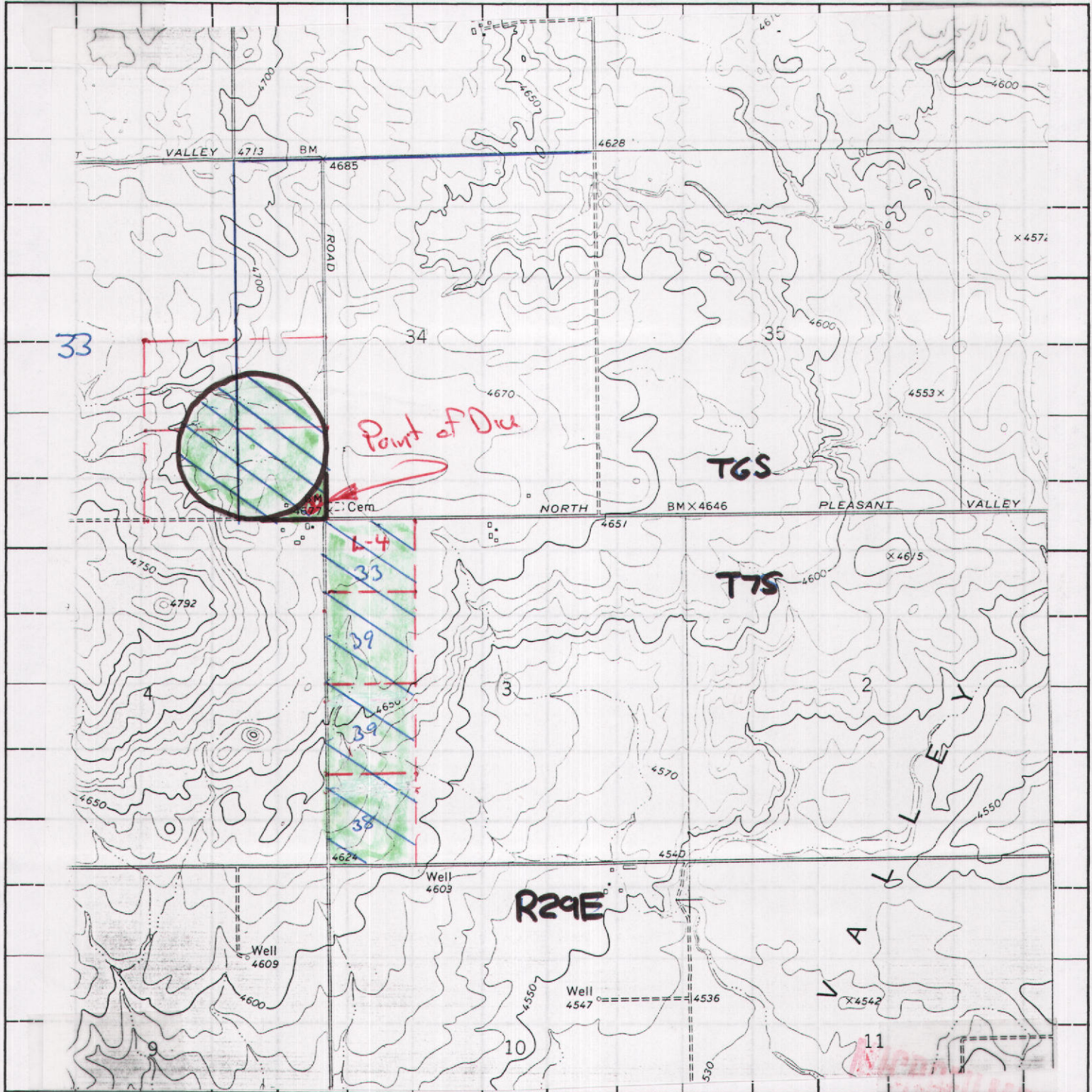


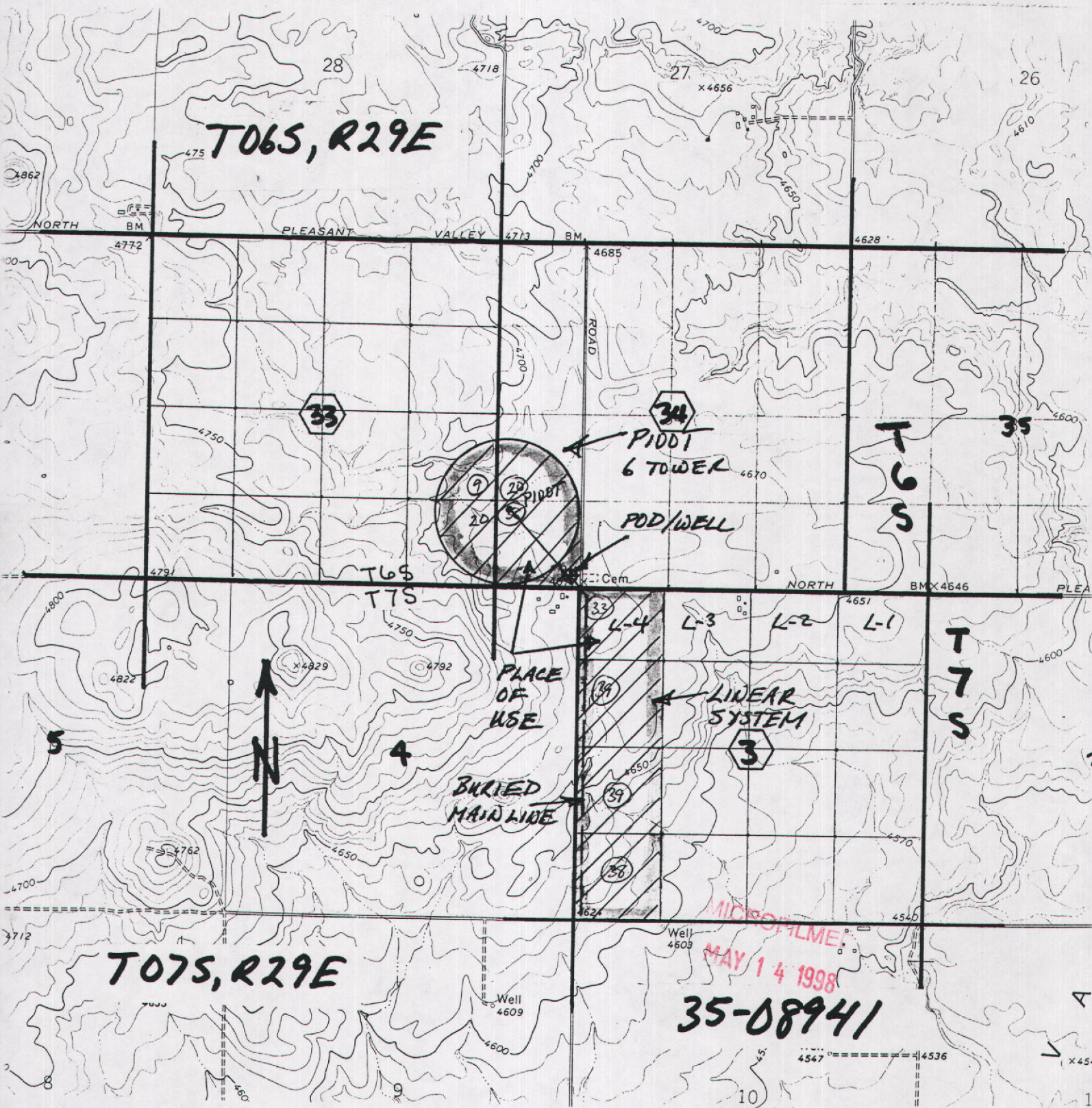
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

L. Burgemister
(Applicant)
for L Burgemister & sons LTD



Burgemeister

SECTION 34

POINT OF DIVER

North Pleasant Valley Rd. T.6S.

T.7S

T.7S.

TR29E
7
S

PLACE OF USE

#1487

Kevin Burgemeister

SECTION 3

Noze Draw
1/4 mile linear

Linear

20-25' Wide Run
irrigated Linear
Woodchuck mainline

35-08941

Gehring Rd.

MAY 14 1998

BURIED
MAIN
LINE

HEL
30.3

HEL

99.0

33 34

9 10

42.0

HEL

HEL

15.4

Roth Rd.

Schultz Rd. 16

28 27

33 34

T-2641

#1480

Louie Burgemeister

Sons Ltd.

SEC 33

SECTION 34

T 6 S

R29E

CRP 87-345

1-HEL 86.0

2-HEL 22.0

3-97.6

PIVOT

#1487 Kevin Burgemeister

PLACE OF USE

35-08941

CRP 87-337

VEL 25.6

4-18.3

1-M 79.0

HEL

33 34

T6S

T7S

POINT OF DIVERSION

North Plea

T-2641

4 3

T 2640

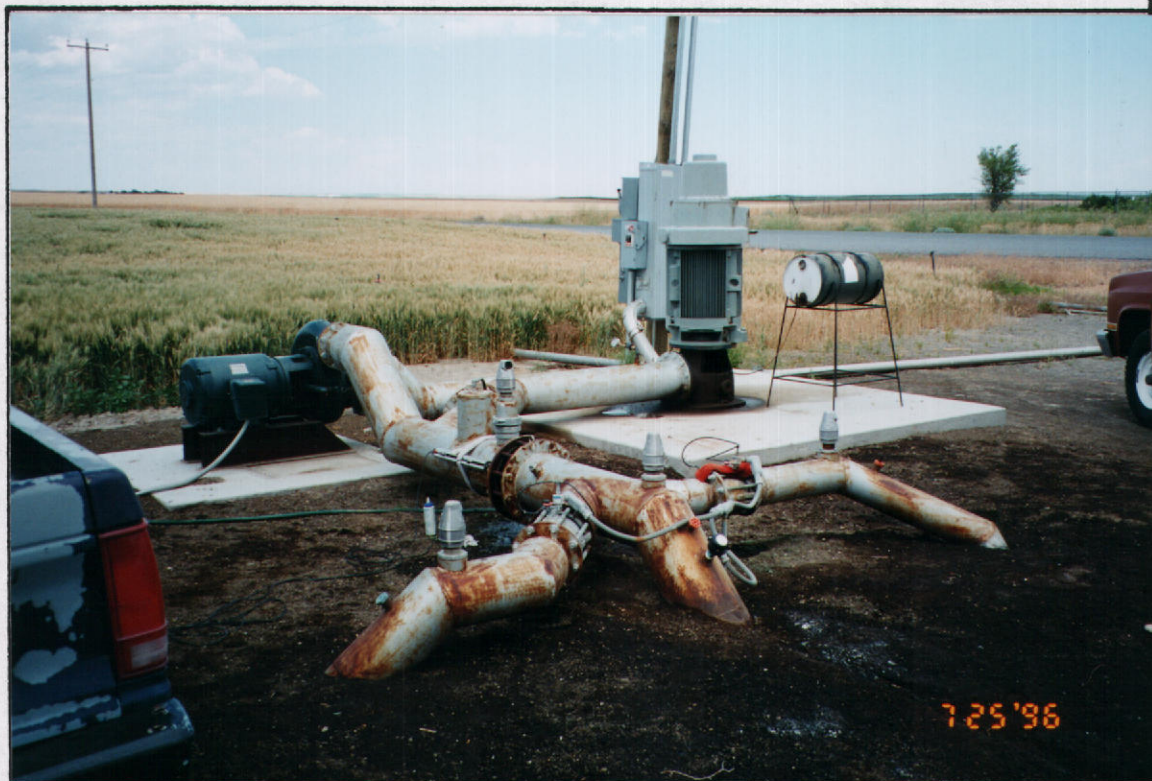
MAY 14 1998

BURGEMEISTER & SONS

IRRIGATION

15/6

VIEW OF
POINT OF
DIVERSION
AND
DISTRIBUTION
MANIFOLD



VIEW WEST
PIVOT
SYSTEM
NOTE: CORNER
NOT IRRIGATED.



MICROFILMED PERMIT
NUMBER
MAY 14 1998

35-08941

BURLEHEISTER + SONS

IRRIGATION

216

VIEW
NORTHWEST
PIVOT SYSTEM



VIEW
NORTH WEST
PIVOT
SYSTEM



MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08941

BURGHEISTER + SONS

IRRIGATION

376



VIEW
NORTH
PIVOT
SYSTEM

←
QUIGLEY RD

MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08941

BURGEHEISTER SONS

IRRIGATION

4/6



VIEW
NORTH ALONG
QUIGLEY RD
LINEAR
SYSTEM
PLACE OF
USE



VIEW
NORTH EAST
LINEAR
SYSTEM

MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08941

BURLEHEISTER SONS

IRRIGATION

5/6



VIEW
EAST
LINEAR
SYSTEM



VIEW
SOUTH EAST
LINEAR
SYSTEM

MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08941

BURG EMEISTER FLOODS

IRRIGATION

6 of 6



VIEW
SOUTH ALONG
QUIGLEY RD

LINEAR
SYSTEM

PERMIT
NUMBER

35-08941

MICROFILMED

MAY 14 1998

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-08941

Priority: April 12, 1991

Maximum Diversion Rate:
Maximum Diversion Volume:

4.02 CFS
936.0 AF

This is to certify, that BURGEMEISTER & SONS LTD
720 FILMORE

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 12, 1991; and has submitted Proof of Beneficial Use on July 19, 1993. An examination indicates that the works have a diversion capacity of 4.020 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.02 CFS	936.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 34, Township 06S, Range 29E
POWER County

<u>PLACE OF USE:</u> IRRIGATION		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
06S	29E	33	NESE 8	SESE 18	26
		34	NWSW 18	SWSW 39	57
07S	29E	3	Lot 4(NWNW) 33	SWNW 39	151
			SWSW 40	NWSW 39	234

Total number of acres irrigated: 234

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

MICROFILMED
MAY 14 1998

State of Idaho
Department of Water Resources

Water Right License

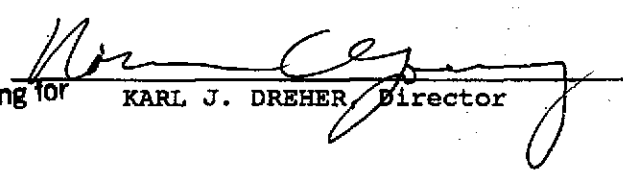
WATER RIGHT NO. 35-08941

CONDITIONS OF APPROVAL AND REMARKS

7. 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. Witness the seal and signature of the Director, affixed at Boise, this 27TH day of April, 1998.

Acting for


KARL J. DREHER, Director



MICROFILMED

MAY 14 1998

RECEIVED
JUL 1 9 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 200.00
Date 7-19-93
Receipt No. 0028164
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08941 Telephone No. 226-2055 or 226-5478
2. Name(s) of Permit Holder(s): Burgemeister & Sons LTD.
3. Mailing Address: 720 Fillmore, American Falls, Idaho 83211
4. Source of Water: Groundwater
- If GROUNDWATER, Well Driller's Name: Ken Vollmer Date Drilled: 11-15-91 TO 11-26-91
- OPTIONAL: 350 HP - Deep well
Pump horsepower: 40 HP - Booster Pressure (psi): 52-55 Dynamic pumping level (ft.): 366

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 236 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 4.72 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☒ NO Installed? ☐ Yes ☐ No

OR

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

8. Fee Enclosed: \$ 200.00 (See License Fee Schedule on back of Instruction Sheet)

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

Kevin Burgemeister 226-5478 or 220-7783
Name Telephone No.
2602 Quigley Road; American Falls, ID 83211
Address

10. The above information is my true statement of the extent to which the above number has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

July 16, 1993 L. Burgemeister (Partner)
Date Signature (and title, if on behalf of a company or organization)

AUG 26 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08941

Proposed Priority: April 12, 1991 Maximum Diversion Rate: 4.72 CFS
This is to certify, that **BURGEMEISTER & SONS LTD.**
720 FILMORE
AMERICAN FALLS ID 83211
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	4.72 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW Sec. 34, Township 06S, Range 29E
POWER County

<u>PLACE OF USE:</u> IRRIGATION						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	29E	33	NESE 9	SESE 20		29
		34	NWSW 20	SWSW 38		58
07S	29E	3	LOT 4(NWNW) 33	SWNW 39	NWSW 39	149
			SWSW 38			
Total number of acres irrigated:						236

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit 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.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

SEP 27 1991

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

NO. 35-08941

CONDITIONS/REMARKS:

8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

29th day of August, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

SEP 27 1991

#125 Fee

Swan Falls
TrustForm 202
6/8535-8941
Ident. No.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant Louie Burgemeister & Sons Limited Phone 226-5178
Post office address 720 Filmore, American Falls, ID 83211
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____
Sec. 34 Township 6S Range 29E B.M. Power County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 4.72 for Irrig. purposes from 4-1 to 11-1 (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 _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 4.72 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well & pump to pivot & linear

 - 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 20 inches; proposed depth of well is 500 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? N
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

SEP 27 1981

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. _____

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.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	29E	33													9			20	29
		34										20	38						58
7S	29E	3						33	39			39	38						149
								L-4											

Total number of acres to be irrigated 236

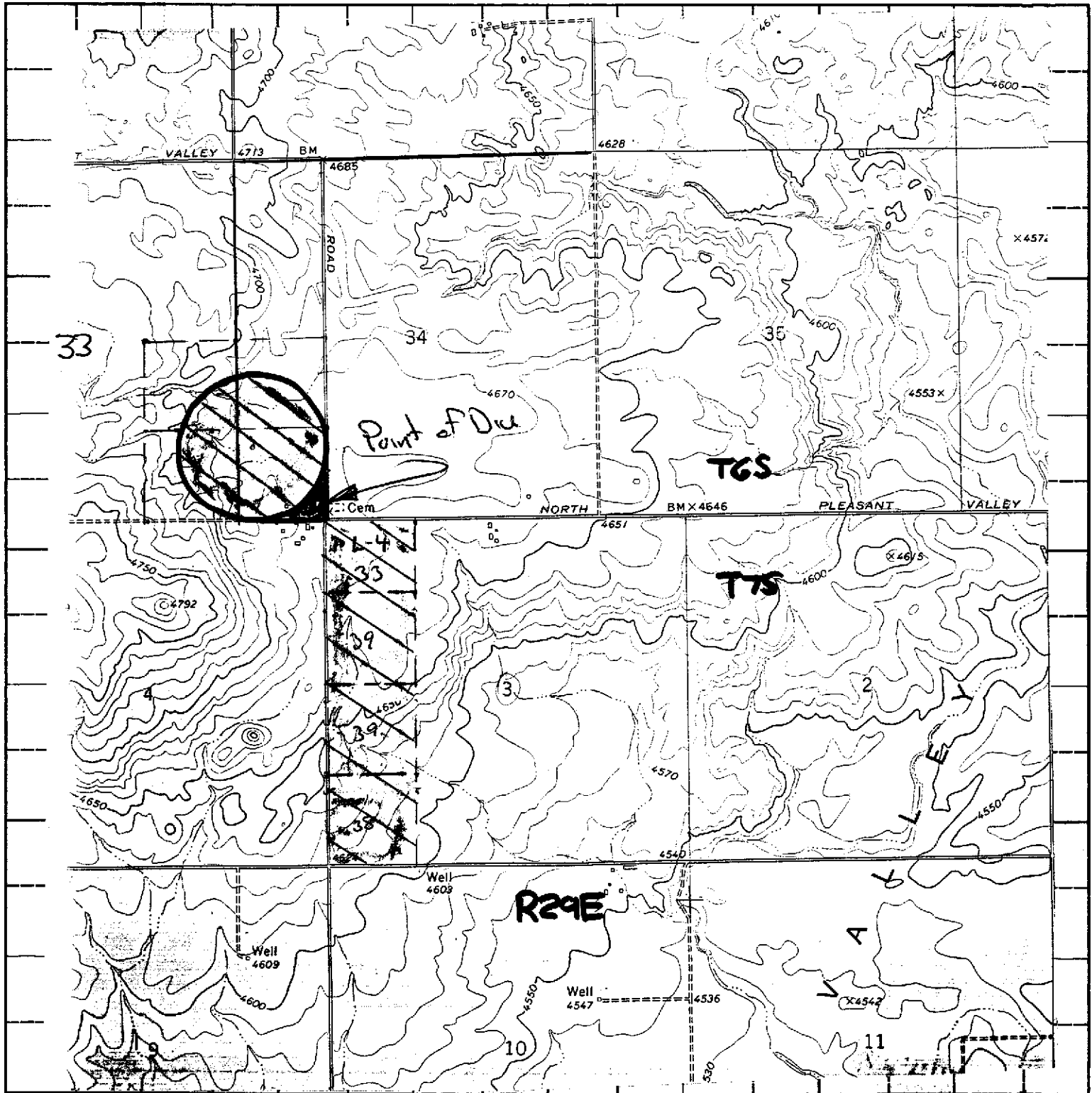
10. Describe any other water rights used for the same purposes as described above. None

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

12. Remarks: _____

SEP 27 1984

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



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.

SEP 27 1991

L. Burgmeister
for L Burgmeister and sons LTD

Received by LB Date 4-12-91 Time 1:30 Preliminary check by _____
Fee \$ 125⁰⁰ Receipted by DMK # ED15952 Date 15 April 1991
Publication prepared by LB Date 6-20-91 Published in Powder City Press
Publication approved LB Date 6-28-91

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:

SEP 27 1991

INTER-DEPARTMENT MEMO — 1

FROM H.C. Jones

DATE 4-1-91

TO Elk

SUBJECT

Louie Burgemeister

Erna "

~~Ferry~~ "

Kenneth "

Raymond "

Beverly Nelson

Comprise Louie Burgemeister
& Sons Limited

[Signature]

SEP 27 1991

SIGNATURE

Affidavit of Publication

State of Idaho

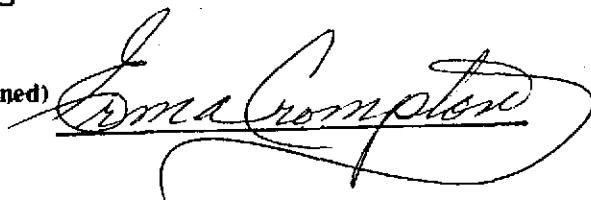
County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 19th day of JUNE 1991 and the date of last publication being the 26th day of JUNE 1991.

(Signed)



State of Idaho

County of Power

On this 26th day of JUNE in the year of 1991, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: June 8, 1993

Application for water right

Published in The Power County Press,
June 19, 26, 1991.

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-08932

T-6 FARMS
C/O GORDON R. TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

Source: GROUNDWATER
Diversion Pt: NENW Sec 16 T 06S R 29E

Use: IRRIGATION (3.200 CFS)
Total Diversion: 3.200 CFS)

Date Filed: 1/8/1991

In: T06S R29E S17 NENE NWNE
SWNE SENE
160.0 ACRES TOTAL

35-08939

FUNK, HAROLD
865 FILMORE
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt: NESE Sec 2 T 07S R 29E

Use: IRRIGATION (3.200 CFS)
Total Diversion: (3.200 CFS)

Date Filed: 3/25/1991

In: T07S S02 NESE* NWSE SWSE
SESE
160.0 ACRES TOTAL

35-08941

BUREMEISTER & SONS LTD.
720 FILMORE
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt: SWSW Sec 34 T 06S R 29E

Use: IRRIGATION (4.720 CFS)
Total Diversion: (4.720 CFS)

Date Filed: 4/13/1991

In: T06S R29E S33 NESE SESE S34
NWSW SWSW
T07S R29E S03 Lot 4 (NWNW)
SWNW NWSW SWSW
236.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203 C, Idaho Code. Protests must be filed with the Director, Dept. of Water

RECEIVED

JUN 26 1991

Department of Water Resources
Eastern District Office



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

April 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BURGEMEISTER & SONS LTD
720 FILMORE
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-08941

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

MAY 14 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

MAY 14 1938

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.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

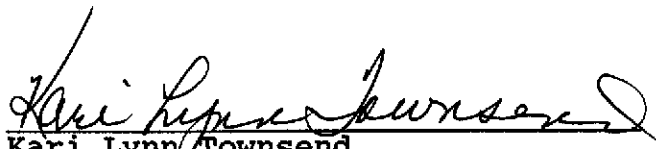
MAY 14 1998

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08941

BURGEMEISTER & SONS LTD
720 FILMORE
AMERICAN FALLS ID 83211


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 14 1998

MEMORANDUM

TO: File 35-08941

FROM: Sharla

DATE: April 23, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 35-08941 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T6S, R29E, S33 - NESE (8 acres), SESE (18 acres)
S34 - NWSW (18 acres), SWSW (39 acres)
T7S, R29E, S3 - NWNW (32 acres), SWNW (40 acres),
NWSW (39 acres), SWSW (40 acres)
TOTAL 234 acres

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	4.02 cfs	936.0 afa
------------	-------------	----------	-----------

The acres were verified using the 660 scale overlay. The volume has been calculated accordingly.

Examiner: Don Simpkins
Exam Date: July 25, 1996

MICROFILMED

MAY 14 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08941 DATE 4/23/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (Para P39 - gov P40/P47) Add (P45/P42)

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41 - gov P43/P47) Add (P41/P42)

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

S33 NESE 8 SESE 18
 34 NWSW 18 SWSW 39
 3 NWNW 32 SWNW 39
 NWSW 38 SWSW 39

231 ac.

RATE OF DIV
 Permitted Rate 4.72 cfs
 Fee limit 5.00 cfs \$200.00
 Measured 4.02 cfs
 Theoretical 3.94 cfs

Recommended Total Div Rate 4.02 cfs

WATER USES

Dr. 4.02 cfs 231x4 af
 _____ cfs _____ af
 _____ cfs _____ af
 _____ cfs _____ af
 _____ cfs _____ af
 TOTALS 4.02 cfs 924.0 af

Irrig - overlap (R58-R61, R62-R65, R66-R69)
 supp. gw (WB7/065/079)
 overlap spec. combined rts (W35)
 <1acre (W31)
 Domestic (W01/WB5/070/071/075)
 Power (W42 or W43/025/027/R22 or R23)
 Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate 4.02 cfs X 24 days X 1.98 = 1703.4 af

REMARKS _____

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority _____ yes ☒ no

SRBA Claim N/A

Adjust Memo acres/rate/volume
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 16 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08941

1. Owner: BURGEHEISTER & SONS LTD. Phone No. (208) 226-5478

Current Address: 720 FILMORE ST., AMERICAN FALLS, IDAHO 83211

2. Accompanied by: KEVIN BURGEHEISTER EXAM DATE: 7/25/96

Address: 2602 QUIGLEY RD, AMERICAN FALLS Phone No. (208) 226-2064
IDAHO 83211

Relationship to Permit Holder: GRANDSON TO OWNER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NO

2. Other water rights with the same point of diversion: NO

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV. LOTS

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SE	34	06S	29E	POWER	U.S.G.S. TOPO MAP / NAAPP PHOTOS
			SW	SW					

2. Place(s) of Use:

Indicate Method of Determination ON SITE INSPECTION

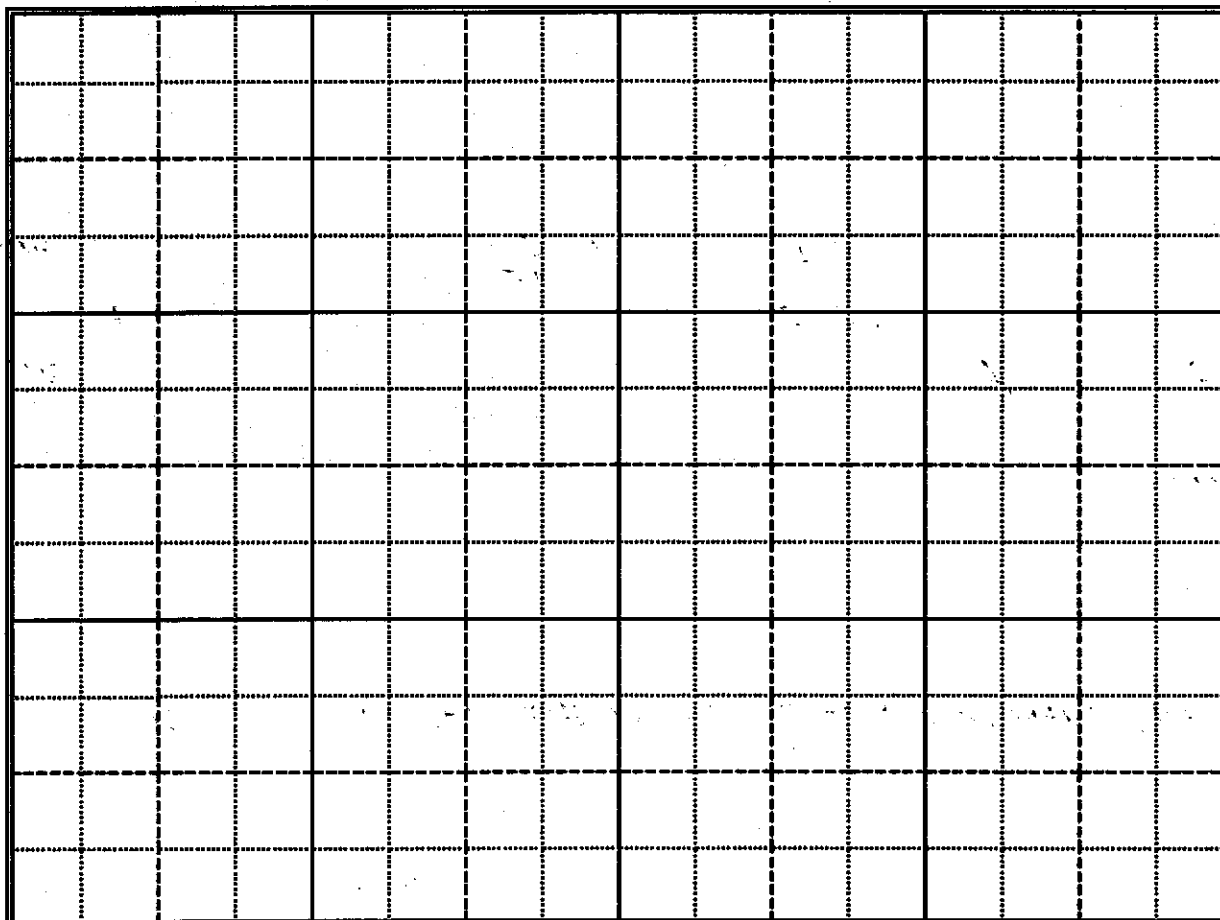
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	29E	33													9			20	29
		34										20	38						58
7S	29E	3						L-4 33	39			39	38						149

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TOTAL 236

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

SEE ATTACHED DIAGRAM



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
	GE	250	0F6 075026		10"
	MARATHON	40	P/NAISU95U-SS CORNELL		10"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONIC	TYNE-FLYTE	TF-P		7H0263		1997
PRESSURE GAGE	ASHCROFT				0-160	45 PSI at PUMP

2. Measurements: _____

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E. NARRATIVE/REMARKS/COMMENTS

THIS IRRIGATION SYSTEM UTILIZES A 250 HP MAIN LIFT
PUMP AND A 40 HP BOOSTER PUMP TO SUPPLY WATER
TO A 6 TOWER PIVOT, HAND LINES, AND A 9 TOWER,
HOSE DRAG, LINEAR. ONE CORNER OF PIVOT (BASE)
IS COVERED BY HAND LINES.

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

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MAY 14 1998

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

THEORETICAL PUMP FLOW = 3.94 CFS

POLYSONIC FLOW READING = 1.80 SE 36 PM = 1,805 / 448.8 = 4.02 CFS

PERMIT REQUESTS 4.72 CFS.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 236 \times 4.0 = 944 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.02 \text{ CFS} \times 214 \times 1.9835 = 1,706 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 944 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	4.02	944
Totals:			4.02 CFS	944 AFA

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name SIMPkins Date 1/2/98

Reviewer _____ Date _____ SEAL

MICROFILMED

MAY 14 1998

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{250+40}$$

$$Eff = \text{Efficiency} = \underline{.70} \quad (\text{Usually } 70\%)$$

$$\text{Lift: } (\text{Static Level} + \text{Assumed Draw down})$$

$$\text{Static Water Level} = \underline{300} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{50} \text{ ft.}$$

$$\text{Lift} = \underline{350}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{45} \text{ psi}$$

$$Q_{cfs} = \left[\frac{290}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{350}{Lift} + \left(\frac{45}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{1,789.24} \right] \div \left[\underline{453.86} \right]$$

$$Q_{cfs} = \frac{3.94}{1,769.6PH} \text{ cfs}$$

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MAY 14 1998

PERMIT NO. 35-08941

MODE SELECT
INPUT

OUTER DIAMETER
10.7500 IN

PIPE MATERIAL
? CS.SS

WALL THICKNESS
0.1890 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1470 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.224 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

07-25 14:2400 *R
+002.20 % RI2

MODE SELECT
TO CHECK

0389.5 MMSEC
099.93 % TO

07-25 14:3300 *R
+ 1.346E 3GPM

07-25 14:3800 *R
+ 1.610E 3GPM

07-25 14:4100 *R
+ 1.650E 3GPM

07-25 14:4300 *R
+ 1.685E 3GPM

07-25 14:5200 *R
+ 1.716E 3GPM

07-25 14:5200 *R
+ 1.777E 3GPM

07-25 14:5300 *R
+ 1.794E 3GPM

07-25 14:5300 *R
+ 1.805E 3GPM

35-8941
Burgess

35-08941

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water District No. 1
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

35-0894/
Burgemeister
Sonic Tape

RECEIVED
JUL 11 1994
WATER DISTRICT NO. 1

MAKING METERS

FIELD EXAM NOTES

EXAM # 35-8941

DATE OF EXAM 7/25/96

PERMITEE NAME KEVIN BARLEMEISTER

OTHER WATER RIGHTS SAME POD NO

OTHER WATER RIGHTS SAME POU NO

PUMP #1 HP 250 MAKE GE SERIAL # 0F6075026

COLOR AND DESCRIPTION Gray/Blue

OUTPUT DIAMETER 10" SYSTEM PRESSURE _____ PSI WELL DEPTH _____

STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____

PSI GAGE TYPE none check CHECK VALVE ☒ [Y] [N] GATE VALVE [Y] [N]

0-160 at 45 PSI

PUMP #2 HP _____ MAKE _____ SERIAL # _____

COLOR AND DESCRIPTION _____

OUTPUT DIAMETER _____ SYSTEM PRESSURE _____ PSI WELL DEPTH _____

STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____

PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP 40 MAKE Marathon SERIAL # P/NA15095V-55

COLOR AND DESCRIPTION Dark Green

BOOSTER PUMP #2 HP _____ MAKE 6YB40-21 SERIAL # 74390 10.06

COLOR AND DESCRIPTION _____

CIRCLE PIVOT ☒ [Y] [N] NUMBER OF TOWERS 6

PRESSURE [H] ☒ [L]

PIVOT LENGTH 800' APP.
FROM ICR.

LINEAR (LOW P) 9 TOWER 1/4 mile (1320')

PIVOT HAND LINES ☒ [Y] [N]

CORNERS SOLID SETS

NUMBER OF LINES 100 LENGTH OF LINES 3 x 1/4 mile

CORNERS

Approx.

RAIN BIRDS PER LINE _____

NOZZEL DIAMETER 5/32

One Corner Only

SURFACE WATER TYPE OF MEASUREING DEVICE _____

AA METER

PIGMY METER

WEIR OR FLUME

BUCKET/WATCH 1

14980-28

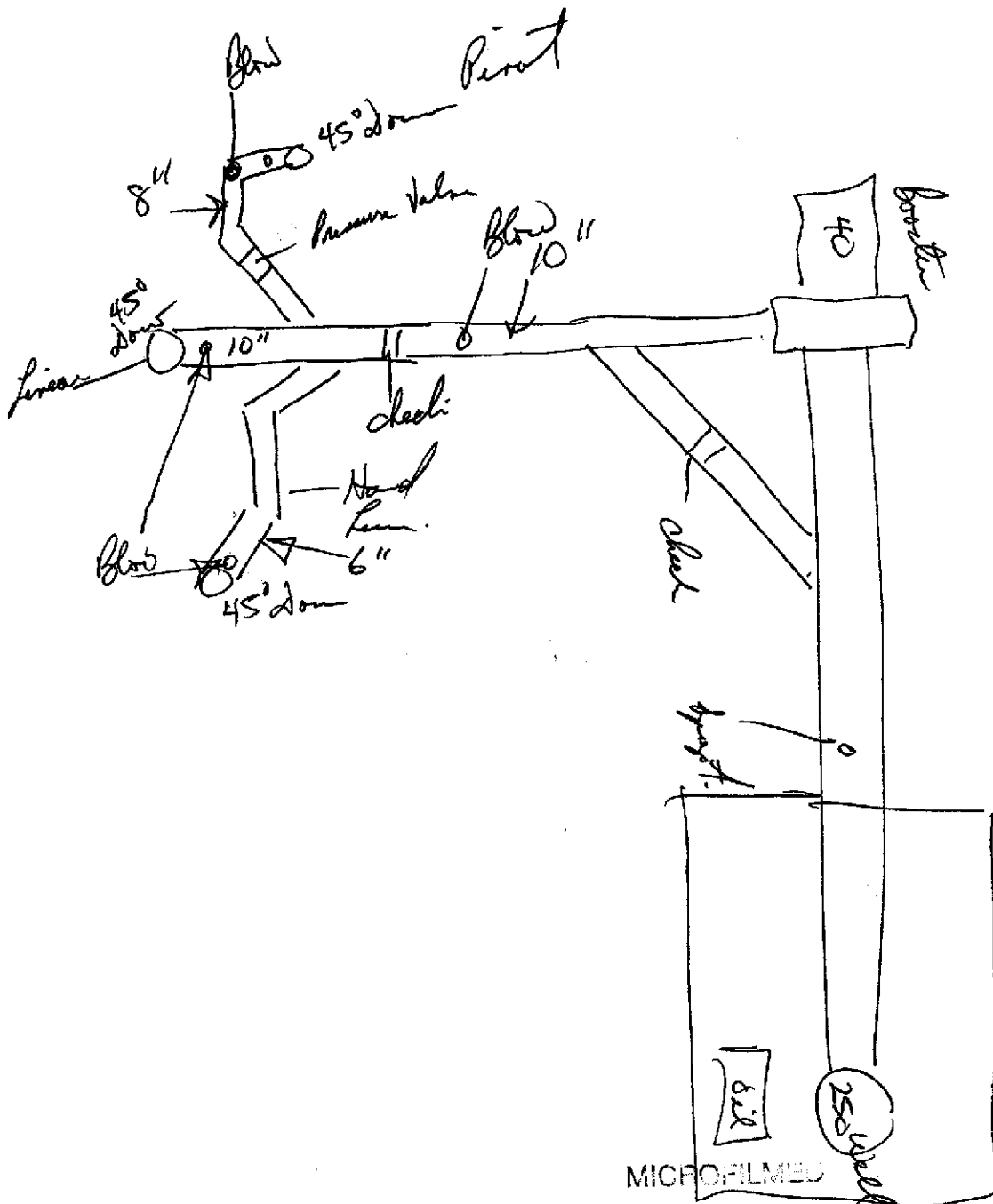
MICROFILMED

MAY 14 1998

35-08941

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

SYSTEM DIAGRAM



MICROFILMED

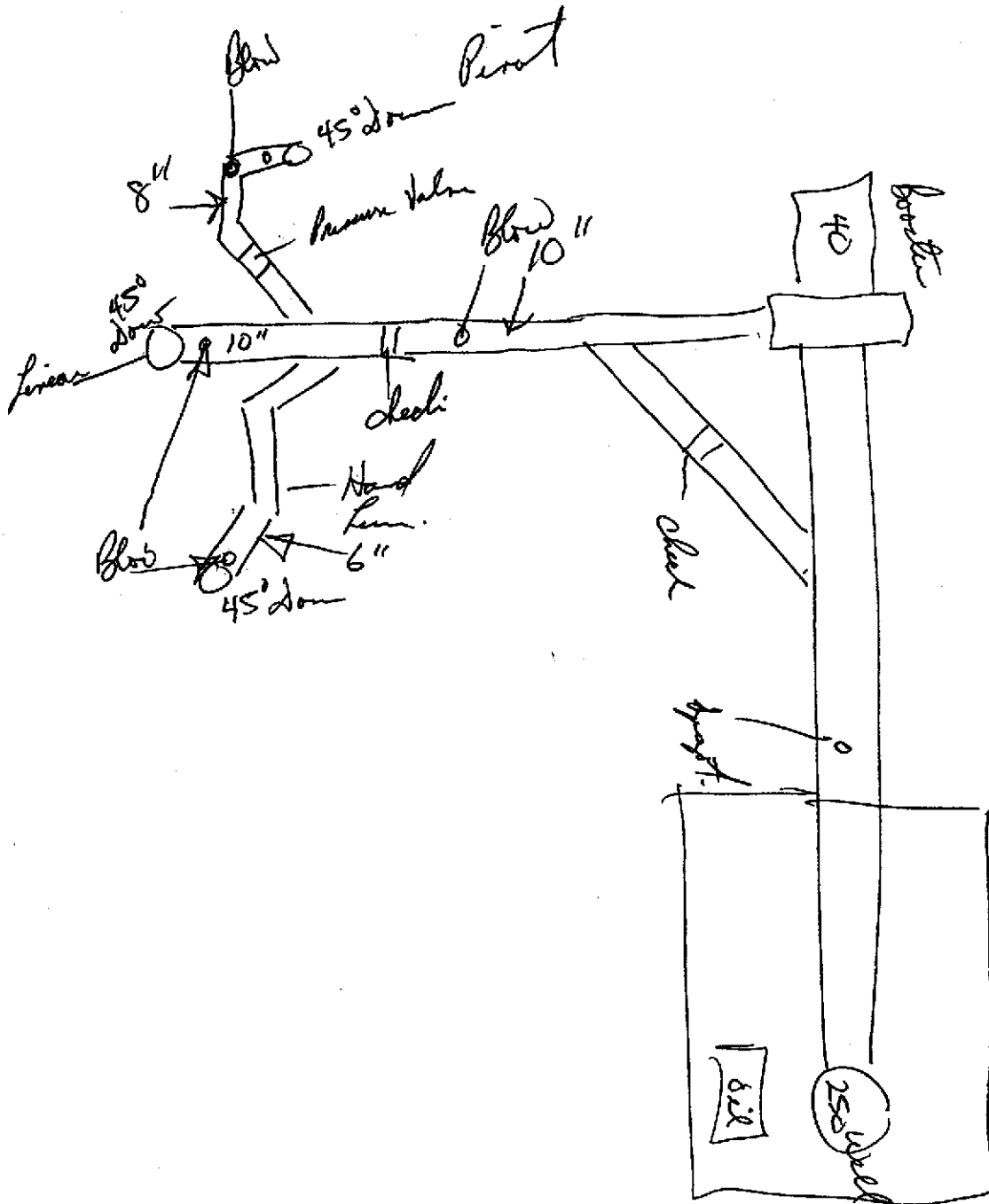
MAY 14 1998

14P80-22

35-08941

27

SYSTEM DIAGRAM



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MAY 14 1998

27

35-08941

T06S, R29E

T07S, R29E

PIDDT 6 TOWER

POD/WELL

LINEAR SYSTEM

BURIED MAIN LINE

PLACE OF USE

N

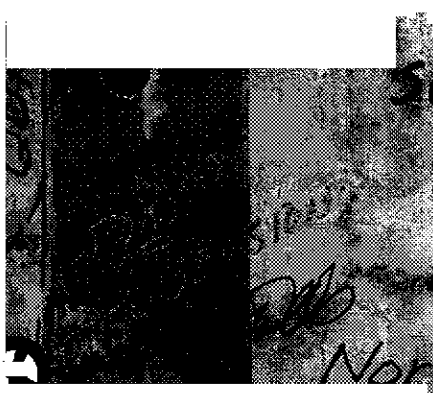
MAY 14 1998

35-08941

T07S, R29E

35-08941

MAY 14 1998



T65
T75

TR24E

7

S

SECTION

3

Noce Alley
1/4 mile linear

20-25' Wide Run
Kringsted Linear
Woshup mainline

35-00771

Gehring Rd.

9/10

MAY 14 1938

10

28 27

33 34

T-204

1186

Louie Borgmeister

Sons of D.

SEC

33

CRP

SN-395

HEL

22.0

3-97.6

PLACE OF
DIVE

R

~~SECRET~~

+ POINT
OF
DIVE
NOT

T-204

MAY 1 1998

BURGHEISTER 4500S

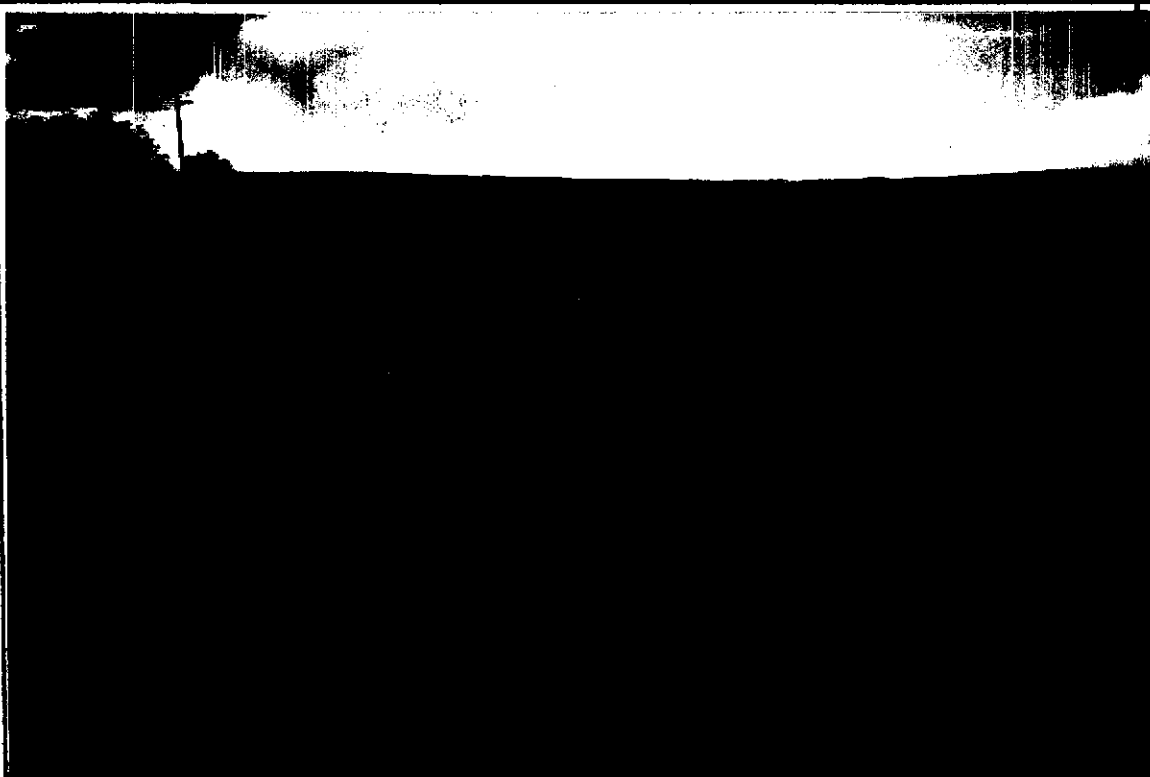
IRRIGATION

1/6

VIEW OF
POINT OF
DIVERSION
AND
DISTRIBUTION
MANIFOLD



VIEW WEST
PIVOT
SYSTEM
NOTE: CORNER
NOT IRRIGATED.



MICROFILMED PERMIT
NUMBER
MAY 14 1998

35-08941

BURLEHEISTER & SONS

IRRIGATION

216

VIEW
NORTHWEST
PIVOT SYSTEM

VIEW
NORTHWEST
PIVOT
SYSTEM

MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08941

BULLHEISTER & SONS

IRRIGATION

376



VIEW
NORTH

PIVOT
SYSTEM

←
QUILLEY RD

MODIFIED

MAY 14 1938

PERMIT
NUMBER

35-08941

BURLEIGH HEISTERSON

IRRIGATION

4/6

VIEW
NORTH ALONG
QUIGLEY RD
LINEAR
SYSTEM
PLACE OF
USE

VIEW
NORTH EAST
LINEAR
SYSTEM

MICROFILMED

MAY 14 1998

PERMIT
NUMBER

35-08941

BURGEMEISTER SONS

IRRIGATION

5/6

VIEW
EAST
LINEAR
SYSTEM

VIEW
SOUTH EAST
LINEAR
SYSTEM

MICROFILMED

MAY 14 1998

PERMIT
NUMBER

35-08941

BURGEMEISTER & SONS

ILLIATION

6 of 6

VIEW
SOUTH ALONG
QUIGLEY RD
LINEAR
SYSTEM

PERMIT
NUMBER

85-08941

MICROFILMED

MAY 14 1938

July 23, 1993

BURGEMEISTER & SONS LTD.
720 FILMORE
AMERICAN FALLS ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08941

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

AUG 26 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08941

Reviewed by Klg

Date 7/20/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

irrigate-236

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

datac Copy in the file? Drilling Permit No. 35-91-E-0087-000

200 Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

200 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA

Date proof due / -

No. of days late / =

Priority Date / +

New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 7/19/93
7/23/93 Klg

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
35-91-E-0087-000	O	KEVIN BURGEMEISTER 720 FILLMORE AMERICAN FALLS, ID 83211 (208) 226-5178	06S	29E	34	SW SW		POWER

Subdivision Location and Description:

Subdivision Name:

Well Site Address:

City, State:

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Irrigation

Proposed Casing Diameter: 20 In.

Proposed Depth: 500 Ft.

Well Use Comments:

Driller License No: 0383

Firm Name: VOLLMER WELL DRILLING

Official: KENNETH L VOLLMER

Permit Status: Permit

Verbal Issue Date:

Date Received: 09/25/1991

Date Approved: 09/26/1991

Proposed Start Date: 11/01/1991

Extension Date:

Extension Expiration:

Receipt No.

E016588

Receipt Date

09/26/1991

Fee

\$ 200.00

Specific Conditions:

Permit Remarks:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 35-91-E-0087-000

Water Right No: 35-089..

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY & AIR

Number of Monitor Wells:

Casing Diameter: 18 In.

Static Water Level: 366 Ft.

Actual Start Date: 11/15/1991

Depth of Casing: 18 Ft.

Temperature: F.

Well Finish Date: 11/26/1991

Total Depth: 480 Ft.

Production Rate: GPM

Log Received Date: 11/29/1991

Screen Installed?

Certification Date:

Field Inspection Date:

Inspector:

Well Log Remarks: DRILLER COMMENTS: 2 YRDS CEMENT 25' - 40', 2 YRDS CEMENT 55' -
80', 2 YRDS CEMENT 140' - 175'. NO SCREEN INSTALLED.

IMPROVED

AUG 26 1993

June 30, 1993

BURGEMEISTER & SONS LTD.
720 FILMORE
AMERICAN FALLS ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 35-08941

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

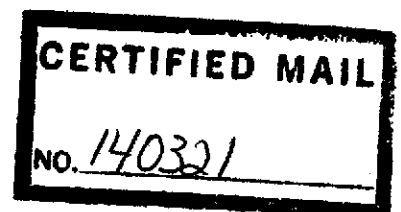
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
AUG 26 1993



WELL DRILLER'S REPORT

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

NOV 29 1991

Department of Water Resources
Eastern District Office

1. WELL OWNER

Name Kevin Burgemeister
Address 720 FILLMORE AMERICAN FALLS
PHILL # 35-91-E-087
Owner's Permit No. 35-08941

7. WATER LEVEL

Static water level 366' feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

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

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0'	8'	Dirt		
20"	8'	18'	Solid Lava Rock		
18"	18'	25'	Solid Lava Rock		
18"	25'	40'	Broken Lava Rock		
18"	40'	55'	Solid Lava Rock		
18"	55'	80'	Broken Rock		
18"	80'	158'	Solid Rock		
18"	158'	175'	Broken Rock		
18"	175'	320'	Solid Rock		
18"	320'	328'	Rock - Dirt		
18"	328'	412'	Lava Rock		
18"	412'	423'	Red Cinder Rock		
18"	423'	445'	Gray lava Fractured		
18"	445'	470'	Red Cinder		
18"	470'	480'	Orange-Red Cinder		

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other .250

Thickness	Diameter	From	To
<u>.250</u> inches	<u>18</u> inches	<u>2</u> feet	<u>18</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ TorchSize of perforation N/A inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ NoManufacturer's name N/AType N/A Model No. _____

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

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

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

Placed from _____ feet to _____ feet

Surface seal depth 18' Material used in seal: ☐ Cement grout☒ Puddling clay ☒ Well cuttingsSealing procedure used: ☐ Slurry pit ☒ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded ☐ Solvent

Weld

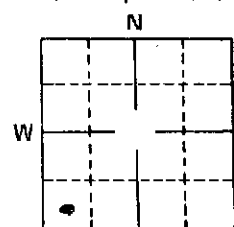
☐ Cemented between strataDescribe access port 2" access port

10.

Work started 11/15/91 finished 11/26/91

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County PowerSW 1/4 SW 1/4 Sec. 34, T. 6 N, R. 29 E

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name KOLLMEYER WELL DRILLING Firm No. 383Address 407 E CUSTER 83210 Date 11/26/91Signed by (Firm Official) Ken Hollmanand
(Operator) Ken Hollman



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

September 4, 1991

BURGEMEISTER & SONS LTD.
720 FILMORE
AMERICAN FALLS ID 83211

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08941

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

SEP 27 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

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,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

SEP 27 1981

APPLICATION FOR PERMIT REVIEW

Application #: 35-8941
Date: 8-28-91

Reviewer: Pam Skaggs

Existing:

✓ No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

✓ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

✓ Approved w/permit - P99

✓ Not included - 046-P23 (All GW, even existing wells)

Location:

✓ Water Districts - WD No. 01
Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)

✓ Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - 7 (1, Blank or Other)

✓ Trust - 051-052-053-P74 (Consumptive Uses)

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

SEP 27 1991

✓ Beneficial Use Due Date: - 09-01-1993

Other Conditions Recommended Rule 4.5.3 info reviewed by T. Luker

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 35-8941/Trust Water Processing

DATE: 8-22-91

The above application is a new trust water filing which has been advertised by the region and forwarded to the state office for final review.

Statements on the application and information submitted for Water Appropriation Rule 4,5,3. indicates that the project represents new development. All acreage under the filing therefore shall count as trust acreage.

I have reviewed the rule 4,5,3. information and find that it is complete and sufficient. The applicant has complied with all of the rule 4,5,3. information requirements. I recommend continued processing of the application and attaching trust conditions to any approval.

RECORDED

SEP 27 1991

Lowie Bürgemeister
Application 35-08941

Aug. 9, 1991
Page 1 of 5

Rule 4, 5, 3, 1, 2

Proposed
Well
SITE
T6S R29E Sec. 34



Quigley Rd.

N. Pleasant Valley Rd.

← 1/2 mile →

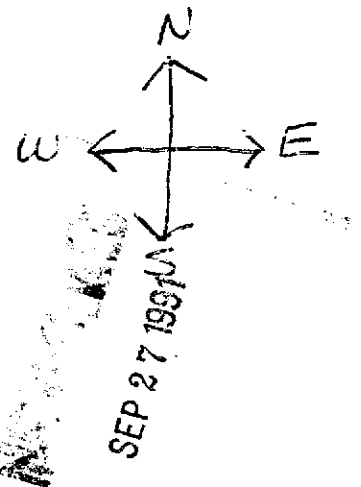
T7S R29E Sec. 3



Domestic
Well

Irrigation
Well

Applicants
Domestic
Well



⊗ These 2 domestic wells and 1
irrigation well are the only
wells within a 1/2 mile radius.

- ③ The irrigation system will consist of a pump, a booster pump, a Zimmatic hose drag linear, a Zimmatic pivot with one corner solid set with handlines, and approximately $1\frac{1}{4}$ miles of mainline.

The hose drag linear (T75 R39E Sec. 3) will lay from the proposed well site to the east $\frac{1}{4}$ mile. IT will start at North Pleasant Valley Road and irrigate south for 1 mile. The mainline for the linear will run from the proposed well site south 1 mile along the west border. The linear will consist of drop down Nelson rotators as the method of water application. The linear will irrigate 149 Acres.

The pivot (T6S R39E Sec. 33, 34) will lay to the northwest of the proposed well site. Solid SET handlines will irrigate the southeast corner of the pivot. An 8" pivot mainline will run from the well at an angle to the northwest to the pivot point. A 6" mainline will run straight west of the well for approximately $\frac{1}{8}$ of a mile to accommodate the handlines.

pump = 300hp

Booster = 40hp

SEP 27 1981

The pivot will also have drop down Nelson rotators and will irrigate 83 Acres with the hand lines irrigating 4 Acres in the corner.

The two crops to be irrigated will be potatoes and wheat. We plan to damer dike both crops. (Damer diking is a mechanical method in which you make 5" to 6" dikes or indentations in the soil). This greatly reduces water runoff and helps to control soil erosion. Thus we should have very little, if any, effect on surrounding fields.

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Rule 4, 5, 3, 2,

①(*) Average Water Demand is
1660 GPM or 3.7 CFS.

②(*) Peak Water Demand is
1780 GPM or 3.96 CFS.

③(*) Annual Volume Diverted is
133, 862, 400 Gal/yr (^{660 af}~~410 af~~) + 708 af cu.
(theoretical)

④(*) The soil type or texture is
Sandy and silt loam.

4, 5, 3, 2 ⑤(*) The aquifer is deep and unconfined.

⑥(*) The water level will be approximately
360 FT.

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Rule 4, 5, 3, 4② Construction and Equipment Costs:

Linear & Associated Equipment	=	\$ 64,190
Pivot & Associated Equipment	=	30,209
Pivot Mainline & Installation	=	11,089
Linear Mainline & Installation	=	36,445
Blasting For Mainline (Est.)	=	4,000
Pump and Booster Installed	=	62,761
Well Drilling Est. (400 FT @ \$65 FT)	=	26,000
		\$ 234,694

RECEIVED

SEP 27 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

JULY 24, 1991

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

LOUIE BURGEMEISTER
720 FILMORE
AMERICAN FALLS, ID 83211

DEAR MR. BURGERMEISTER:

WE ARE CURRENTLY PROCESSING YOUR APPLICATION 35-08941 FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS 200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE. PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE ME A CALL AT 525-7161. IF YOU ARE NO LONGER INTERESTED IN DEVELOPING THIS PERMIT PLEASE ADVISE ME.

I WILL NEED YOU TO RESPOND WITHIN 30 DAYS WITH THE INFORMATION REQUIRED.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

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Trustwater Hold
File

Dist. for staffing: 30-Apr-1991
Submitted for advertising:

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

35-8941

INITIAL REVIEW BY HWT DATE 5-1-91 APPLICATION NO. _____
APPLICANT NAME: LOUIE BURGEMEISTER & SONS LIMITED

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send power requirement letter
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

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AUG 16 1991

Department of Water Resources

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Need Rule 4,5,5 data - received

Date Requested _____

PROCESSING ☒ Yes ☒ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO NONE ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 2-8-91
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations, attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ See below for additional information
By HWT 4-12-91 Date 8-9-91

STATE OFFICE REVIEW

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

Condition: OIG

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation District
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Division of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 11, 1991

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

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. 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 JULY 8, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

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SEP 27 1991

BURGEMEISTER & SONS LTD.
720 FILMORE
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SWSW Sec 34 T 06S R 29E

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Use: IRRIGATION          ( 4.720 CFS)
      Total Diversion: ( 4.720 CFS)

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Date Filed: 4/13/ 1991

In:	T06S R29E S33		NESE		SESE		
	S34		NWSW		SWSW		
	T07S R29E S03	Lot 4	(NWNW)		SWNW	NWSW	SWSW

236.0 ACRES TOTAL

SEP 27 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 8, 1991.

R. Keith Higginson, Director

Published 6/19/1991 & 6/26/1991

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SEP 27 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

07-Jun-1991

LOUIE BURGEMEISTER & SONS
720 FILMORE
AMERICAN FALLS ID 83211

RE: Application No. 35-8941

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Power County Press on June 20 & 27, 1991. The advertisement will be published for two consecutive weeks, and 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. When a permit is issued, you will be sent a copy. 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.

Sincerely,

Harold W. Jones
RB

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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SEP 27 1991