domestic 0.04 cfs
(01/01 to 12/31)

Point of Diversion:
SW1/4SW1/4, S14, T11S, R24E;
SE1/4NE1/4, S16, T11S, R24E; *changed*
Cassia County.

Place of Use: Domestic use
within SE1/4SW1/4, S14, T11S,
R24E and NE1/4NW1/4, S23, T11S,
R24E; irrigation of 10 acres
within SW1/4SW1/4, S14, T11S,
R24E and NW1/4NW1/4, S23, T11S,
R24E.

Any protest against approval of
the amending of Permit No.
45-07455 as set forth above
must be filed with the Idaho
Department of Water Resources,
222 Shoshone Street East, Twin
Falls, ID 83301 on or before
August 9, 1993.

R. Keith Higginson, Director

Published in the South Idaho
Press on 7/23 & 7/30/93.

*Cancelled per T/C to S18
Charlee 7/15/93
mb*

*T/C to S.O. message with
Karon Gustafson for
Cindy Warner to not
put this legal in ne
water rights listing.
I will replace it
with modified
legal on this date
7/15/93
mb*

SEP 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

13-Jul-1993

R. KEITH HIGGINSON
Director

BRUCE TURNER
WATER CANYON #13
DECLO ID 83323

Re: Application for Amendment, 45-07455

Dear Mr. Turner:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office has scheduled advertising the application in the South Idaho Press on 7/23 & 7/30/93. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

RECEIVED

SEP 14 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

13-Jul-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

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 required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

SEP 14 1995

NOTICE OF AMENDMENT TO A WATER PERMIT
NO. 45-07455

Notice is hereby given that BRUCE TURNER of Declo, ID is the holder of Approved Permit No. 45-07455 with a priority date of 10/30/1980 authorizing the diversion of 0.20 cubic feet per second of water from groundwater in the NE1/4NW1/4, S23, T11S, R24E, County of Cassia, for domestic use and of 10 acres within SE1/4SW1/4, S14, T11S, R24E.

This Application for Amendment proposes to change and add points of diversion, and change place of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount & Use:

irrigation 0.16 cfs
(03/15 to 11/15)
domestic 0.04 cfs
(01/01 to 12/31)

Point of Diversion: SW1/4SW1/4, SW1/4SE1/4, S14, T11S, R24E; Cassia County.

Place of Use: Domestic use within SE1/4SW1/4, S14, T11S, R24E and NE1/4NW1/4, S23, T11S, R24E; irrigation of 10 acres within SW1/4SW1/4, S14, T11S, R24E and NW1/4NW1/4, S23, T11S, R24E.

Any protest against approval of the amending of Permit No. 45-07455 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before August 9, 1993.

R. Keith Higginson, Director

Published in the South Idaho Press on 7/23 & 7/30/93.

SEP 14 1995

C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT TO DRILL A WELL
NO. 45-93-S-0036-000

1. This is to certify, that

BRUCE TURNER
WATER CANYON #13
DECLO ID 83323

O
Receipt No.

has applied for a permit on 6/ 7/1993 to drill a well and a permit is
APPROVED for construction as follows:

2. **Proposed Well Location:** Township 11S, Range 24E, Sec. 16, SENE
CASSIA County

3. **Proposed Use of Well:** Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres 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.

4. **Well Construction Information:**

- A. New Well
- B. Proposed Surface Diameter 10 In. Proposed Maximum Depth 200 Ft.
- C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

5. **Construction Start Date:** 6/ 7/1993

6. **Anticipated Well Driller:**

ELSING DRILLING & PUMP CO INC

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

GENERAL CONDITIONS:

- 1. This well shall not be drilled more than 10% deeper than the proposed total depth or enlarged without prior authorization.
- 2. The well must be constructed or modified in compliance with the applicable statutes; specific conditions of approval shown on the water right permit, transfer, amendment, or injection well permit; and the rules and regulations of the Department for water appropriation, injection wells, and well construction.
- 3. This drilling permit is valid for two (2) months from approval date for the start of drilling.

(Continued)

RECORDED

SEP 14 1995

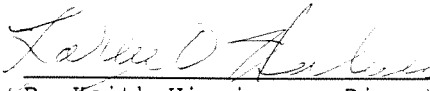
4. This permit does not constitute any other local, county, state or federal approvals which may be required for construction or operation of a well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
5. The well shall be constructed by a driller licensed in the State of Idaho.
6. Approval of this drilling permit does not authorize trespass on the land of another party.
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:

THIS PERMIT IS APPROVED FOR SINGLE-FAMILY DOMESTIC USE ONLY AT THIS TIME. THE ADDITIONAL DOMESTIC/IRRIGATION USES AUTHORIZED BY PERMIT 45-07455 SHALL NOT BE SERVED BY THIS WELL UNTIL THE PENDING AMENDMENT OF THIS PERMIT IS APPROVED, AND UNTIL THE ADDITIONAL DRILLING PERMIT FEE OF \$165. HAS BEEN PAID.

This permit is issued pursuant to the provisions of Section 42-235, Idaho Code, Witness the signature of the Director, or his authorized agent, this

5 day of June, 1993.


R. Keith Higginson, Director

EXTENSION OF DRILLING PERMIT: Approved by _____
Approval Date: _____ This extension expires: _____

MICROFILMED

SEP 14 1995

4/86

RECEIVED
OCT 26 1987

RECEIVED

NOV 02 1987

For Office Use Only
Fee Received 50.00
Date 10/26/87
Receipt # 44315
Receipt by M. Baldwin
Sent to S.O. 10/30/87

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

1. Permit No. 45-7455

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Bruce B Turner

3. Post Office Address: Water Canyon #13 Deer Creek Idaho
Telephone No. 208-654-2616

4. Source of Water: Ground

5. Extent of Use:
Domestic X 3 (No. of households) Stockwater cattle (No. and type of stock)
Irrigation 10 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.20 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1985

8. Person to contact to accompany the department representative during the field examination:

Bruce B Turner (Name)

Deer Creek 500 S 1010 E (Address) 208 654-2616 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Oct 21 1987
Date

Bruce B Turner
Signature of Permit Holder (and title, if appropriate)

SEP 14 1995

4/86

RECEIVED

AUG 17 1987
No ✓ Rec'd (D.J.B.)
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

1. Permit No. 45-7455

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Bruce B Turner

3. Post Office Address: Water Canyon #13 Deerb Creek 8338
Telephone No. (208) 654-2616

4. Source of Water: Ground Water

5. Extent of Use:

Domestic 3 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 10 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.04 cfs 16 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

Oct 1985

8. Person to contact to accompany the department representative during the field examination:

Bruce B Turner (Name)

Deerb Id (Address) 654 2616 654 2598 mobile (Telephone Number)

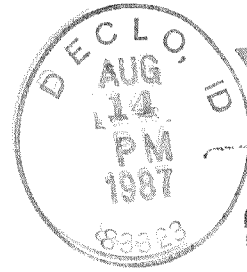
☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner. I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Aug 13 87
Date

Bruce B Turner
Signature of Permit Holder (and title, if appropriate)

SEP 14 1987

B 111111
Dec 67.



RECEIVED

SEP 14 1995

State of Idaho
Dept of Water Resources

State House Boise Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

45-7455

TURNER, BRUCE B.
WATER CANYON NO. 13
DECLO, ID 83323

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 12, 1987

Dear Permit Holder:

LAPSE NOTICE License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on October 12, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on August 12, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before December 11, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

SEP 14 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

45-7455
TURNER, BRUCE R.
WATER CANYON NO. 13
CECLO, ID 83323

138099

August 12, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

SEP 14 1995

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

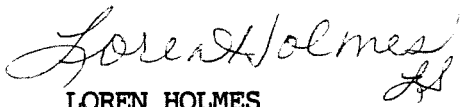
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department office.

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Sincerely,


LOREN HOLMES
Southern Regional Manager

Enclosures

RECEIVED

SEP 14 1995

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 2, 1985

BRUCE TURNER
WATER CANYON #13
DECLD ID 83323

RE: Permit No. 45-7455

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

RECEIVED

SEP 14 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 45-7455
Name(s) of Permit Holder(s): Brace B Turner
Post Office Address: WATER CANYON # 13 DEC 10
Ed. 83353 Tel. No. 654-2616

☒ I hereby certify that construction of diversion works for the above referenced permit began on Jan 15 1984 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

April 1 1986
Date

Brace B. Turner
Signature of Permit Holder

Bruce B. T. mls
Water Canyon #
Deer's Id.



UNDELIVERED
SEP 14 1995

RECEIVED



APR 16 1986
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

TURNER, BRUCE B.
WATER CANYON NO. 13
DECL0, ID 83323

JANUARY 08, 1981

RE: PERMIT NO. 45-7455

DEAR PERMIT HOLDER:

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

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

SINCERELY,

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

ENCLOSURE

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

December 19, 1980

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 45-7455

Dear Mr. Schaefer:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

NOVEMBER 13, 1980

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before DECEMBER 12, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED
NOV 15 1980

NOTICE OF APPLICATION FOR WATER RIGHT

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

45-2455_

TURNER, BRUCE B.

WATER CANYON NO. 13, DECLD. ID 83323

Source: GROUNDWATER

Date Filed: 10/30/1980

Amount: 0.20 CFS

Diversion Point: NENW Sec 23 T 11S R 24E, CASSIA Co.

Use: IRRIGATION (0.16 CFS) from 03/15 to 11/15
DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SESEW Sec 14 T 11S R 24E FOR 10 ACRES

Diversion Means: WELL, PUMP, PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before DECEMBER 12, 1980.

C. STEPHEN ALLRED

Director

Published 11/25 & 12/2/80.

UNRECORDED

80-418

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

45-7455

TURNER, BRUCE B., WATER CANYON NO. 13, DECLO, ID 83323, Source: GROUNDWATER, Date Filed: 10/30/1980, Amount: 0.20 CFS, Diversion Point: NENW Sec 23 T 11S R 24E, CASSIA Co., Use: IRRIGATION (0.16 CFS) from 03/15 to 11/15, DOMESTIC (0.04 CFS) from 01/01 to 12/31, Place of Use: SESW Sec 14 T 11S R 24E FOR 10 ACRES, Diversion Means: WELL, PUMP, PIPELINE

ob
macy
11/24/80

RECEIVED