

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	45-07588	Dry Creek Recharge Area	20.00
Full Assignment	45-07588	Southwest Irrigation ~~Dist.~~	20.00

RECEIVED
DEC 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED JUN 06 1995
CH. NO. 1108
a/H/127

PROOF OF BENEFICIAL USE

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

1. Permit No. NS-07588 Telephone No. 208-523-3888
2. Name(s) of Permit Holder(s): Southwest Irrigation Dist.
3. Mailing Address: Box 1668 Burley Id. 83318
4. Source of Water: Dry Creek If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
- a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____
- b. **OPTIONAL:**
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

5. Use(s) (as authorized by the water right permit):
- Domestic (No. of households): ____ Stockwater (No. and type of stock): ____
- Irrigation (No. of acres): ____ Other: Aquifer Recharge

6. Total rate of diversion and/or volume for which proof is submitted: 20 cfs OR ____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

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

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

8. Fee Enclosed: \$ 575 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.
- Name: Galen Myers Telephone Number: 208-523-3535
- Address: Rt. 1 Dry Creek Rd. Murtaugh ID 83344

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

Signature of permit holder: South West Irrigation Dist. by Galen Myers Date: 6-8-95
(include your title, if on behalf of company or organization)
Project Manager

JUN 27 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 45-07588

Proposed Priority: January 7, 1986

Maximum Diversion Rate:

20.00 CFS

This is to certify, that SOUTHWEST IRRIGATION DIST

PO BOX 668

BURLEY ID 83318-0668

has applied for a permit to appropriate water from:

DRY CREEK

tributary of SNAKE RIVER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

GROUNDWATER RECHARGE

02/01 to 05/31

20.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSWSE , Sec. 1, Township 12S, Range 19E

SWSWSW , Sec. 13, Township 12S, Range 19E

CASSIA County

PLACE OF USE: GROUNDWATER RECHARGE

TWN RGE SEC

11S 19E	26	SWSE
	35	SENW
	36	SESW
20E	30	SWSE
12S 19E	1	SWSE
	2	NESE
	3	SENE
20E	6	Lot 3(NENW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1996.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 45N.
5. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

Microfilm

MAR 28 1995

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

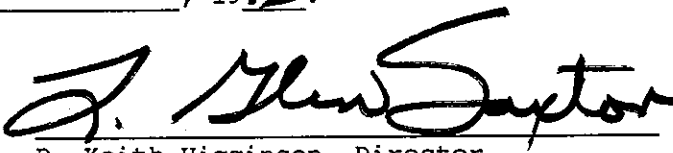
NO. 45-07588

CONDITIONS/REMARKS:

8. The issuance of this right in no way grants any right-of-way or easement across the land of another.
9. Place of use are located within the boundaries of Southwest Irrigation District.
10. Permanent measuring devices which are capable of measuring the flow and the total volume of water injected into the well must be installed for each injection well.
11. The Director may regulate or reduce the rate of diversion under this right pursuant to requirements of Section 42-4201, Idaho Code.
12. Upon a determination of need by the department, the right holder shall provide a well acceptable to the department for use as a monitoring well. The right holder shall monitor the parameters as determined by the department and shall report the findings on a frequency determined by the department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

24th day of March, 1995.

for 
R. Keith Higginson, Director

MICROFILMED

MAR 28 1995

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State of Idaho
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$25.00
Date 12-6-94
Receipt No. 0031780
Receipt by RT

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Galen Myers, President of Dry Creek Recharge Area, hereby assign to Southwest Irrigation District
of PO Box 668, Burley, ID, 83318
(Applicant) (Full Address)

All my right, title, and interest in and to Application for Permit
No. 45-07588 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
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

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

Made this 5th day of Dec, 19 94.

Dry Creek Recharge Area by Galen Myers Pres
Applicant(s)

State of Idaho)

County of Twin Falls

On this 5th day of December, 199 4, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Allen D Merritt
Notary Public

SEAL

My commission expires: 6/30/2000

Signature

DEC 19 1994

database updated 12/8/94 czx

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 45-7588

To appropriate the public waters of the State of Idaho

1. Name of applicant Dry Creek Recharge Area Phone 432-5235
432-5380
Post office address Rt #1 Murlough I.D. 83344 % Galen Myers
2. Source of water supply Dry Creek which is a tributary of Snake River
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 12S Range 19E B.M. CASSIA County; additional
points of diversion if any: SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SEC. 1, Twp. 12S. Rge. 19E
4. Water will be used for the following purposes:
Amount 20 cfs for recharge purposes from Feb 1 to May 1 (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 BM (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 20 cubic feet per second and/or (b) BM acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Using existing irrigation distribution system with added desilting facilities.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
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).

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8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Recharge underground aquifers

9. Description of place of use:

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

Refer to proposed Map

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	12S	19E	2			(?)									R				
2	11S	19E	36							?			R						
3	12S	19E	3			R													
4	12S	20E	6							?									
5	11S	19E	35							R									
6	11S	20E	30														R		
7	12S	19E	1														R		
8	11S	19E	26														R		

REcharge = R

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Joe Tugaw
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Existing Diversion Right

12. Remarks: _____

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

A large grid of 16 columns and 16 rows, intended for a map of the proposed project. The grid is empty, with only a faint stamp visible in the bottom right corner.

Scale: 2 inches equal 1 mile.

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

Malin Myers President
Dry Creek Recharge Area
(Applicant)

Received by TGB Date 1-7-86 Time 2:00pm Preliminary check by JJ
Fee \$ 425⁰⁰ Receipted by TGB # 40064 Date 1-7-86
Publication prepared by marjo Date 1/20/86 Published in South & da press
idaho statesman
post register
clackston morning tribune
Publication approved _____ Date _____
tenner news

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

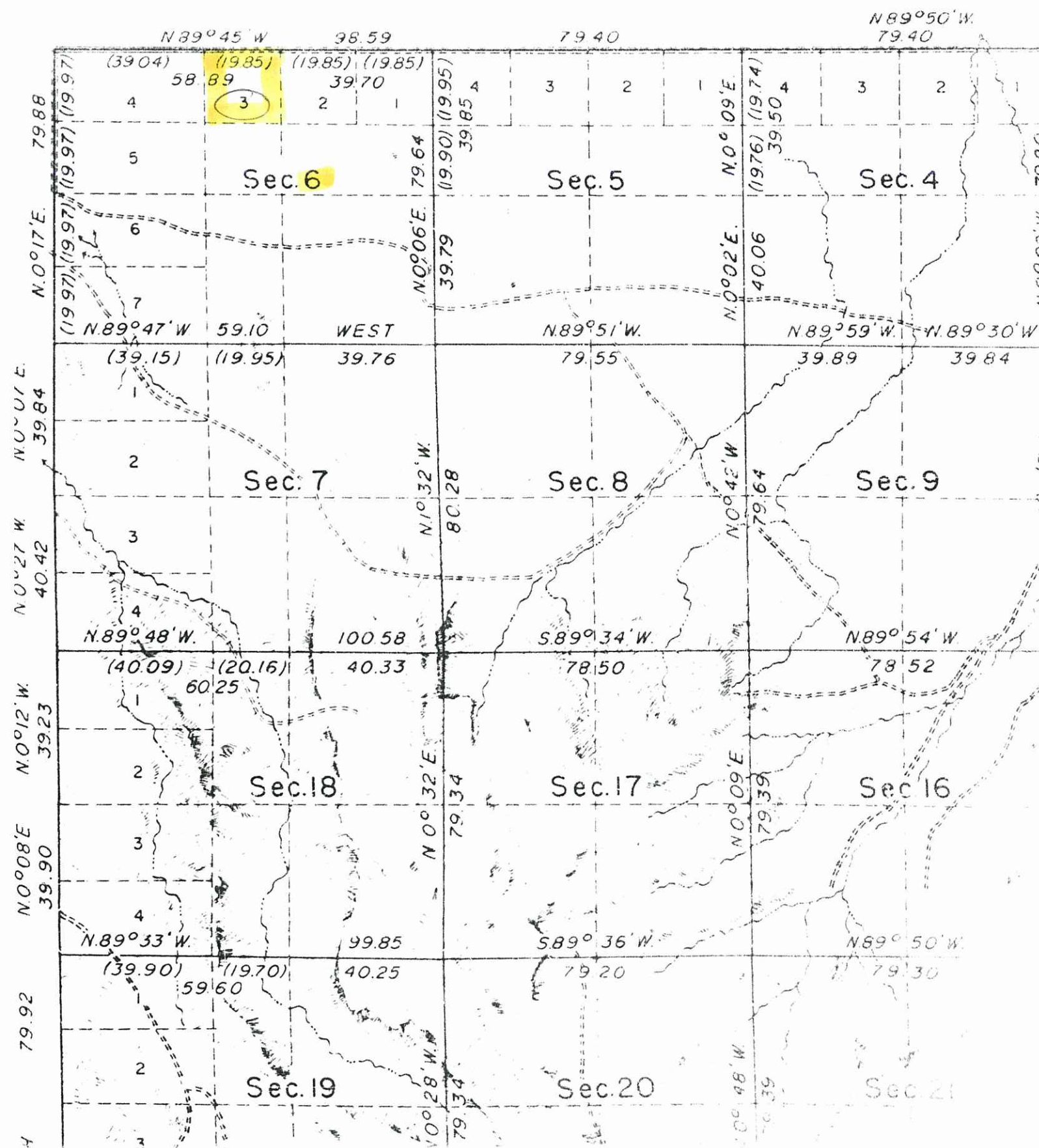
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

DEC 19 1994

DEPEND



R.19E.

R20

EE19

T.
11
S.

T.
12
S.

DEC 19 1994



DESILTING BASINS —
EXISTING DITCHES —
EXISTING PIPELINE - - -

R 19

PD.

**STARTING
RIGHT
SIDE OF
FILE**

MEMORANDUM

To: File 45-07588
From: L. Glen Saxton *LS*
RE: PHONE CALL - STATUS OF APPLICATION
Date: December 5, 1994

Alan Merritt called today and advised that today he received an assignment of application for permit no. 45-07588 from Dry Creek Recharge Area to the Southwest Irrigation District.

My brief review of the file shows that the protests against approval of the application have been withdrawn by agreement in 1986. It also appears that once the assignment is received, the department should review the file for approval.

One of the matters which needs to be reviewed in connection with approval of the application is the effect of the moratorium for the Eastern Snake River Plain area.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-19-1994 BY 60322

June 20, 1995

SOUTHWEST IRRIGATION DIST
PO BOX 668
BURLEY ID 833180668

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07588

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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JUN 27 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 45-07588 Reviewed by [Signature] Date 6-20-95

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

aquifer Recharge

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No. _____

☒ Amount paid for permit

_____ Correct?

☒ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

575.00 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____		_____	
Date proof due	_____		_____	
No. of days late	_____		=	_____
Priority Date	_____		+	_____
New Priority Date	_____			_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 6-8-95

Place of use			Wells	Permit
Twn	Rge	Sec		
11S	19E	26	11S 19E 26D0C	45-W-19
			11S 19E 26A2C	45-W-16
11S	19E	36	11S 19E 36CA0	45-W-17
12S	19E-	2	12S 19E-2ADL	45-W-6
12S	20E	6	12S-20E 6BBD	45-W-18
			12S-20E 6BAC	45-W-23

Place of use list on Permit not in use

11S-19E-35 There are no permit of permit
 11S 20E 30 listed - cancelled -
 12S 19E 1
 12S 19E 3

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Department of Water Resources

RECEIVED

JUN 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 24, 1995

SOUTHWEST IRRIGATION DIST
PO BOX 668
BURLEY ID 83318-0668

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07588

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

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MAR 28 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 45-7588 Name: Sw Ln. Dist. Date: 12/27/94 ^{\$21/95 \$3/14/95} Correct Fee? ☒

AREA OF CONCERN? - No/Yes E.S.R.P. Mor GWMA Trust/Non-trust
SYSTEM COMPLETED:

No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - 01G (new), 01K (existing), No MD
- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. , P99
Existing well - NA (pre 7/1/87)
No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - 01K (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(dem) - WD No. 45N * see remark
*Surface water - 005 (req) ~~01J-P08~~ (-.2 w/pump) FLOW CHART>
(doesn't sink) or 01H-P01 (+.2) <FLOW CHART>; No MD
Groundwater - P05 (new irrigation well)
In stream channel - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (-85° GW temp only)
Swan Falls Flag - T <SEE CONDITION CODE CHART>
Trust - 051-052-053-~~P74~~ (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA
Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA
Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)
Irrigation - 03A/057, 803(if GW use SW 1st) (+5A PU comp), NA
Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Mining - 054 (req) & 06A/010/09E-P10
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R ↑ L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner

PROTESTED:

OTHER CONDITIONS:

REMARKS:

On Day Creek run flow of water at all times for additional
remarks, see attached sheet.

BENEFICIAL USE DUE:

COMMENTS:

3-1-1996

MEMORANDUM

To: Shelley Keen
From: L. Glen Saxton *ms*
RE: CONDITIONS OF APPROVAL
Date: March 10, 1995

I think I would like to add another condition of approval to the permit something like the following:

Upon determination of need by the department, the right holder shall provide a well acceptable to the department for use as a monitoring well. The right holder shall monitor the parameters as determined by the department and shall report the findings on a frequency determined by the department.

[Stamp]
MAR 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 8, 1994

SOUTHWEST IRRIGATION DIST
PO BOX 668
BURLEY ID 83318-0668

Re: Permit No. 45-07588

Dear Water Right Holder(s):

This letter is to confirm that the assignment of ownership on the above referenced water right is satisfactory. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson'.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

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DATE: 12/08/94
PAGE: 1

Audit: 09/22/87 05/28/88 CONVERT



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 23, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Mr. Garr Waymont, President
Southwest Irrigation District
PO Box 668
Burley, Idaho 83318

RE: Water Rights for Southwest Irrigation District Recharge Activity

Dear Mr. Waymont:

Following our meeting on Monday, November 21, 1994, I inspected some of the files at IDWR. As far as I know, there was no follow up to the correspondence sent by Mr. L. Glen Saxton in February 9, 1994. A copy of that letter is enclosed and describes several actions which need to be taken in order to ensure that the recharge activity is in compliance with Idaho law.

I have forwarded the assignment form for Permit No. 45-7567 you submitted to the Water Allocation Section and the data base has been updated to reflect Southwestern Irrigation District.

I am sending a copy of this material to Mr. Allen Merritt at the IDWR-Southern Region office. If you wish assistance with completing any of the forms or have any questions, please contact Mr. Merritt. Please be aware that you are not authorized to recharge water unless the associated water right documents have been approved by the department.

Respectfully,

Helen L. Thornton
Groundwater Protection Section

Encls

cc: Ralph Mellin, IDWR
Mr. William Parsons, Attorney for Southwest Irrigation District
Mr. Ron Golus, USDI BOR
Mr. Bill Young, USGS
Mr. Galen Myers, Southwest Irrigation District

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SOUTHWEST IRRIGATION DISTRICT RECHARGE WELLS

per discussion Helen Thornton, IDWR, and Bill Young, USGS, 1/14/94

Site 1 UPPER COTTONWOOD Source Cottonwood Creek - application 45-W-07567

45-W-4	13S21E08CDC
45-W-21	13S21E04CCC

Site 2 LOWER COTTONWOOD Source Cottonwood Creek

45-W-3	13S21E06AAC1	aka East Well	
45-W-25	13S21E06AAC2	aka West Well	application filed 12/93

Site 3 COINER RANCH Source Dry Creek

45-W-18	12S20E06BBD2	aka North Well	
45-W-23	12S20E06BAC1	aka South Well	application filed 12/93

Site 4 MYERS RANCH Source Dry Creek

45-W-6	12S19E02ADC
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Site 5 CRANER GRAVEL PIT Source Dry Creek - Permit (1000') - 45-07588-2005

45-W-17	11S19E36CAD
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Site 6 MURTAUGH LAKE Source Snake River - leased from TFCC (300')

45-W-16	11S19E26ACC2
45-W-19	11S19E26DCC
45-W-13	11S19E24CBC

Site 7 STURGIL SITE Source Snake River - leased from TFCC (100')

45-W-20	11S20E34CBA	
45-W-24	11S20E33ADA	application filed 12/93

Permits not being used

45-W-5	13S21E08CBC	Big Cedar Creek
45-W-7	12S19E03ADD	Used as observation well
45-W-14	11S19E25BCC	Inadequate hole

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February 3, 1994 (admended Feb. 8, 1994)

TO: Glen Saxton, Chief, Water Allocation Bureau

FROM: Ralph Mellin, Manager, Programs Section

SUBJECT: Three groundwater recharge water sources for the Southwest Irrigation District groundwater recharge activities located near Murtaugh in Cassia and Twin Falls County.

Because of my being the State's contact for the U.S. Bureau of Reclamation for the federally funded demonstration recharge activities, I have looked at the water right permits needed. As a result of a recent discussion with Norm Young, it appears further action is needed on the below listed recharge activities. Galen Meyers, Telephone 432-5235 is currently assisting the Southwest Irrigation District with details.

1. Cottonwood Creek - Approved permit no. 45-7567 - needs to be changed to the name of the Southwest Irrigation District, P.O. Box 668, Burley, ID 83318 from Woodhouse Brothers, Clyde Goodrich, Golden Valley Land & Cattle Co., Joe Tugaw; Box 24, Star Rt., Burley, ID 83318. Also one site of recharge needs to be changed, NW1/4, SW1/4, Sec. 8 changed to SW1/4, SW1/4, Sec 4 both in T13S, R21E). Please check with Galen Meyers to see that the NW1/4, SW1/4, Sec. 8 site will no longer be needed in the future. Recharge dates are March 1 to July 10 unless admended and advertized.

2. Dry Creek - Application no. 45-7588 needs to be changed to the name of the Southwest Irrigation District, P.O. Box 668, Burley, ID 83318 from the Dry Creek Recharge Area, % Galen Meyers, Rt #1, Murtaugh, ID 83344. The following sites need to be included as recharge sites: NW1/4, NW1/4, Sec 6, T12S, R20E two sites; SE1/4, NE1/4, Sec 2; and NE1/4, SW1/4, Sec 36, T11S, R19E. The application appears to have these sites mis-located, while the application has other sites listed. Please check with Mr. Meyers to see that the other sites listed on the application will not be needed sometime in the future. This application needs to be acted upon for approval; recharge has been taking place for more than one year as if the application has been approved. Recharge dates are February 1 to May 31 unless re-advertized.

3. Murtaugh Lake - Some type of transfer of water use document likely needs to be initiated for this recharge activity. It is understood the water has been acquired under a ten-year lease from the Twin Falls Canal Company for USBR storage water allocated to the city of Twin Falls. Three years of this lease now are past. The recharge sites are: the SW1/4, NE1/4, Sec 26; SW1/4, SE1/4, Sec 26; and NW1/4, SW1/4, Sec 24 all in T11S, R19E; and NW1/4, SW1/4, Sec 34; and SE1/4, NE1/4, Sec 33 both in T11S, R20E.

A list of the recharge sites with the injection well permit numbers and locations as well a single map of each recharge site are attached for your use. Please keep me informed about the course of action that is pursued on these sites; so, that I may assist the federal agencies that may inquire.

DEC 19 1994

SOUTHWEST IRRIGATION DISTRICT RECHARGE WELLS

per discussion Helen Thornton, IDWR, and Bill Young, USGS, 1/14/94

Site 1 UPPER COTTONWOOD

Source Cottonwood Creek # 45-7567

45-W-4 13S21E08CDC SE 1/4 SW 1/4 Permit 2/1 - 7/10 30 ft
 45-W-21 13S21E04CCC SW 1/4 SW 1/4 - (need to change site location was To permit # 45-7567) NW 1/4 SW 1/4

Site 2 LOWER COTTONWOOD

Source Cottonwood Creek

45-W-3 13S21E06AAC1 NE 1/4 NE 1/4 aka East Well 45-7567
 45-W-25 13S21E06AAC2 NE 1/4 NE 1/4 aka West Well 45-7567 application filed 12/93

Site 3 COINER RANCH

Source Dry Creek

2/1 - 5/31 7/86 45-07588 (A)

45-W-18 12S20E06BBD2 NW 1/4 NW 1/4 aka North Well
 45-W-23 12S20E06BBD1 NW 1/4 NW 1/4 aka South Well application filed 12/93

Site 4 MYERS RANCH

Source Dry Creek

45-W-6 12S19E02ADC should be SE 1/4 NE 1/4

Site 5 CRANER GRAVEL PIT

Source Dry Creek

45-W-17 11S19E36CAD NE 1/4 SW 1/4

Site 6 MURTAUGH LAKE

Source Snake River leased from Twin Falls Irrig. Co. 300"

45-W-16 11S19E26ACC2 SW 1/4 NE 1/4
 45-W-19 11S19E26DCC SW 1/4 SE 1/4
 45-W-13 11S19E24CBC NW 1/4 SW 1/4

Site 7 STURGIL SITE

Source Snake River leased from Twin Falls Canal Irrig Co. 100"

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Permits not being used

45-W-5 13S21E08CBC Big Cedar Creek
 45-W-7 12S19E03ADD Used as observation well was listed in Dry Creek application
 45-W-14 11S19E25BCC Inadequate hole

* Phase II Development Plan - Aug. 1993, p. 7

DEC 19 1994

Get Copies of Injection Permits 45-W-3 - for Helen
 45-W-5
 45-W-6



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 9, 1994

Galen Myers
Route 1
Murtaugh, ID 83344

RE: SOUTHWEST IRRIGATION DISTRICT RECHARGE ACTIVITY

Dear Mr. Myers:

Ralph Mellin who works in the Water Planning Bureau of the Department of Water Resources (IDWR) recently contacted me in connection with the above referenced recharge activity. Ralph serves as IDWR's contact for the U.S. Bureau of Reclamation's federally funded recharge demonstration programs.

Ralph advises that the ownership of Permit No. 45-07567 needs to be changed from Woodhouse Bros. et. al. to the Southwest Irrigation District. Enclosed is an assignment form which when completed and returned to the department will allow IDWR to change the ownership of the permit in our records. Any other changes to the permit such as adding recharge sites will require the completion and filing of an application for amendment.

To change the name of the owner for pending Application for Permit No. 45-07588 (application) currently filed in the name of Dry Creek Recharge District, an assignment form also needs to be completed and filed with IDWR. Other changes sought on the application will require amendment of the application by an authorized agent. I have enclosed an application for amendment for your use.

The application filed on January 7, 1986 has not evolved into a permit as discussed below.

Section 42-4201A, Idaho Code, authorizes IDWR to issue water right permits to an aquifer recharge district or to an irrigation district for the appropriation of water for underground storage. The application was not filed by either of these entities. The requirements of Section 42-4202, Idaho Code, also have to be met in order to form an aquifer recharge district. Among other criteria, this section requires a petition accompanied by a map of the district showing boundaries, the location and nature of diversion works and other facilities. Estimated costs of the diversion works and facilities must be certified by a licensed professional

DEC 19 1994

engineer.

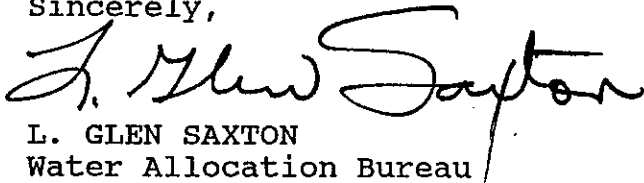
Section 42-4203, Idaho Code, goes on to require IDWR to conduct a hearing in connection with the petition and supporting documents. The section authorizes IDWR to either enter an order establishing the recharge district and defining its boundaries or to deny the petition.

Since the requirements described above have not been met by the applicant, IDWR has not authorized the use of Dry Creek for the recharge of water. Once the Southwest Irrigation District has complied with the requirements of the statutes, IDWR will further review the matter.

With respect to the use of stored surface water derived from Murtaugh Lake for underground storage, it appears the U.S. Bureau of Reclamation or other authorized entity needs to file a transfer with the department changing the nature of use of the water. To my knowledge, IDWR has not given such an approval.

If you have questions, please feel free to contact the department.

Sincerely,



L. GLEN SAXTON
Water Allocation Bureau

Encl: 2

c: IDWR - S. Region
Ralph Mellin

RECEIVED
JUN 19 1994

MEMORANDUM

February 3, 1994

TO: Glen Saxton, Chief, Water Allocation Bureau

FROM: Ralph Mellin, Manager, Programs Section *Rm*

SUBJECT: Three groundwater recharge water sources for the Southwest Irrigation District groundwater recharge activities located near Murtaugh in Cassia and Twin Falls County.

Because of my being the State's contact for the U.S. Bureau of Reclamation for the federally funded demonstration recharge activities, I have looked at the water right permits needed. As a result of a recent discussion with Norm Young, it appears further action is needed on the below listed recharge activities. Galen Meyers, Telephone 432-5235 is currently assisting the Southwest Irrigation District with details.

1. Cottonwood Creek - Approved permit no. 45-7567 - needs to be changed to the name of the Southwest Irrigation District, P.O. Box 668, Burley, ID 83318 from Woodhouse Brothers, Clyde Goodrich, Golden Valley Land & Cattle Co., Joe Tugaw Box 24, Star Rt., Burley, ID 83318. Also one site of recharge needs to be changed, (NW1/4, SW1/4, Sec. 8 changed to SW1/4, SW1/4, Sec 4 both in T13S, R21E). Please check with Galen Meyers to see that the NW1/4, SW1/4, Sec. 8 site will no longer be needed in the future. *assignment amendment ?*

2. Dry Creek - Application no. 45-7588 needs to be changed to the name of the Southwest Irrigation District, P.O. Box 668, Burley, ID 83318 from the Dry Creek Recharge Area, % Galen Meyers, Rt #1, Murtaugh, ID 83344. The following sites need to be included as recharge sites: NW1/4, NW1/4, Sec 6, T12S, R20E two sites; SE1/4, NE1/4, Sec 2; and NE1/4, SW1/4, Sec 36, T11S, R19E. The application appears to have these sites mis-located, while the application has other sites listed. Please check with Mr. Meyers to see that the other sites listed on the application will not be needed sometime in the future. This application needs to be acted upon for approval; recharge has been taking place for more than one year as if the application has been approved. *assignment amendment ? unauthorized!*

3. Murtaugh Lake - Some type of transfer of water use document likely needs to be initiated for this recharge activity. It is understood the water has been acquired under a ten-year lease from the Twin Falls Canal Company for USBR storage water allocated to the city of Twin Falls. Three years of this lease now are past. The recharge sites are: the SW1/4, NE1/4, Sec 26; SW1/4, SE1/4, Sec 26; and NW1/4, SW1/4, Sec 24 all in T11S, R19E; and NW1/4, SW1/4, Sec 34; and SE1/4, NE1/4, Sec 33 both in T11S, R20E. *USBR may need to file a transfer*

A list of the recharge sites with the injection well permit numbers and locations as well a single map of each recharge site are attached for your use. Please keep me informed about the course of action that is pursued on these sites; so, that I may assist the federal agencies that may inquire.

DEC 19 1994

SOUTHWEST IRRIGATION DISTRICT RECHARGE WELLS

per discussion Helen Thornton, IDWR, and Bill Young, USGS, 1/14/94

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 45-W-25 13S21E06AAC2 NE 1/4 NE 1/4 aka West Well 45-7567 application filed 12/93

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 45-W-24 11S20E33ADA SE 1/4 NE 1/4 application filed 12/93

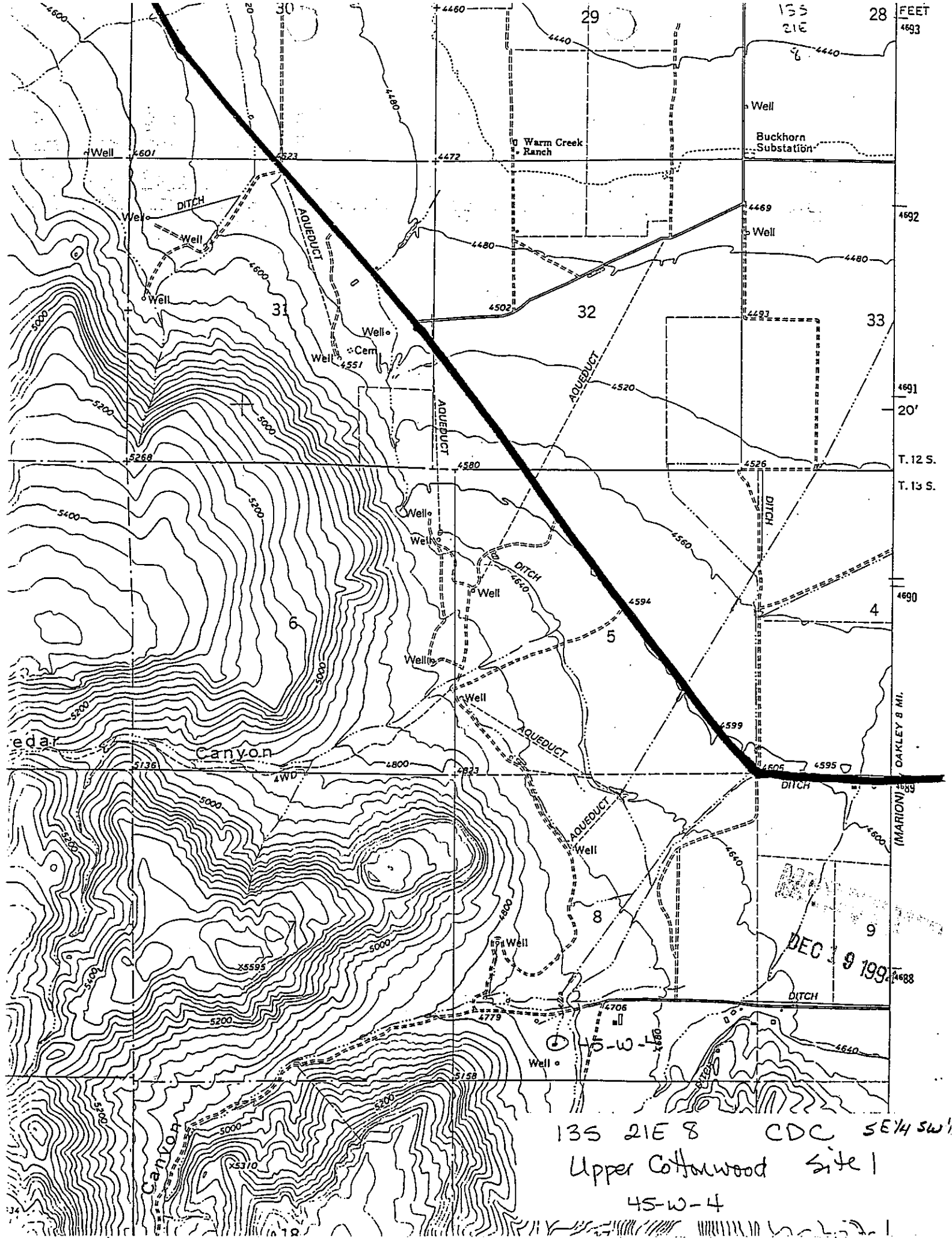
Permits not being used

45-W-5 13S21E08CBC Big Cedar Creek
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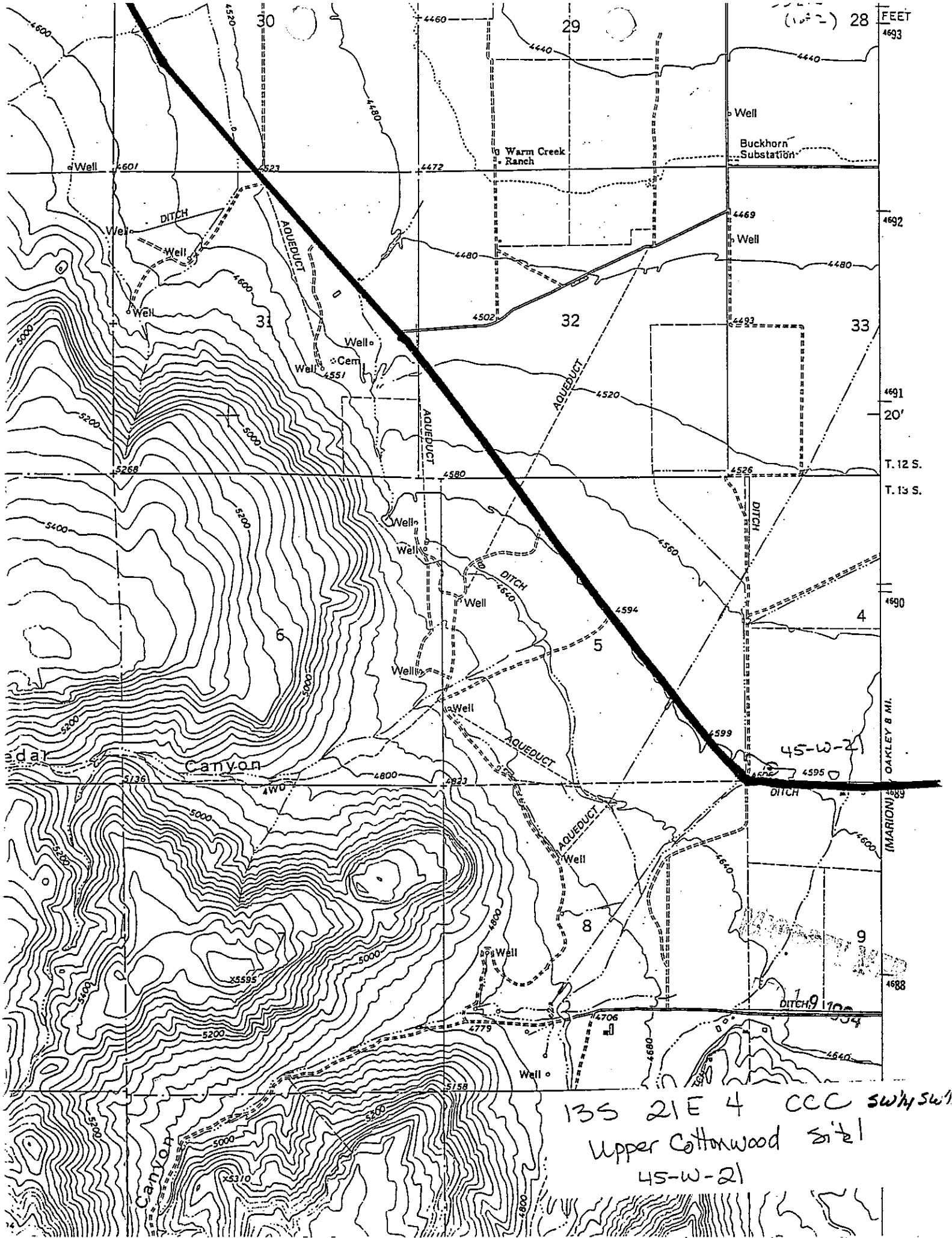
* Phase II Development Plan - Aug. 1993, p. 7

Get Copies of Injection Permits 45-W-3 - for Helen.
 45-W-5
 45-W-6

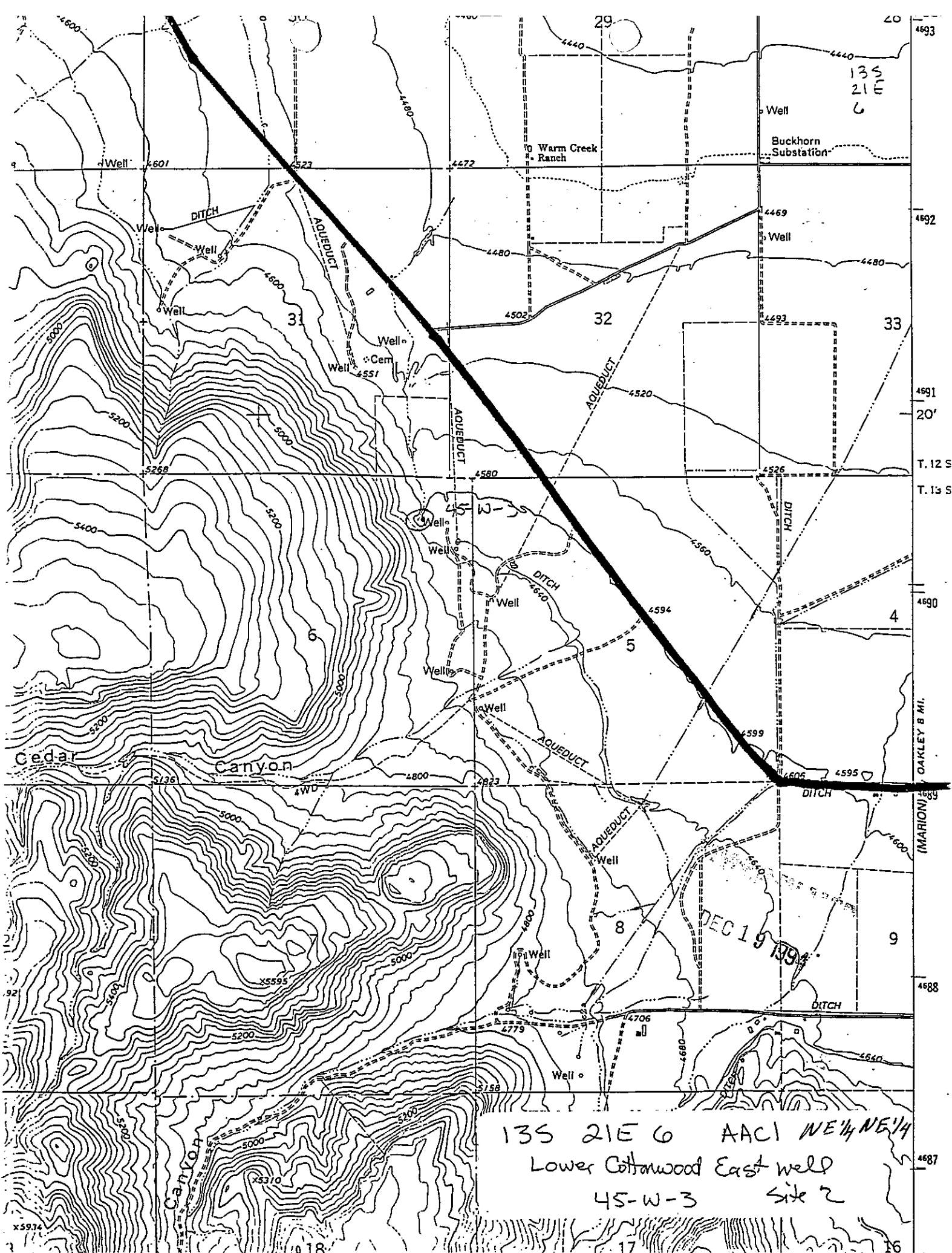
DEC 19 1994

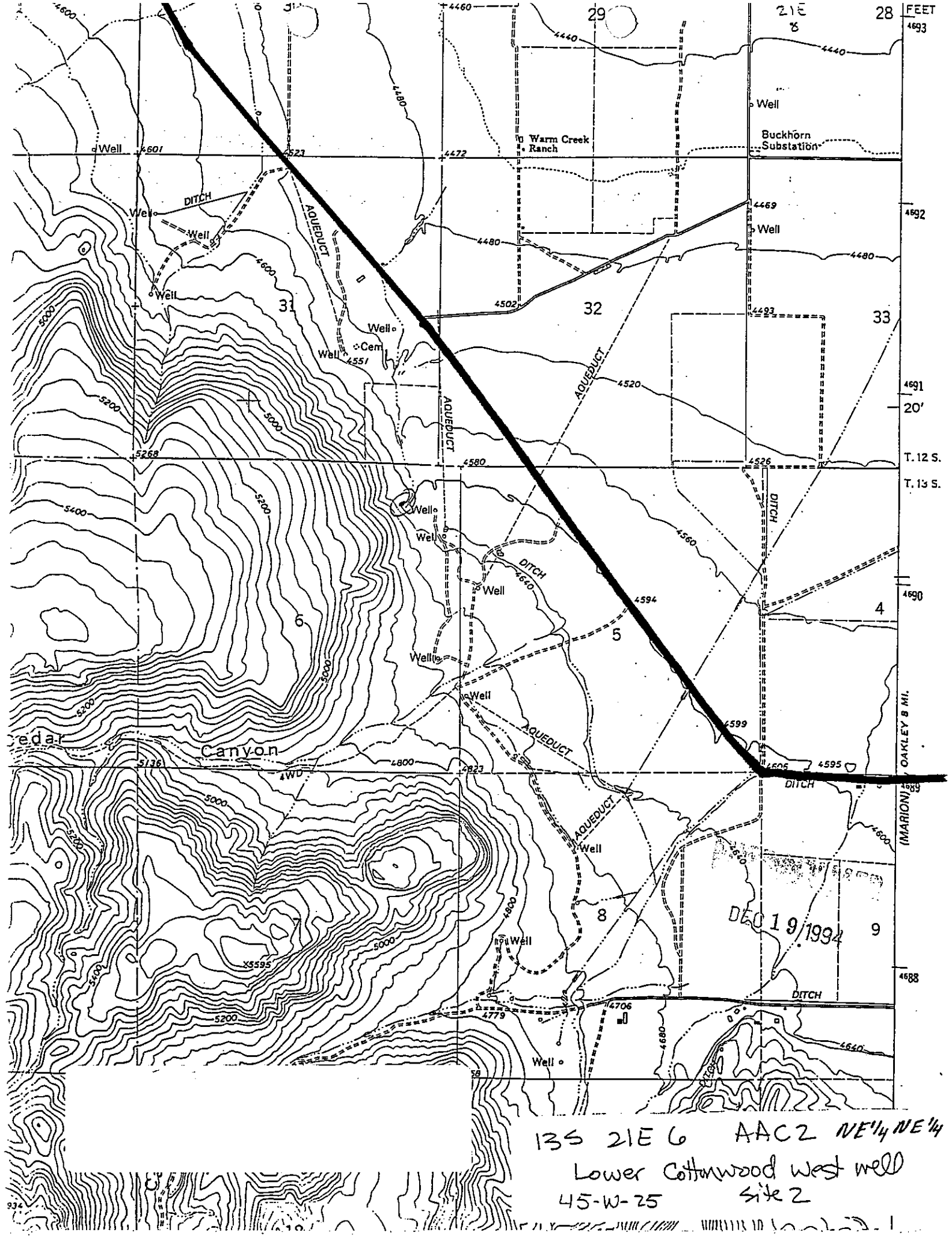


135 21E 8 CDC SE 1/4 SW 1
Upper Cottonwood Site 1
45-W-4



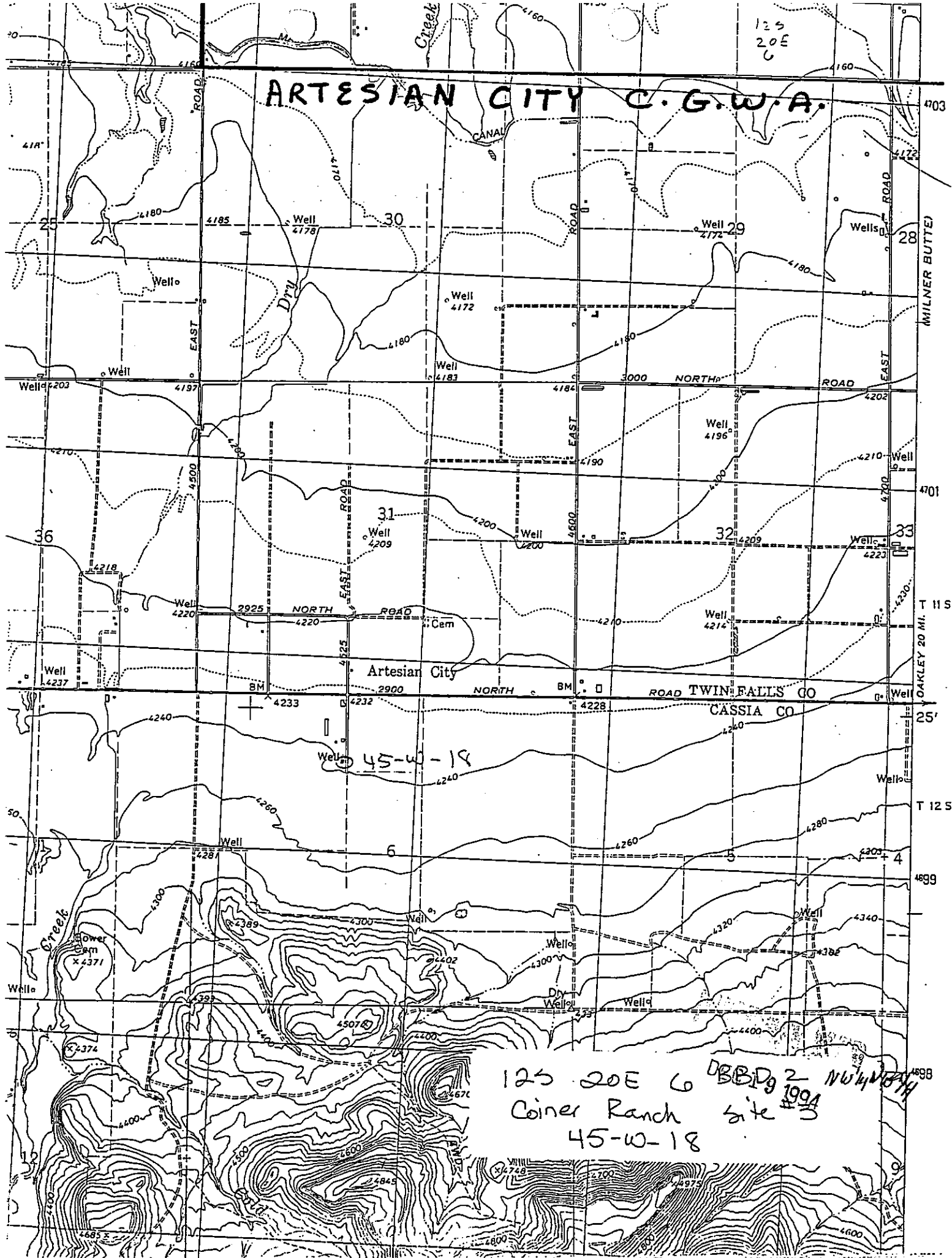
13S 21E 4 CCC SW 1/4 SW 1/4
Upper Cottonwood Site
45-W-21



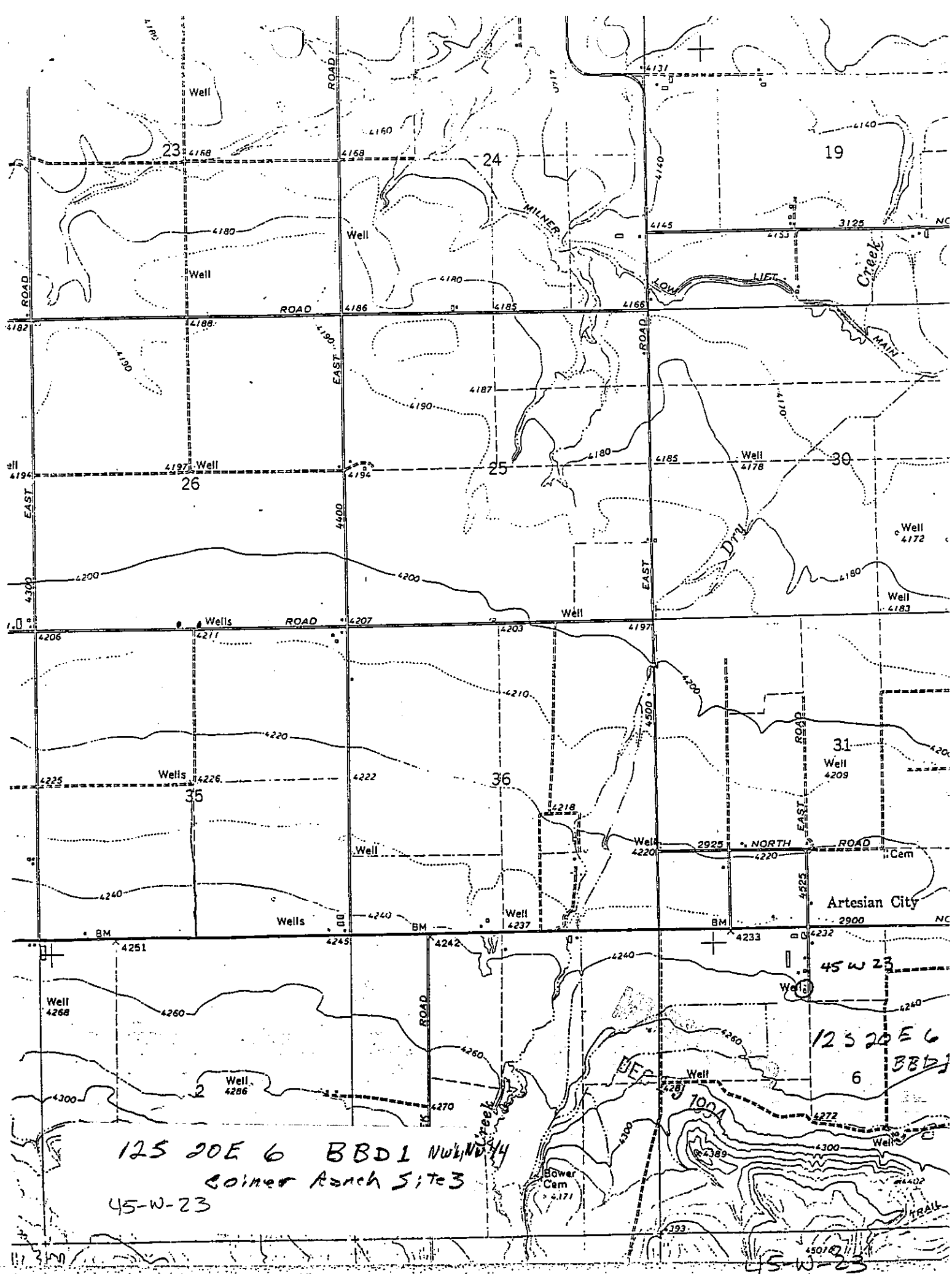


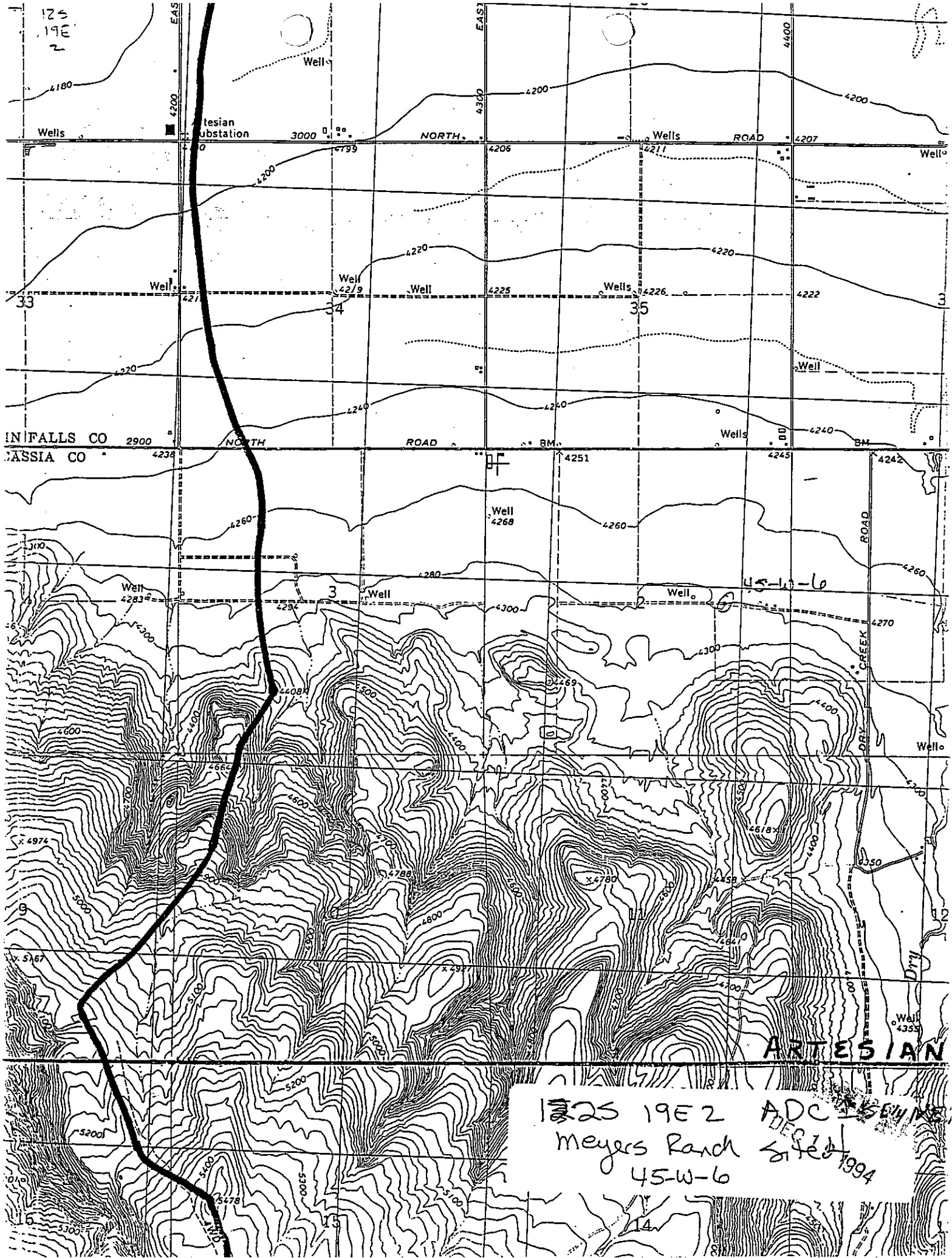
13S 21E 6 AAC2 NE 1/4 NE 1/4
Lower Cottonwood West well
45-W-25 Site 2

ARTESIAN CITY C.G.W.A.



125 20E 6 DBDg 2 NW 1/4 1991
Corner Ranch site 3
45-W-18



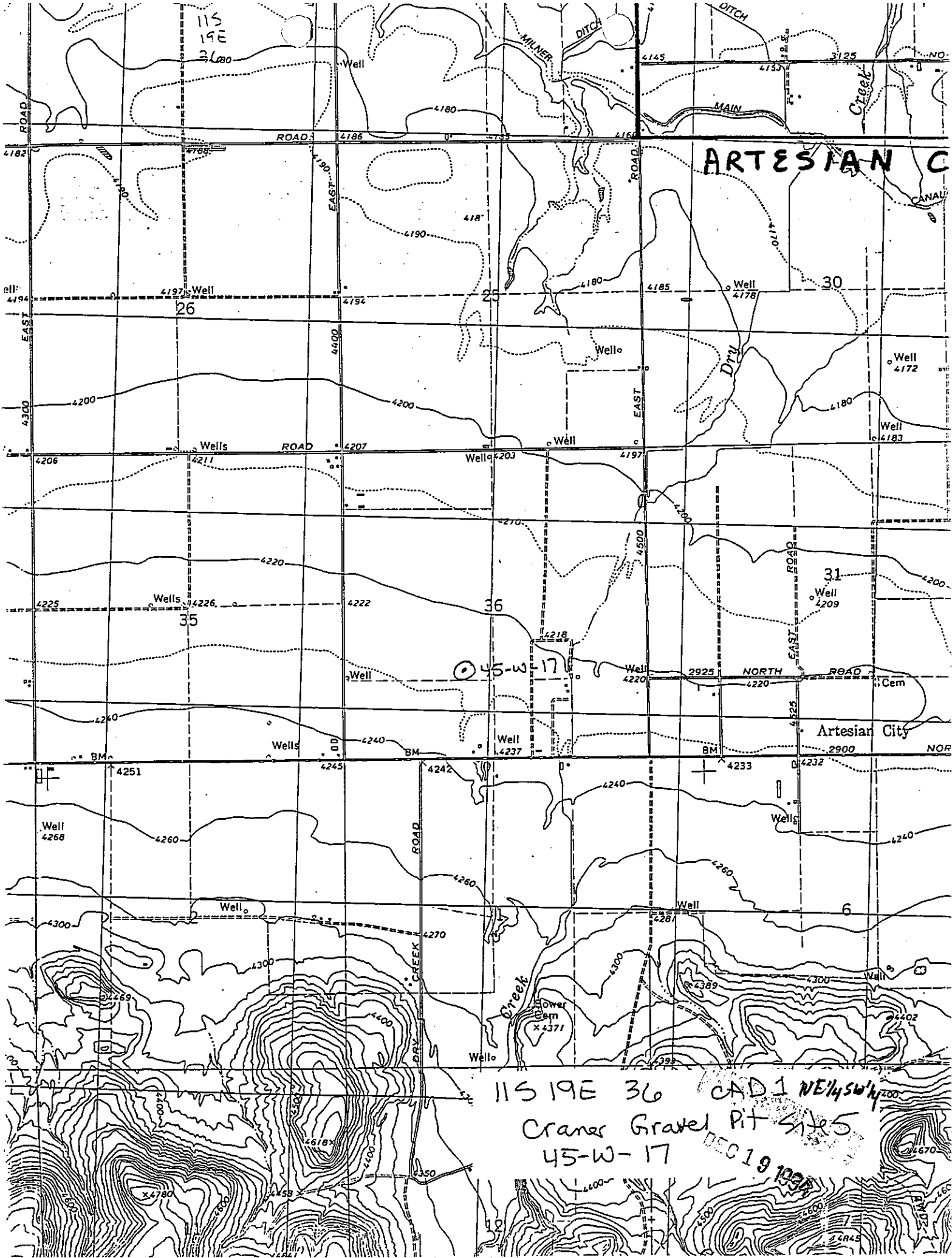


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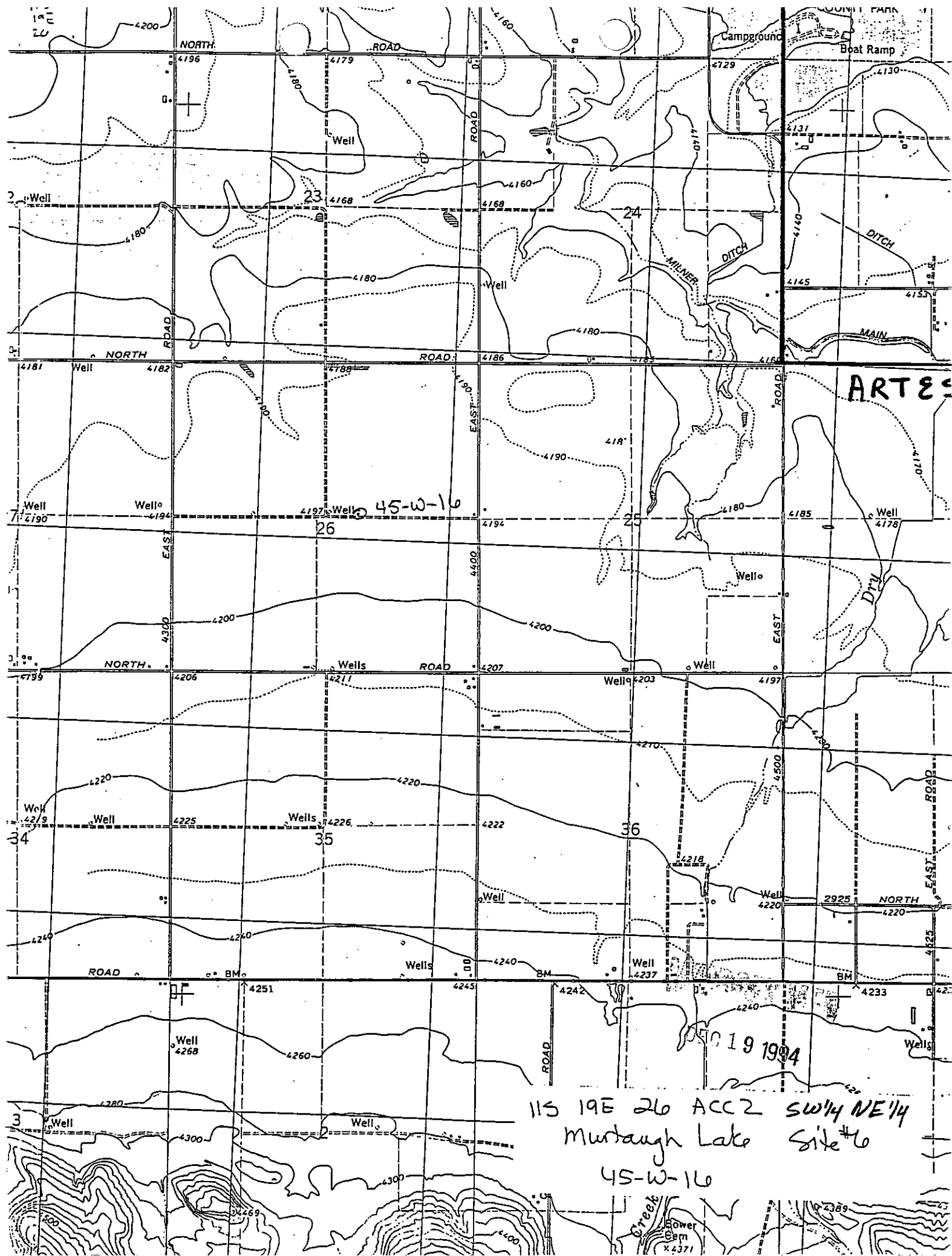
125 19E 2 ADC
Meyers Ranch
45-W-6
DEC 1994

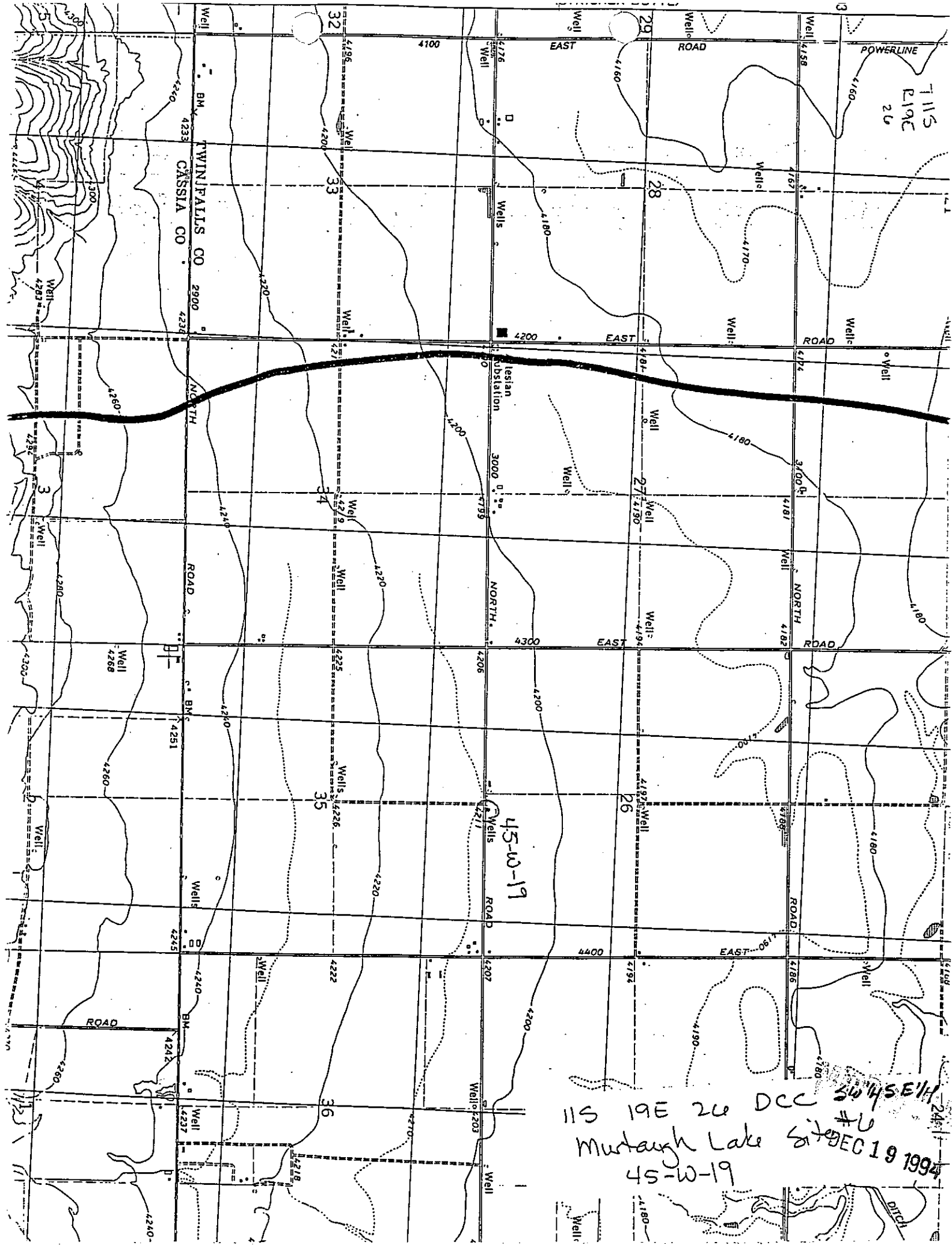


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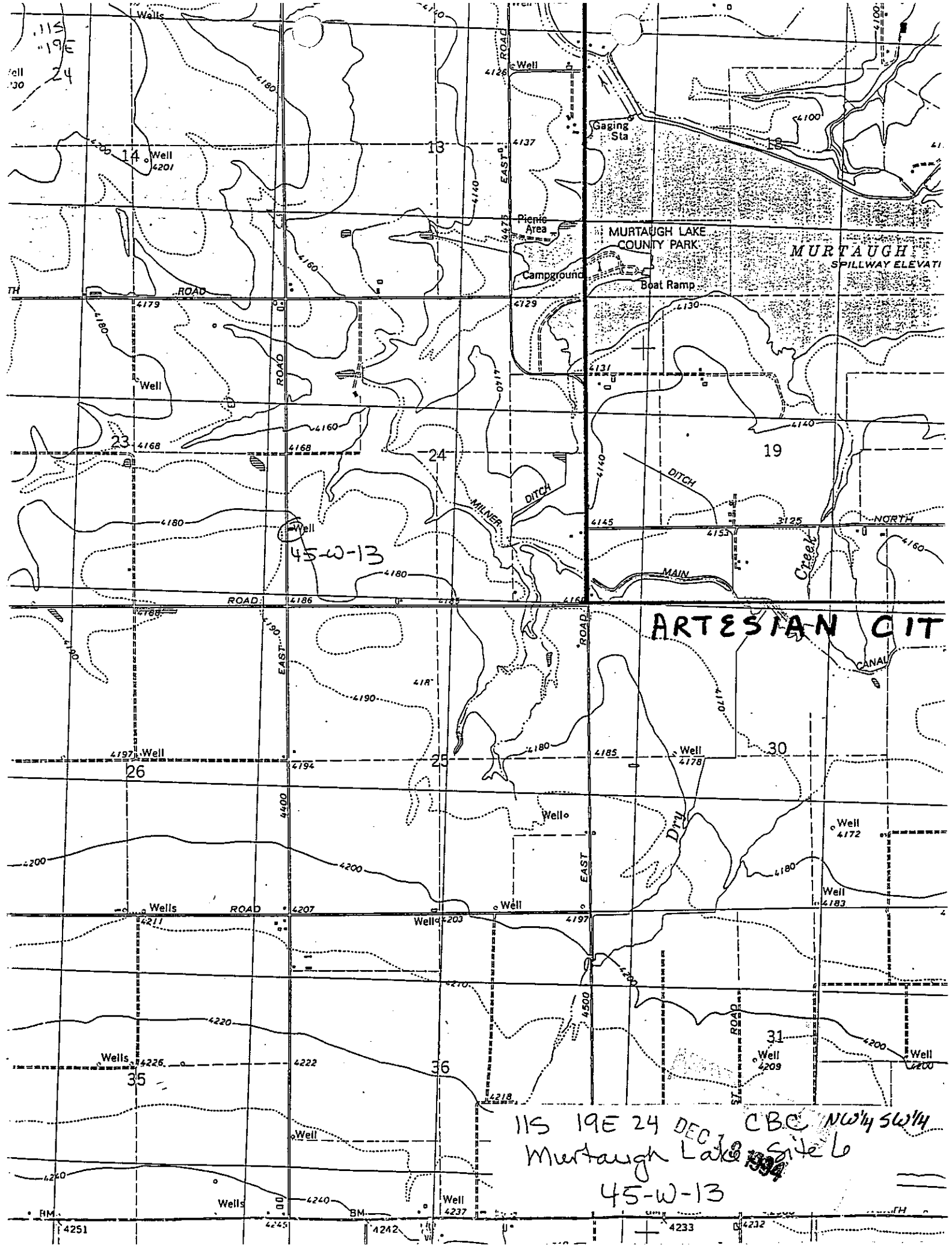
45-W-17

11S 19E 36 CAD 1 NE 1/4 SW 1/4
Craner Gravel Pit Site
45-W-17 DEC 19 1938

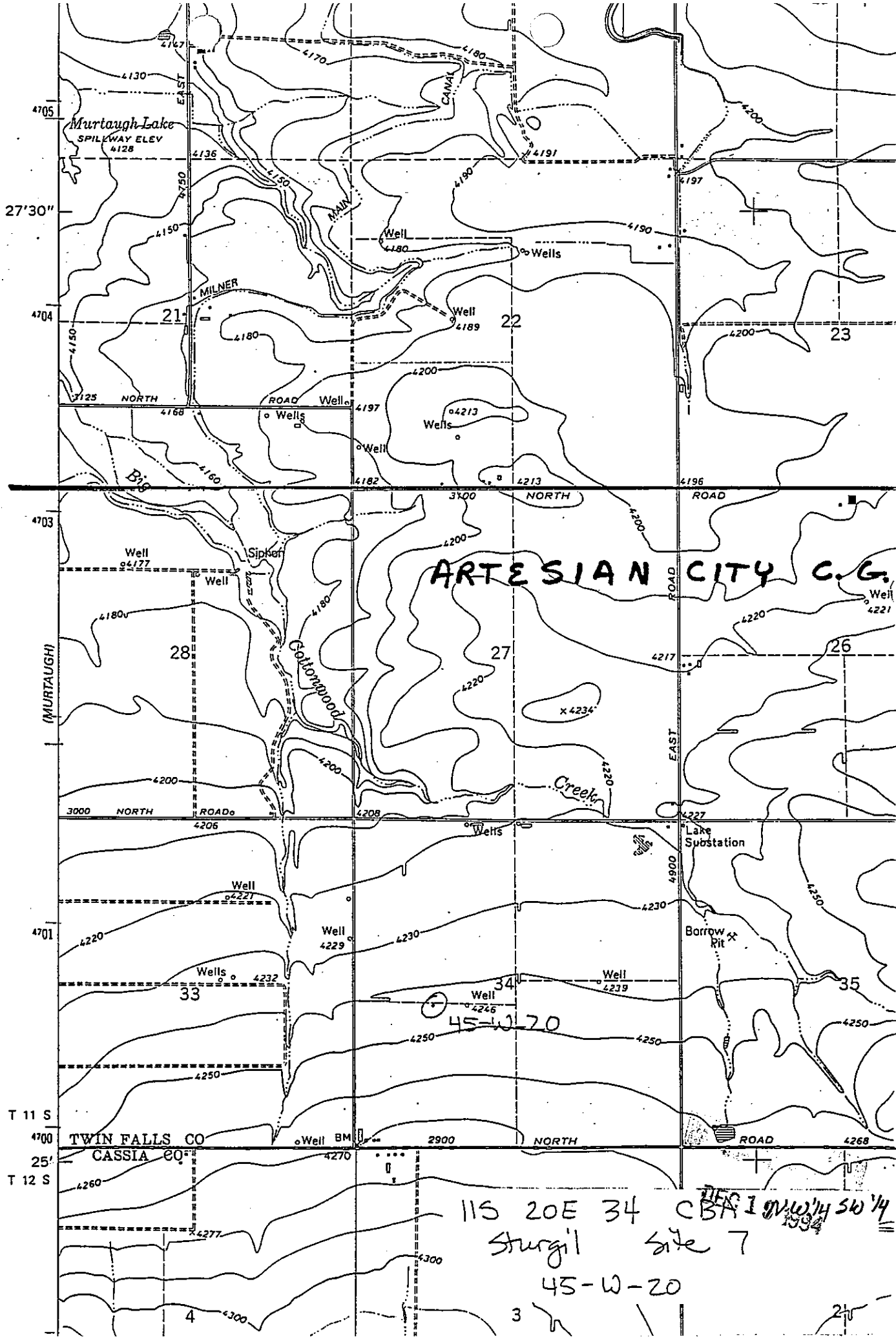




11S 19E 26 DEC SW 4 SE 1/4
Murtough Lake Site #6
45-W-19
DEC 19 1994



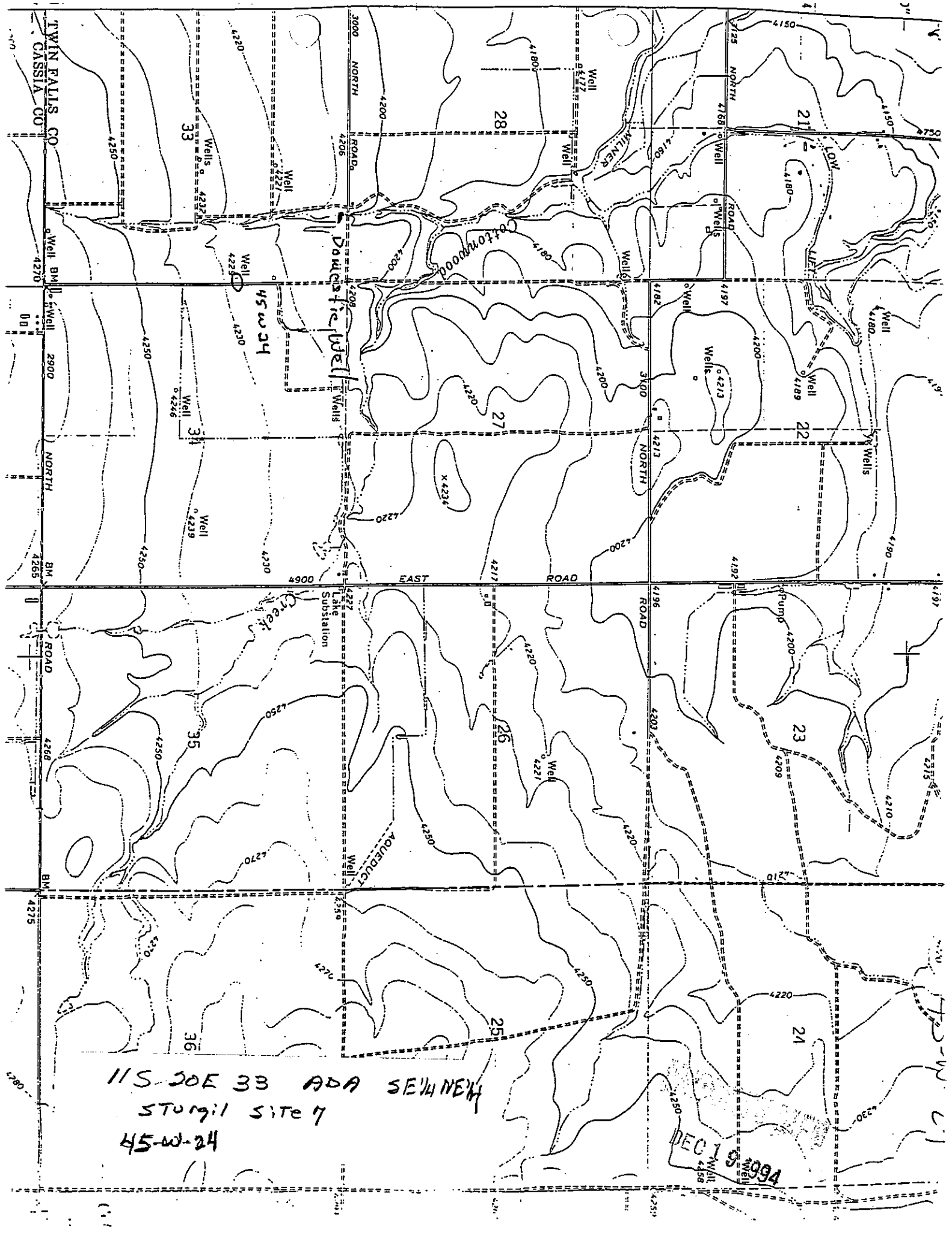
11S
20E
34



ARTESIAN CITY C.G.

45-W-20

11S 20E 34 CBA 1 20W 14 SW 1/4
Sturgil Site 7
45-W-20
3



11S-20E-33 ADA SE 1/4 NE 1/4
STUMP SITE 7
45-W-24

DEC 19 1994

Rec'd
8-19-86

ATTACHMENT TO CONDITIONS OF APPROVAL

For Permit No. 45-7588

- e. Water quality of the underground aquifer shall not be impaired. Any indication of water quality impairment at any of the injection sites is cause for cessation of water injection at the site.
- f. This permit is subject to the agreement to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources dated 3/5/86 between permit holder and parties identified therein.
- g. The Director may regulate the diversion and/or use of water pursuant to the provisions of Section 42-4201A, Idaho Code.
- h. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works on Dry Creek.
- i. Permanent measuring devices must be installed at each injection well which are capable of measuring the flow into the well and the total volume of water injected.
- j. The discharge of water into injection wells must be authorized by separate injection well permits.
- ~~k. Water may not be diverted under this permit until the Board of Directors of the District establish and implement a procedure acceptable to the Director for assuring that the water quality of the Lower Snake Aquifer will not be impaired.~~
- l. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
- m. Use of water under this permit is subject to control by the watermaster of State Water District No. 45N, Dry Creek.

Witness my hand this _____ day of August, 1986.

Chief, Operations Bureau

DEC 19 1994

RECEIVED

JUL 18 1988

DATE & 7-14-88

FROM Jim Stanton

TO John Beal

Department of Water Resources

SUBJECT Injection of Surface Water Under Application 45-7588 & 45-W-6 & 7

A farmer from the Artesian City area was in today on another matter. He mentioned that water has been injected from Dry Creek into the aquifer in the past. He said that this occurred in 1986 and again for a week this Spring. I told him that this was illegal because the necessary permits had not been approved by IDWR. Apparently the Health Dept. is aware of this ~~inj~~ injection, having approved the quality of injected water.



SIGNATURE

FROM

Klan

DATE

7-8-88

TO

File 45-7588

SUBJECT

- This file should be reviewed
in conn w/ any action taken on
45-W-6 & 45-W-7.

- app should be reviewed
under Swan Falls processing.

DEC 19 1994

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

Glen

MEMORANDUM

TO: Norm Young *NY*
FROM: Glen Saxton *GS*
DATE: June 3, 1986
RE: Ken's Comment on the Dry Creek Recharge

Ken's comment is correct if read as follows:

The waste disposal and injection well statutes (Section 42, Chapter 39) were enacted to control the disposal of effluent which could contaminate the groundwater aquifers. A different code section (Section 42, Chapter 42) was enacted to authorize groundwater recharge.

The comment, however interpreted, does not answer the questions posed, which are as follows:

1. Should the Department be issuing recharge permits to individuals rather than to "districts" as described in the statutes? I think the answer should be "no."
2. Should more information be required such as petition, nature and location of facility, required hearing, formation of district, etc? I think the answer should be "yes."
3. What is the effect of Swan Falls in the Department's consideration of this matter? I think recharge and redirection of water in Basin 45 for consumptive use would be similar to any other consumptive use tributary to the Snake River in the Milner to Swan Falls reach, i.e. applications could be approved only after review relative to the water allocation rules and regulations.

TO: Norm Young
DATE: June 3, 1986
PAGE: 2

Although not clear, Ken's comment could be interpreted to say that an injection well application is not appropriate in connection with a groundwater recharge project. The definitions, however, in Section 42-3902, Idaho Code, suggest that the application is appropriate, i.e. "Injection well means any excavation or artificial opening in the ground which meets the following three (3) criteria:

- a) Is drilled or dug or driven
- b) Is deeper than wide
- c) Is used for injection (subsurface emplacement of fluids)"

The Department required an injection well application from Woodhouse in the Golden Valley area. A similar requirement is appropriate for the proposed Dry Creek Recharge project if the Department issues such permits to individuals rather than to districts.

An injection well application was not required for the Lower Snake River Recharge District since they did not propose and do not use wells for reinjection.

Recharge by individuals does not appear to be the intent of the recharge statutes. Not following the intent of the statutes places the Department in an indefensible position if challenged due to contamination problems, etc. The administration of many individual recharge wells is a potential nightmare.

6/17/86

Glen —

① Ken views the recharge statutes as permitting recharge districts to be formed and to appropriate water for recharge. They are not restrictive in the sense of preventing the issuance of a permit for recharge to an individual.

② Waste well permits are required.

③ In this instance trust water is being sought and the applications must be processed as required by 42-203C. However, it is likely that the use can either be viewed as non consumptive relative to the hydropower rights of IPCO or as not causing a significant reduction, ~~and~~

deplete that amount to less than two hundred thousand (200,000) acre feet per year;

(b) the persons or entities seeking the reduction propose to use the water for purposes of surface reservoir storage and appropriation by the district of the entire amount originally authorized will prevent or adversely affect accomplishment of those purposes;

(c) the persons or entities seeking the reduction present substantial and compelling evidence to show that the accomplishment of such purposes will be prevented or adversely affected and the director finds on the basis of such evidence that sufficient justification for the reduction exists.

Even if the foregoing conditions are satisfied and a reduction is granted, such a reduction shall remain in effect only so long as the amount of water available for appropriation by the district exceeds two hundred thousand (200,000) acre feet per year.

The provisions of this subsection shall not apply to appropriation of water by the district from the Big Wood River or the Little Wood River.

(4) To insure that other water rights are not injured by the operations of the aquifer recharge district, the director of the department of water resources shall have the authority to approve, disapprove, or require alterations in the methods employed by the district to achieve ground water recharge. In the event that the director determines that the district's methods of operation are adversely affecting existing water rights or are creating conditions adverse to the beneficial use of water under existing water rights, the director shall order the cessation of operations until such alterations as may be ordered by the director have been accomplished or such adverse effects otherwise have been corrected. [I.C., § 42-4201, as added by 1978, ch. 293, § 1, p. 723.]

Sec. to sec. ref. This chapter is referred to in §§ 42-4201A and 43-304.

This section is referred to in § 42-4223.

42-4201A. Recharge of ground water basins — Director's authority to issue permit — Limitations. — (1) The welfare of the people of the state of Idaho is dependent upon the conservation, development, augmentation and optimum use of the water resources of this state. The legislature deems it essential therefore that every effort be made to foster and encourage water projects designed to promote these objectives. The legislature hereby acknowledges that proposed projects to recharge water basins in the state by means of the storage of unappropriated waters of the public waters of the state in underground aquifers represents a unique and innovative endeavor to further water conservation and increase the water available for beneficial use.

(2) In view of the public betterment to be achieved by the completion of aquifer recharge projects, the legislature hereby declares that the appropriation and underground storage of water by an **aquifer recharge district**

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1957, ch. 104, § 1

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1957, ch. 104, § 1

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hereinafter created and operated pursuant to the provisions of chapter 42, title 42, Idaho Code, for purposes of ground water recharge or by an irrigation district organized and operated pursuant to title 43, Idaho Code, shall constitute a beneficial use and hereby authorizes the department of water resources to issue to the aquifer recharge district, or the irrigation district, a permit, pursuant to section 42-203, Idaho Code, for the appropriation and underground storage of the unappropriated waters of the state. The department of water resources is further authorized to issue to an aquifer recharge district, or an irrigation district, a license confirming the right to appropriate such waters for the beneficial use herein established upon compliance by the district with the requirements specified in chapter 2, title 42, Idaho Code. The rights acquired by an aquifer recharge district, or an irrigation district, pursuant to any permit and license obtained as herein authorized shall be secondary to all prior perfected water rights, including those held by any privately-owned electrical generating company to appropriate waters in the reaches downstream from a recharge project diversion for purposes of hydroelectric power generation.

(3) The director of the department of water resources may regulate the amount of water which an aquifer recharge district, or an irrigation district, may divert for recharge purposes and may reduce such amount, even though there is sufficient water to supply the entire amount originally authorized by permit or license. To facilitate necessary financing of an aquifer recharge project, the director may fix a term of years in the permit or license during which the amount of water authorized to be diverted shall not be reduced by the director under the provisions of this subsection.

(4) To insure that other water rights are not injured by the operations of an aquifer recharge project, the director of the department of water resources shall have the authority to approve, disapprove, or require alterations in the methods employed by a district to achieve ground water recharge. In the event that the director determines that the district's methods of operation are adversely affecting existing water rights or are creating conditions adverse to the beneficial use of water under existing water rights, the director shall order the cessation of operations until such alterations as may be ordered by the director have been accomplished or such adverse effects otherwise have been corrected. [I.C., § 42-4201A, as added by 1982, ch. 204, § 1, p. 538; am. 1985, ch. 120, § 1, p. —.]

Compiler's notes. Section 2 of S.L. 1985, ch. 120 is compiled as § 43-304.

Sec. to sec. ref. This section is referred to in §§ 42-4223 and 43-343.

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

DRY CREEK RECHARGE AREA

INITIAL REVIEW BY: J. P. Stanton

APPLICATION NUMBER: 45-7588

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☒ Yes ☐ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: A field check has not been made in connection with this app. At least part of the water filed on should be available during the period of use.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: maripa

Date: 1/20/86

PROCESSING:

- ☐ Yes ☒ No Platted by: AS Map No. CC-25
☐ Yes ☐ No Other rights on same place of use. N/A
☐ Yes ☐ No* In form for advertising. 2/17/86
Final date for protests: 2/17/86
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2/14/86
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application. Protests withdrawn see Agreement.
☒ Recommendation & initial, recorded on application.

☒ Yes ☐ No Measuring device required.

☐ Yes ☒ No Access port required.

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 45N

1/7/86 Date of priority recommended.

Special conditions of approval or cover letter. 01, 05 < 45-N, DRY CREEK, 20A < 3/5/86

Water discharged to wells under this permit must be authorized by separate induction well permits.

has been published statewide - is a consumptive use - hold for S.F. dismissal

By: Larry O. Holmer Date: 3/10/86

STATE OFFICE REVIEW:

217 26 04

RECEIVED
MAR 14 1986

☐ See attached sheet for more information.

By: _____ Date: _____

Department of Water Resources



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

March 12, 1986

Dry Creek Recharge Area
% Galen Myers
Rt. 1
Murtaugh, Idaho 83344

Re: Application for Permit No. 45-7588

Dear Mr. Myers:

Enclosed for your records is a copy of the agreement which resolves the protests in the matter of the above referenced application.

The Department will now proceed with final processing.

Very truly yours,

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

LOH:marya

Encl:

RECORDED

DEC 19 1994



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

March 12, 1986

Betty W. Wagner
300 Morrison St. #624
Twin Falls, Idaho 83301

Re: Application for Permit No. 45-7588

Dear Mrs. Wagner:

Enclosed for your records is a copy of the agreement which resolves the protests in the matter of the above referenced application.

The Department will now proceed with final processing.

Very truly yours,

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

LOH:marya

Encl:

DEC 19 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Duan
Director

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

March 12, 1986

T. C. Mason, Sr.
% Mason Cattle Company
Rt. 2
Kimberly, Idaho 83341

Re: Application for Permit No. 45-7588

Dear Mr. Mason:

Enclosed for your records is a copy of the agreement which resolves the protests in the matter of the above referenced application.

The Department will now proceed with final processing.

Very truly yours,

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

LOH:marya

Encl:

DEC 19 1994



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

March 12, 1986

Richard Quesnell
Rt. 1
Kimberly, Idaho 83344

Re: Application for Permit No. 45-7588

Dear Mr. Quesnell:

Enclosed for your records is a copy of the agreement which resolves the protests in the matter of the above referenced application.

The Department will now proceed with final processing.

Very truly yours,

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

LOH:marya

Encl:

APR 19 1986

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 45-7588 IN THE
NAME OF DRY CREEK RECHARGE AREA

)
) STIPULATION AND
) AGREEMENT
)
)

The Applicant hereby stipulates and agrees to the following conditions on any permit issued on application 45-7588:

- 1) The permit shall be subject to all rights with priority dates earlier than January 7, 1986, which is the date the application was filed.
- 2) The permit shall be subject to the control of the Watermaster of Water District 45-N, Dry Creek, and the permit holder subject to appropriate assessments for watermaster expenses.
- 3) A minimum flow of 10.8 cfs (540 miner's inches) shall be maintained in the stream at all times water is being diverted under this permit.

Galen Myers
President, Dry Creek Recharge Area

Date Galen Myers

We the undersigned, being protestants in the matter of application 45-7588, hereby withdraw protests before the Department of Water Resources.

Ted C. Mason Sr.

Date T. C. Mason

RECEIVED

MAR 10 1986

Department of Water Resources
Southern District Office

Richard Quesnell

Date Richard Quesnell

Betty W. Wagner

Betty W. Wagner

Date 3/5/86

00019 1984



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

A. Kenneth Dunn
Director

March 5, 1986

Dry Creek Recharge Area
% Galen Myers
Rt. 1
Murtaugh, Idaho 83344

Re: Application for Permit No. 45-7588

Dear Galen:

Enclosed is an original and four copies of the agreement to resolve the protests on you application.

Please note that Betty Wagner has already signed the original.

I think the best way to proceed would be to have all parties sign the original and return it to this office.

I will send a complete copy of the agreement to each party.

If we can be of any further assistance, please contact us.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

DEC 19 1994



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

A. Kenneth Dunn
Director

February 19, 1986

Dry Creek Recharge Are
% Galen Myers
Rt. 1
Murtaugh, Idaho 83344

Re: Application for Permit No. 45-7588

Dear Mr. Myers:

Enclosed are copies of protests filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protests and to attempt to resolve the protests.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

RECEIVED
FEB 23 1986

DEC 19 1994



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

February 19, 1986

Betty W. Wagner
300 Morrison St. #624
Twin Falls, Idaho 83301

Re: Application for Permit No. 45-7588

Dear Mrs. Wagner:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

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- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

RECEIVED
DEC 19 1984



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

February 19, 1986

T. C. Mason, Sr.
Mason Cattle Company
Rt 2
Kimberly, Idaho 83341

Re: Application for Permit No. 45-7588

Dear Mrs. Mason:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
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- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

DEC 19 1994



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

February 19, 1986

Richard Quesnell
Rt 1
Kimberly, Idaho 83344

Re: Application for Permit No. 45-7588

Dear Mrs. Quesnell:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

DEC 19 1994

18 February 1986

Dept. of Water Resources
1041 Bleecker Lake Blvd.
Twin Falls, Idaho 83301

RECEIVED

FEB 18 1986

Department of Water Resources
Southern District Office

Gentlemen:

I, as owner of 460 inches of Fly Creek Water on land at RR #1, Mustang, Idaho wish to protest the filing of rights by any and all persons for the waste water.

At this time, I am endeavoring to improve the water allocation on my own land, which will include any excess water (of which there usually little or none).

Betty H. (Ann) Frazer
RR #1, Mustang, Idaho 83344

Mailing address:

300 Harrison St. #624
Twin Falls, Idaho 83301
(208) 734-7591

DEC 19 1994

January 30, 1986

I, Ted Mason, Mason Cattle Co., hereby protest the application for permit No. 45-7588
Dry Creek Recharge Area until further explained.

T.E. Mason

Ted Mason, Sr.

Rt. 2

Kimberly, Idaho 83344

Mason Cattle Company



DEC 19 1994

January 30, 1986

I, Richard Quesnell, protest the application of Dry Creek Recharge Area, No. 45-7588 until further explained.

Richard Quesnell

Richard Quesnell

Rt. 1

Murtaugh, Idaho

83344

RECEIVED

DEC 19 1994



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

Gary Burkett
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 45-7588

Dear Mr. Burkett:

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

Very truly yours,

Mary A. Newby
Sec/Office Coord.

for

Loren O. Holmes
Southern Region Supervisor

Encl:

DEC 19 1994

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Marge Barendregt being first

duly sworn, deposes and says that...he is the

Clark 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 (2) consecutive weeks, commencing with the issue

dated Jan 30 1985, and ending

with the issue dated Feb 6, 1986

Marge Barendregt

Subscribed and sworn to before me

this 1st day of Feb.

1986

Cathy Staker Notary Public

Cost of Publication 23.76

Notary Fee .50

Total Cost 24.26

86-31

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-7588

DRY CREEK RECHARGE AREA, C/O GALEN MYERS, RT. 1, MURTAUGH, ID 83344

Source: DRY CREEK trib. to SNAKE RIVER

Diversion Pt: SWSWSW Sec 13 T 12S R 19E

SWSWSE Sec 01 T 12S R 19E

Use: GROUNDWATER RECHARGE (20.0 CFS)

Date Filed: 01/07/1986

In: NESE Sec 02 T 12S R 19E SENE Sec 03 T 12S R

19E NENW Sec 06 T 12S R 20E SWSE Sec 01 T

12S R 19E SESW Sec 36 T 11S R 19E SENW Sec

35 T 11S R 19E SWSE Sec 30 T 11S R 20E SWSE

Sec 26 T 11S R 19E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N. Twin Falls, Idaho 83301 on or before FEBRUARY 17, 1986.

KEN DUNN, Director

Published in the South Idaho Press January 30 and February 6, 1986.

RECEIVED

FEB 19 1986

Department of Water Resources
Southern District Office

DEC 19 1994

NOTICE OF
APPLICATION
FOR WATER RIGHT

The following applica-
tion(s) have been filed to
appropriate the public
waters of the State of
Idaho:

45-7588

DRY CREEK RECHARGE
AREA
C/O GALEN MYERS,
RT. 1, MURTAUGH, ID
83344

Source: DRY CREEK
trib. to SNAKE RIVER
Division Pt: SWSWSW
Sec 13 T 12S R 19E
SWSWE Sec 01 T 12S R
19E

Use: GROUNDWATER
RECHARGE (20.0 CFS)
Date Filed: 01/07/1986

In: NESE Sec 02 T 12S R
19E SENE Sec 03 T 12S R
19E NENW Sec 06 T 12S R
20E SWSE Sec 01 T
12S R 19E SESW Sec 36
T 11S R 19E SENW Sec
35 T 11S R 19E SWSE
Sec 30 T 11S R 20E
WSE Sec 26 T 11S R
19E

47-8022
36-8304

HUTTANUS, HARRY H.
&/or SOPHIA
BANBURY HOT SPR-
INGS, RT. 3, BUHL, ID
83316

Source: GROUND-
WATER SPRINGS trib. to
SNAKE RIVER
Division Pt: SESWNE
NENWSE Sec 33 T 08S R
14E LOT 03 (SESWNW)

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

FEB 12 1986 N° 15905

I, Belinda Jean Capps being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two
consecutive weeks, commencing with the issue dated
January 30, 1986, and ending with the issue dated
February 7, 1986.

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

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

Belinda Jean Capps
Subscribed and sworn to before me on this 7th day of
February, 1986.

Dianna House
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Proof of Publication
The Post-Register

State of Idaho, }
County of Bonneville } ss

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

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 30th day of January, 1986, last publication having been made on the 6th day of February, 1986, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 13th day of February, 1986.
Ted Delezene
Deont Naper
Notary Public

My commission expires September 30, 1988.

B10

RECEIVED

FEB 14 1986

Department of Water Resources
Regional District Office

*ok
myer*

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have been filed
to appropriate the public waters of the State of
Idaho:
45-7588
DRY CREEK RECHARGE AREA
C/O GALEN MYERS, RT. 1, MURTAUGH,
ID 83344
Source: DRY CREEK trib. to SNAKE RIVER
Diversion Pt: SWSWSW Sec 13 T 12S R 19E
SWSWE Sec 01 T 12S R 19E
Use: GROUNDWATER RECHARGE (20.0
CFS)
Date Filed: 01/07/1986
In: NESE Sec 02T 12S R 19E SENE Sec 03 T
12S R 19E NENW Sec 06 T 12S R 20E SWSE
Sec 01 T 12S R 19E SESW Sec 36 T 11S R 19E
SENE Sec 35 T 11S R 19E SWSE Sec 30 T 11S
R 20E SWSE Sec 26 T 11S R 19E
The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, Southern
Region, 1041 Blue Lakes Blvd. N. Twin Falls,
Idaho 83301 on or before FEBRUARY 17,
1986.
KEN DUNN, Dir.
Published: January 30, February 6, 1986

RECEIVED

DEC 18 1994

Galen

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 020686

INVOICE No. L00067633

Account No. 44662

Description 67633NOTIC

Times 2

Lines 33

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

STATE OF IDAHO
DEPART OF WATER RESOURCES
1041 BLUE LAKES BLVD.NO.
TWIN FALLS
ID 833001

RECEIVED

FEB 14 1986

Department of Water Resources
Southern District Office

\$ 28.88

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

AFFIDAVIT OF PUBLICATION

67633
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
45-7588
DRY CREEK RECHARGE AREA
C/O GALEN MYERS, RT. 1,
MURTAUGH, ID. 83344
Source: DRY CREEK trib. to
SNAKE RIVER
Diversion Pt: SWSWSW Sec 13 T
12S R 19E SWSWSE Sec 01 T 12S R
19E
Use: GROUNDWATER RE-
CHARGE (20.0 CFS)
Date Filed: 01/07/1986
In: NESE Sec 02 T 12S R 19E
SENE Sec 03 T 12S R 19E NENW Sec
06 T 12S R 20E
SWSE Sec 01 T 12S R 19E SESW
Sec 36 T 11S R 19E SENW Sec 35 JT
11S R 19E
SWSE Sec 30 T 11S R 20E SWSE
Sec 26 T 11S R 19E
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Southern Region,
1041 Blue Lakes Blvd. N. Twin Falls
Idaho 83301 on or before FEBRUARY 17, 1986.
KEN DUNN, Dr.

STATE OF IDAHO, ss.
County of Nez Perce

S. L. Stone

Legal Clerk

, being duly sworn

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

NOTICE OF APPLICATION FOR

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 013086, or once a
week for two consecutive weeks, the first
publication thereof being on the 013086, and the last pub-
lication thereof being on the 020686, and said

NOTICE OF APPLICATION FOR

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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of February 1986

Sheral M. Lantz

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

RECEIVED
DEC 19 1994

APPLICATION
FOR WATER RIGHT
The following applica-
tion(s) have been filed to
appropriate the public
waters of the State of
Idaho:

45-7588

DRY CREEK RECHARGE
AREA
C/O GALEN MYERS,
RT. 1, MURTAUGH, ID
83344

Source: DRY CREEK
trib. to SNAKE RIVER
Diversion Pt: SWSWSW

Sec 13 T 12S R 10E
SWSWSE Sec 01 T 12S R
19E

Use: GROUNDWATER
RECHARGE (20.0 CFS)
Date Filed: 01/07/1986

In: NESE Sec 02 T 12S R
19E SENE Sec 03 T 12S R
19E NENW Sec 06 T 12S
R 20E SWSE Sec 01 T
12S R 19E SESW Sec 36
T 11S R 19E SENW Sec
35 T 11S R 19E SWSE
Sec 30 T 11S R 20E
SWSE Sec 26 T 11S R
19E

47-8022
36-8304

HUTTANUS, HARRY H.
&/or SOPHIA
BANBURY HOT SPR-
INGS, RT. 3, BUHL, ID
83316
Source: GROUND
WAT
SN

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

FEB 12 1986 N^o 15905

I, Belinda Jean Capps being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two

consecutive weeks, commencing with the issue dated
January 30, 1986, and ending with the issue dated
February 7, 1986.

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

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

Belinda Jean Capps 7+ day of
Subscribed and sworn to before me on this February, 1986.

Diana Bruce
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 1986

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

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 billing to this office before FEBRUARY 17, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECORDED
INDEXED

DEC 19 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 1986

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

Gentlemen:

Enclosed you will find a lesal 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 salley 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.

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Secretary

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DEC 19 1984

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 1986

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

Gentlemen:

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APPROVED
DEC 19 1984

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 1986

Idaho Statesman
Box 40
Boise, ID 83707

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.

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Secretary

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RECEIVED
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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 1986

Post Register
P. O. Box 1800
Idaho Falls, ID 83402

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.

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Mary A. Newby
Secretary

Encl.

RECEIVED
DEC 19 1984

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-7588

DRY CREEK RECHARGE AREA

C/O GALEN MYERS, RT. 1, MURTAUGH, ID 83344

Source: DRY CREEK trib. to SNAKE RIVER

Diversion Pt: SMSWSW Sec 13 T 12S R 19E SMSWSE Sec 01 T 12S R 19E

Use: GROUNDWATER RECHARGE (20.0 CFS)

Date Filed: 01/07/1986

In: NESE Sec 02 T 12S R 19E SENE Sec 03 T 12S R 19E NENW Sec 06 T 12S R 20E
SWSE Sec 01 T 12S R 19E SESW Sec 36 T 11S R 19E SENW Sec 35 T 11S R 19E
SWSE Sec 30 T 11S R 20E SWSE Sec 26 T 11S R 19E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N. Twin Falls, Idaho 83301 on or before FEBRUARY 17, 1986

KEN DUNN, Dir.

Published 1/30 & 2/6/86.

DEC 19 1984

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ok
TF 5/23/86

LEGAL-PRUF

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KEN DUNN, Dir.

Lewiston called correction 1/29/86

86-31

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KEN DUNN, Director
Published in the South Idaho Press January 30 and February 6, 1986.

ok
myers 1/29/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 1986

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

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.

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Yours truly,

Mary A. Newby
Secretary

Encl.

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INDEXED

DEC 19 1985

DRY CREEK RECHARGE AREA

We, the undersigned, are writing this formal petition in pursuant of a water right from Dry Creek flood waters, for the use of recharging ground water.

Proposed boundaries of the area and proposed sites of recharging accompany this petition in map form. Flood waters shall be diverted from existing irrigation sites to the recharge areas as detailed on accompanying map. The construction of any necessary sediment ponds, as designed by the Soil Conservation Service will be followed.

Underground water quality will be monitored by the Idaho Department of Water Resource. If any indication of any harmful substance shall be found at any one site, that site will no longer be used for that purpose.

If our initial recharge sites prove to be worthwhile we, as a group propose to establish a recharge area and expand to several other sites for recharging, and file on more water as needed.

Estimated cost of construction:

Filing fee for water (20 cfs)	\$425.00
Filing fee for recharge site	
(3 sites \$50/site)	150.00
Water quality testing(\$8.50/test)	250.00

Note:

Each site will be tested once each week for the first month then once each month thereafter or as IDWR directs. Tests will also be taken at each site prior to recharge to set a standard for the water quality.

Construction costs of any sediment ponds, pipelines and facilities under proposed plans will be determined upon completion. (Using the IDWR and Soil Conservation Service specifications.)

DEC 19 76

DEC. 23, 1985

PETITION SIGNATURES

Joseph P. Fugaw

John O. Tryon

Donald Cranes

Bill Mabe

Truelan Jensen

Max Boley

Kandy Brown

Kay Stanger

Henry Coines

DEC 10 1994