

TOWNSHIP 10 SOUTH
RANGE 26 EAST

23 24

26 25

8

21

17

18

IN
OUT

POD

31.7

24

25

39.3

40

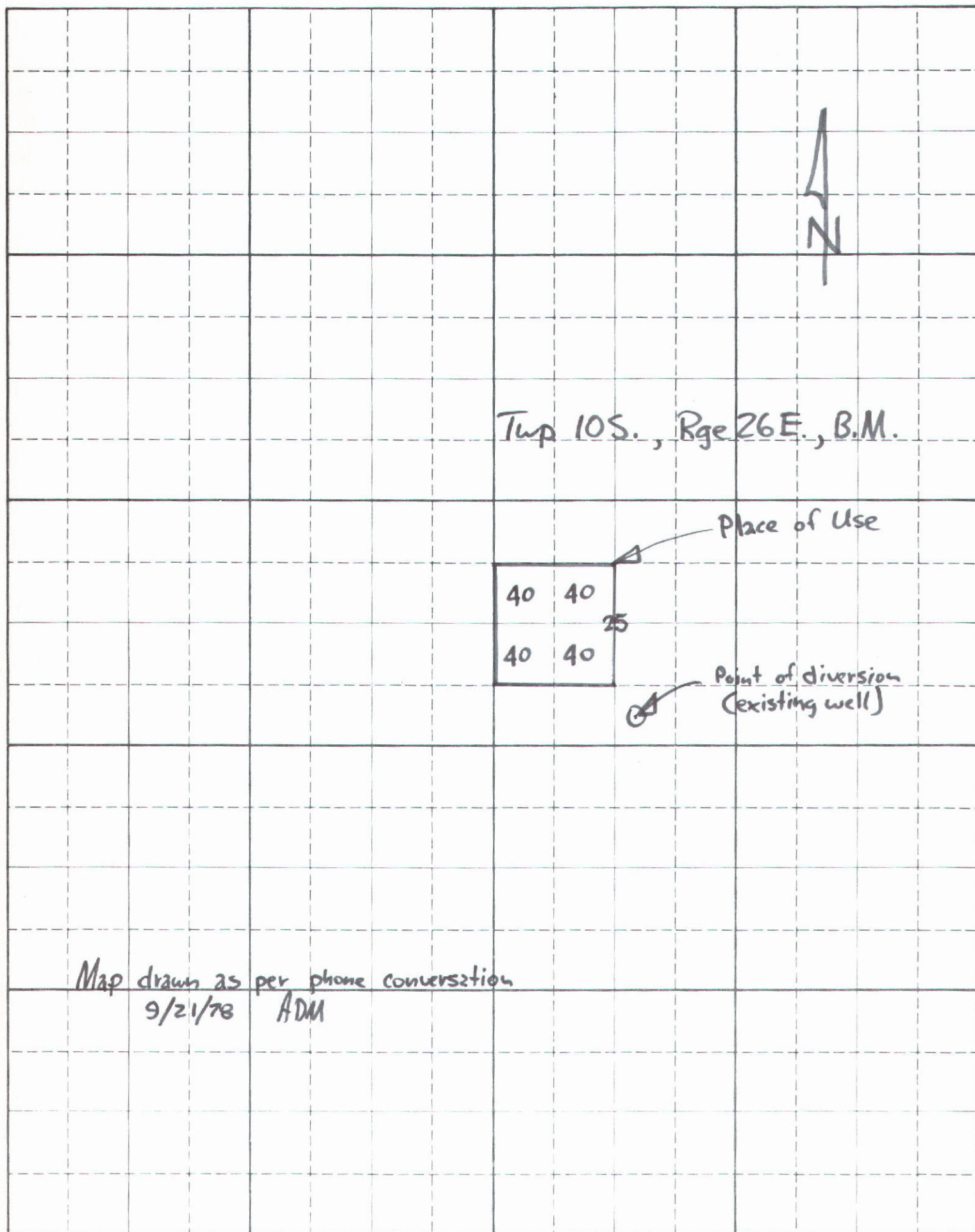
POD

26 25

35 36

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JUL 16 2002

11. 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.

SIMPLLOT INDUSTRIES, INC.

By Kenneth D. Haines
(Applicant) Its Secretary

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Cindy Duffin, being first
duly sworn, deposes and says that she is the

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

The South Idaho Press for 2 times
consecutive weeks, commencing with the issue

dated 10/13 1978, and ending

with the issue dated 10/10, 1978

Cindy Duffin

Subscribed and sworn to before me

this 14th day of Oct

1978.

Thomas M. Peterson Notary Public

Cost of Publication 11.90

Notary Fee

Total Cost 11.90

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

78-417

NOTICE OF APPLICATION
FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that
Simplot Industries, Inc., Boise has
on September 13, 1978 sub-
mitted Application No. 43-7129
for a permit to appropriate 3.2
cubic feet per second of water
from existing well by means of
200 h.p. motor, lane turbine
pump, 1/4 mile 10 inch portable
mainline, 1/4 mile 8 inch portable
mainline, three 1/4 mile irrigation
lines within the SW 1/4 SE 1/4, Sec.
25, Twp. 10 S., Rge. 26 E.,
B.M., Cassia County to be used
from Mar. 15 to Nov. 15 for
irrigation purposes of 160 acres
within the S 1/2 NW 1/4: N 1/2 SW 1/4,
Sec. 25, Twp. 10 S., Rge. 26 E.,
B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho, 83301
on or before October 20, 1978.

C. Stephen Allred
Director

Published in the South Idaho
Press on October 3 and 10, 1978.

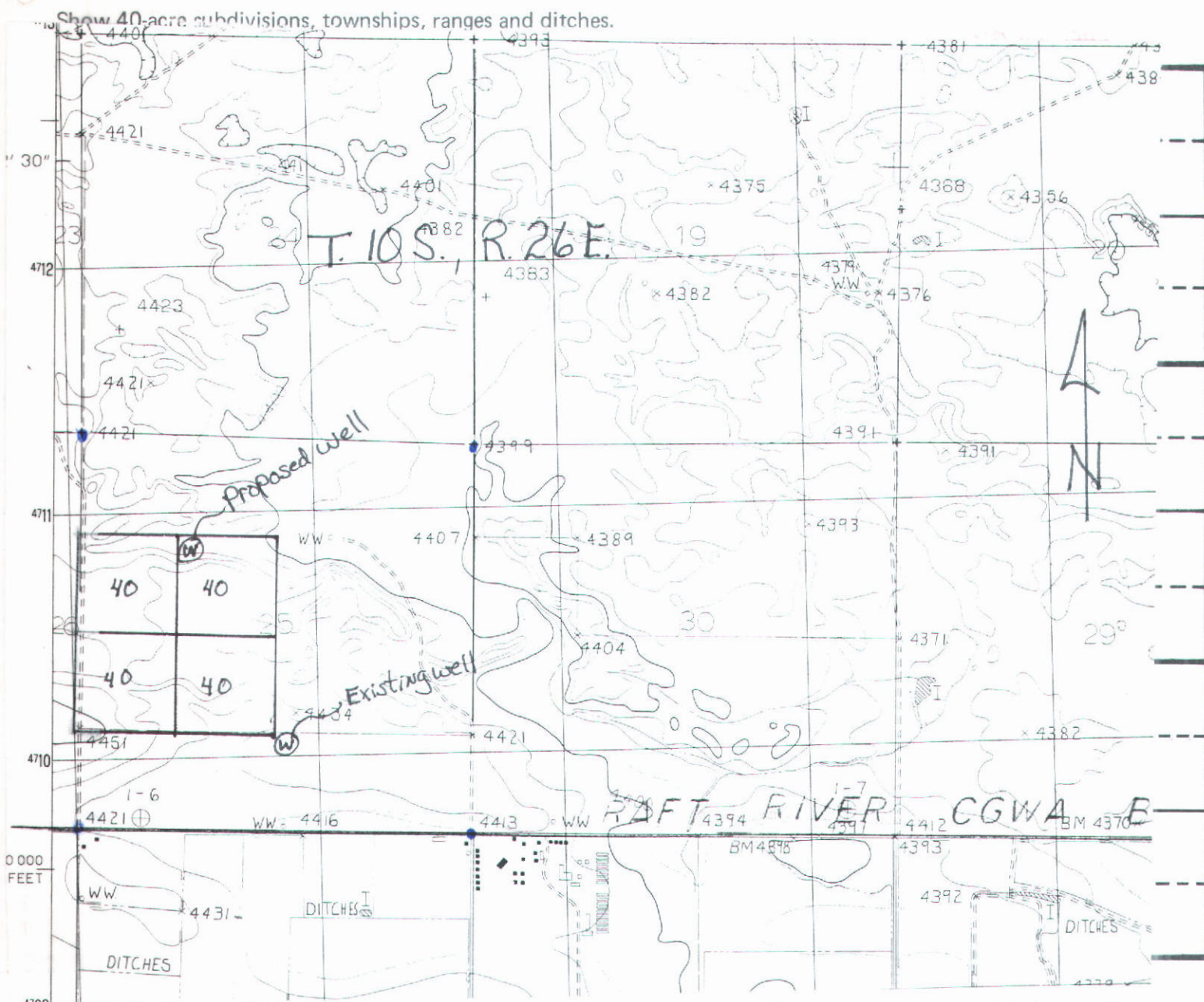
ok
meyer
10/16/78

OCT 13 1978

Idaho Department of Water Resources
Twin Falls District Office

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



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

Signed at June 8, this _____ day of _____, 19 87.

Michael P. Wheeler
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by YB Fee = \$20.00

Received by MB Date 6/8/87

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 43-7129.

Witness my hand this _____ day of _____, 19 87.

Director

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FEB 08 1989

10. Other water rights on these lands 43-7192
11. Other water right diverted from same p.d. _____

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the stream and on systems



13. _____
14. _____
- _____
- _____
- _____
- _____
- _____

15. 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 |

16. Examiner's/Consultant's Signature Larry S. Blau Date 1-24-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

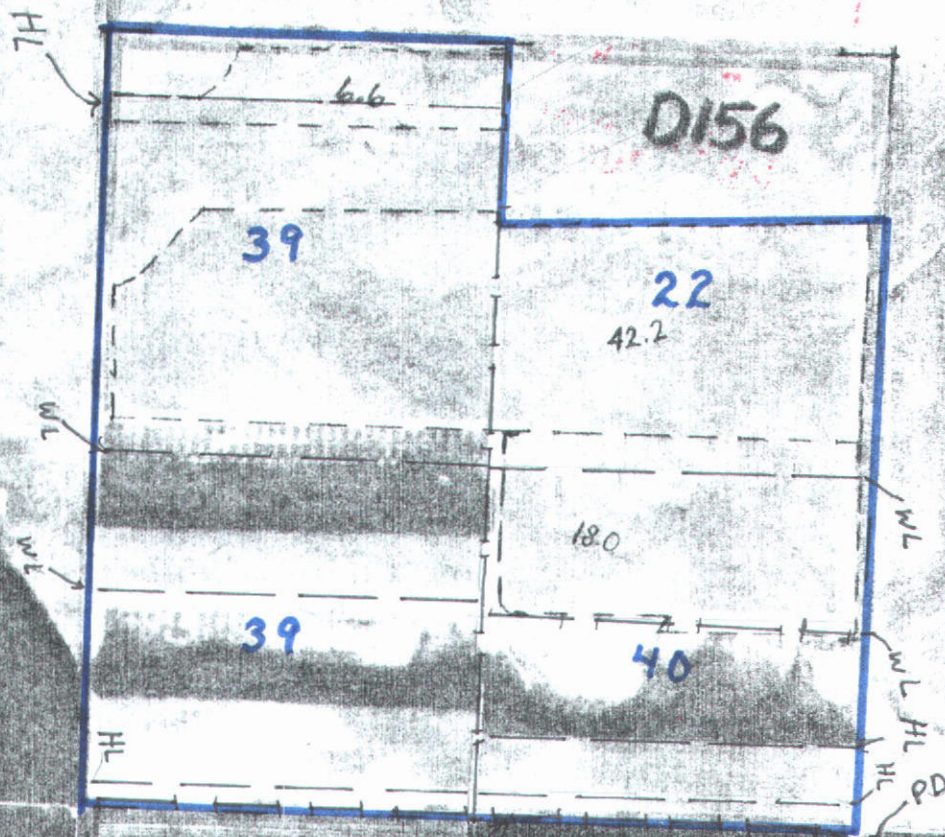
MICROFILMED

FEB 08 1989

CONSULTANT SEAL

D419 26

T.10S Rge 26E



26

25

38

D

28.2

E

92.9

D261

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MARCH 22, 1984

MICHAEL P. WHEELER
STAR RT. BOX 78
DEULO ID 83323

RE: Permit No. 43-7129

Dear Permit Holder:

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

Enclosed please find a copy of an order involving your permit.

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

A condition of approval of your original permit required the installation of an access port which, according to the proof card submitted by you, has not been installed. An access port must be installed prior to the time a field examination is made.

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

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

Sincerely,
s/Mary A. Newby
Secretary

Enclosure

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FEB 08 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69195

This is to certify that MICHAEL P WHEELER AND/OR
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323
(208)349-5761

has requested a change to the water right(s) listed below This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-7129	AJC/License	09/13/1978	2 80 cfs	560 0 af	140 0	140 0	GROUND WATER
43-7192	WR/License	05/16/1983	0 82 cfs	172 0 af		43 0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-7129	NO	NO	YES	NO	NO	NO
43-7192	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-7129	43-7129	2 80 cfs	560.0 af	140.0	183.0		N/A	N/A	N/A	N/A
43-7192	43-7192	0 82 cfs	172.0 af	43.0	183 0		N/A	N/A	N/A	N/A
TOTALS		2.86 cfs	732.0 af	N/A	183.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of April, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-7129
As Modified by Transfer No. 69195

in accordance with the approval of Transfer No. 69195, Water Right No 43-7129 is now described as follows

Right Holder: MICHAEL P WHEELER AND
 DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: 09/13/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.80 CFS	560.0 AF
		2.80 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSNW Sec. 25 Twp 10S Rge 26E CASSIA County

GROUND WATER NWSWSE Sec. 25 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	25							31.7	24.0	40.0	39.3							135.0
10S	26E	26	21.0	8.0	1.0	18.0													48.0

Total Acres 183

CONDITIONS OF APPROVAL

- 1 This right is limited to the irrigation of 140.0 acres within the place of use described above in a single irrigation season
- 2 The total instantaneous diversion of water from all points of diversion under Rights 43-7129 and 43-7192 shall not exceed 2.86 cfs, nor total combined annual volume of 732.0 af.
- 3 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion
- 4 After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department
- 5 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 af per acre at the field headgate for irrigation of the lands above.

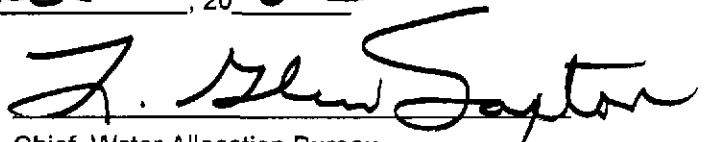
WATER RIGHT NO. 43-7129
As Modified by Transfer No. 69195

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources

Dated this 25th day of April, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-7192
As Modified by Transfer No. 69195

In accordance with the approval of Transfer No. 69195, Water Right No. 43-7192 is now described as follows.

Right Holder: MICHAEL P WHEELER AND
 DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: 05/16/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.82 CFS	172.0 AF
		0.82 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENW Sec 25 Twp 10S Rge 26E CASSIA County

GROUND WATER NWSWSE Sec 25 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 26E 25							31.7	24.0	40.0	39.3							135.0
10S 26E 26	21.0	8.0	1.0	18.0													48.0

Total Acres 183

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 43.0 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-7129 and 43-7192 shall not exceed 2.86 cfs, nor total combined annual volume of 732.0 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

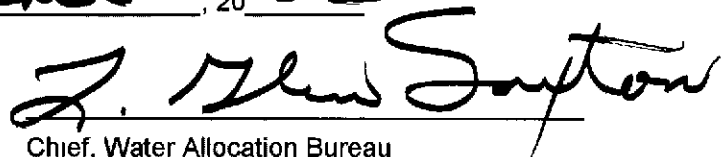
WATER RIGHT NO. 43-7192
As Modified by Transfer No. 69195

CONDITIONS OF APPROVAL

5. 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.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this transfer approval.
7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of April, 2002


Chief, Water Allocation Bureau

RECEIVED
JUN 01 2001
Department of Water Resources
Sawtooth Region

Transfer No. 69195

Receipt No. ~~69195~~
5024025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information MICHAEL P WHEELER

2155 E 100 S
DECLO ID 83323
(208)349-5761

AND/OR

DIANA M WHEELER
2155 E 100 S
DECLO ID 83323
(208)349-5761

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acres	Total	Source
43-7129	AJC/License	2.8 cfs	560 af	140.0	140.0	GROUND WATER
43-7192	WR/License	0.82 cfs	172 af	43.0	43.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-7129	NO	NO	YES	NO	NO	NO
43-7192	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

The two farms were once owned by different parties, and served by two different water rights. We now own both farms and have tied the two farms and water delivery systems together. Therefore, both water rights can serve both farms. The transfer is being filed to record this action and make the rights appurtenant to both farms.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

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69195

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
43-7129	2.8 cfs	140.0	183.0	560 af
43-7192	0.82 cfs	43.0	183.0	172 af
TOTAL	3.62 cfs	183.0	183.0	732.0 af

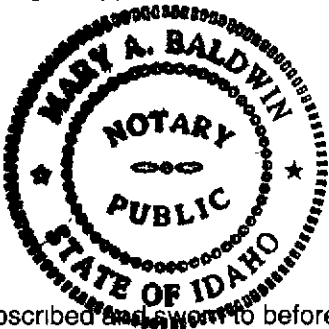
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Transfer No. 69195

Receipt No. 5027025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



Michael P. White
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 7th day of June, 2001.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/2007

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Transfer No. 69195

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-7129

Priority Date: 09/13/1978
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.80 CFS	560.0 AFA	
	Total Diversion	2.80 CFS	560.0 AFA	

Source and Point(s) of Diversion.

<u>Source</u>	<u>Twp</u> <u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	10S 26E	25	NWSENW		CASSIA
GROUND WATER	10S 26E	25	NWSWSE		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S 26E 25							39 0	22 0	40 0		39 0						140 0

Total Acres: 140

Conditions/Remarks:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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Page 5

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Some of the acres have been shifted around to other lands.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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Transfer No. 69195

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-7192

Priority Date: 05/16/1983

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	0.82 CFS	172.0 AFA	
	Total Diversion	0.82 CFS	172.0 AFA	

Source and Point(s) of Diversion.

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	10S	26E	25	SE		CASSIA

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	26	23.0				20.0												43.0

Total Acres: 43

Conditions/Remarks:

1. 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.
2. 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.
3. 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
4. Rights 43-07129 and 43-07192 when combined shall not exceed a total diversion rate of 2.86 cfs.^^ Right 43-07129 is also diverted through the point(s) of diversion described above.^^

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Page 7

Documentation of Ownership of the Current Place of Use

-Warranty Deed *PUT IN M DEED M.P.W.*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~NO~~ *YES FOR 100% PA M.*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Acres are being shifted to different lands.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-7129

Priority Date: 09/13/1978

Origin: Adjudication Claim

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.80 CFS	560.0 AFA	
	Total Diversion	2.80 CFS	560.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	10S	26E	25	NWSENW		CASSIA
GROUND WATER	10S	26E	25	NWSWSE		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 existing well

Point of Diversion # 2 existing well

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	25																	135.0
10S	26E	26	21.0	8.0	1.0	18.0													48.0

Total Acres: 183

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1977-11-10

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-7192

Priority Date: 05/16/1983

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.82 CFS	172.0 AFA	
	Total Diversion		0.82 CFS	172.0 AFA	

Source and Point(s) of Diversion.

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	10S	26E	25	NWSE		CASSIA
GROUND WATER	10S	26E	25	NWSWSE		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 existing well

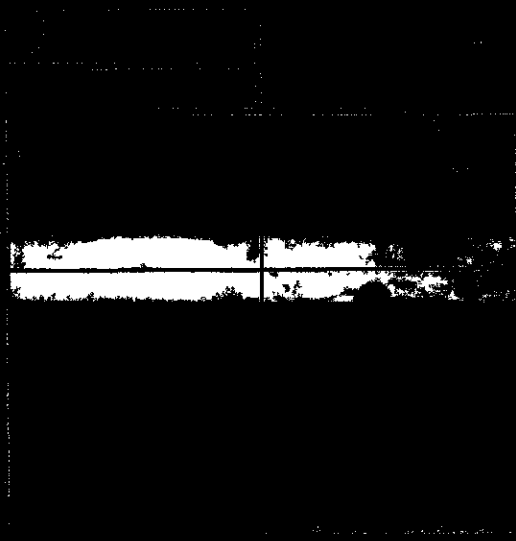
Point of Diversion # 2 existing well

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	26E	25																	135.0
10S	26E	26	21.0	8.0	1.0	18.0													48.0

Total Acres: 183

MICROFILMED



WORLD
JUL 11

261455

QUITCLAIM DEED

#31315

For Value Received

ANTHONY B. WHEELER LEASING, L.L.C., an Idaho limited liability company

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

MICHAEL P. WHEELER and DIANA WHEELER, husband and wife

ADDRESS: 2155 E. 100 S.
Declo, ID 83323

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26. A part of the NE¼, more particularly described as follows:

Commencing at the Northeast section corner (Monumented by a G.L. O Brass Cap), Thence South 0°26'11" East (Recorded as South) along the East section boundary for 640.25 feet to a ½ inch rebar and the True Point Of Beginning;
 Thence continuing South 0°26'11" East along the East section line for 1457.51 feet to a ½ inch rebar,
 Thence South 89°32'15" West for 796.23 feet to a ½ inch rebar;
 Thence North 02°20'11" West for 457.51 feet to a ½ inch rebar;
 Thence South 89°49'57" West for 557.55 feet to a ½ inch rebar;
 Thence North 0°48'35" West for 403.40 feet to a ½ inch rebar;
 Thence South 88°42'21" West for 479.10 feet to a ½ inch rebar;
 Thence North 0°43'46" West for 605.18 feet to a ½ inch rebar;
 Thence North 89°40'06" East for 1853.73 feet to the True Point Of Beginning

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever

Dated: March 11, 1999

ANTHONY B. WHEELER LEASING, L.L.C.

By Anthony B. Wheeler
Anthony B. Wheeler, Manager
 STATE OF IDAHO)
) ss.
 COUNTY OF Cassia)
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILED

1999 MAR 12 P 4:19

261455

CASSIA COUNTY, IDAHO
JANET M. KOSKELLEY
RECORDER

300

On this 11th day of March, 1999, before me, the undersigned, a Notary Public, personally appeared **ANTHONY B. WHEELER** known or identified to me to be the manager of Anthony B. Wheeler Leasing, L.L.C. the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

 Larry Roberts
 Notary Public
 State of Idaho

Larry Roberts
 Notary Public
 Residing at Burley
 My Commission Expires: 6-30-03

MICROFILMED

RECEIVED

JUN 13 2001

Department of Water Resources
Southern Region

FACSIMILE TRANSMITTAL COVER SHEET

DATE: June 13, 2001

TIME: 10:53 AM

TO: Corey Skinner, P.E., IDWR

FAX NO.: (208) 736-3037

FROM: Mike Wheeler

TELEPHONE NO.: (208) 349-5761 OR 431-5762 (cell#)

FAX NO.: (208) 349-5761

TOTAL NUMBER OF PAGES SENT 3 (INCLUDING THIS PAGE)

SPECIAL INSTRUCTIONS/COMMENTS: Corey—Attached is the Warranty Deed to the 42-acre parcel of ground that you needed to attach to the Application for Transfer of Water Right. Please also be advised that Part 2 of the Application where Mike initialled the change from Warranty Deed to Quitclaim Deed that this parcel "IS" also subject to the Farmer Mac loan. Would you please make this change as well. You have our permission to either rerun this page with these changes or to merely cross out the "No" and put "YES". Whatever you need to do. Also, I have talked with Eric Steigers to see when we could expect the letter from Farmer Mac. I'll let you know as soon as I hear back. Thanks, Corey, for all of your help.

MICROFILMED

199-9

INDEXED

150830

WARRANTY DEED

THIS INDENTURE, made this 7th day of April, 1983, between SIMPLOT INDUSTRIES, INC., a Utah corporation, of Boise, County of Ada, State of Idaho, the party of the first part, and MICHAEL P. WHEELER and DIANA WHEELER, husband and wife, of Star Route 78, Declo, Idaho the parties of the second part,

W I T N E S S E T H:

That the said party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in the County of Cassia, State of Idaho, to-wit:

Township 10 South, Range 26 East, Boise Meridian

Section 25: S 1/2 NW 1/4 and N 1/2 SW 1/4
All in Cassia County, State of Idaho.

Subject to all easements, restrictions, reservations, rights-of-way and encroachments of record, or apparent upon inspection of the premises.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and its heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part, and its heirs and against all and every person and person whosoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

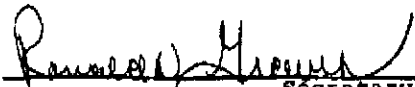
IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written.

SIMPLOT INDUSTRIES, INC.

By


Its Executive Vice President

ATTEST:


Secretary

MICROFILMED

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 7th day of April, 1983, before me, a Notary Public in and for said State, personally appeared Scott R. Simplot and Ronald N. Graves, the Executive Vice President and Secretary, respectively, of the corporation that executed the foregoing instrument on behalf of the said corporation, and acknowledged to me that such corporation executed the same.

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

Shirley Walker
Notary Public for Idaho
Residing at Boise, Idaho

RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT
FILM 156
APR 7 4 03 PM '83
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEE 4.00 DEPUTY AD
ACICCA

150830

Presented to the Court
this 12th day of April 1983
Attest
D. RB

MICROFILMED

State of Idaho
Department of Water Resources

AMENDED

AMENDED

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07129

Priority: September 13, 1978 Amount: 2.80 CFS 560.0 AFA

This is to certify, that MICHAEL P. WHEELER
STAR RT. BOX 78
DECLO, ID 83323

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated September 13, 1978, and
has submitted proof to the Department of Water Resources on October 25, 1983, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of 2.860 cfs of water from a GROUNDWATER
source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	2.80 CFS	560.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWSE , Sec. 25, Township 10S, Range 26E
SENEW , Sec. 25, Township 10S, Range 26E
CASSIA County

PLACE OF USE: IRRIGATION

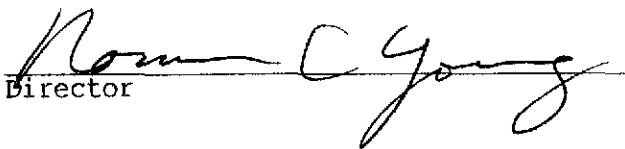
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	26E	25	SWNW 39	SENEW 22	NESW 40	140
			NWSW 39			
Total number of acres irrigated:						140

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 30TH
day of JANUARY, 1989.

Director



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-7129

Priority: September 13, 1978 Amount: 2.80 CFS 560.0 AFA

This is to certify, that MICHAEL P. WHEELER
STAR RT. BOX 78
DECLO, ID 83323

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 13, 1978, and has submitted proof to the Department of Water Resources on October 25, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.86 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	2.80 cfs	560.0 afa

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 25, Township 10S, Range 26E
Cassia County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	26E	25	SWNW 39	SENE 22	NESW 40	NWSW 39	140

Total number of acres irrigated: 140

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 31st day of December, 1987.

Director

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	43-7129	Simplot Industries, Inc.	3.2 cfs
Full Assignment		Wheeler, Michael T.	3.2 cfs

UNRECORDED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 43-7129 IN THE)
NAME OF MICHAEL ^FT. WHEELER) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1983; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

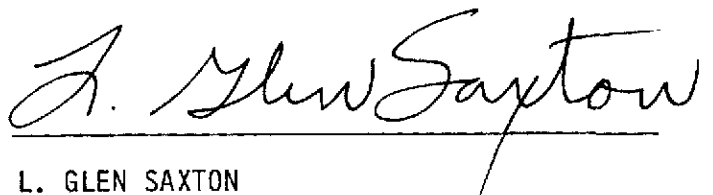
WHEREAS, on December 13, 1983, the permit holder assigned all right, title, and interest in and to Permit No. 43-7129 to Michael ^FT. Wheeler; and,

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

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use in a timely manner;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 43-7129 be REINSTATED with no advance in priority.

Dated this 7th day of March, 1984.



L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED
DEC 13 1983

ASSIGNMENT OF PERMIT

I, Simplot Industries, Inc., hereby assign to Michael T. Wheeler
of Star Route 178, Declo, Idaho 83323
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 43-7129
to appropriate the public waters of the State of Idaho.



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

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

Made this 28th day of September, 19 83.

Simplot Industries, Inc.
Permit Holder

By

Rena M. Matter
Secretary of Permit Holder (Secretary)

State of Idaho)
County of ADA) ss.

On this 28th day of September, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Rena Matter
Notary Public residing at
Boise, ID

My commission expires:

6-1-84

copy - but
appears to have
been notarized.
OK. K10
12/20/83

Identification No 43-7129

Application No _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
RECEIVED

SEP 19 1975

APPLICATION FOR PERMIT

SEP 19 1975

Dep. _____
State Water Office

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

Department of Water Resources

1 Name of applicant Simplot Industries, Inc. Phone 336-2110
post office address P. O. Box 27, Boise, Idaho 83707

2 Source of water supply existing well which is a tributary of _____

3 a Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 10 S
Range 26E B.M. Cassia County, additional points of diversion if any _____

b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4 Water will be used for the following purposes:

Amount 3.2 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)

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

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

5. Total quantity to be appropriated

a 3.2 cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc 200 h.p. motor, lane turbine pump,
 $\frac{1}{4}$ mile 10 inch portable mainline, $\frac{1}{4}$ mile 8 inch portable mainline,
three $\frac{1}{4}$ mile wheel irrigantion lines

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

Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)

c ~~proposed~~ well diameter is 16 inches, ~~proposed~~ depth of well is 540 feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years

b ~~XXXXXX~~ construction cost is \$34,000

8 Description of proposed uses

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

(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated _____ hp under _____ feet of head

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

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

(5) If water is to be used for other purposes describe _____

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

TWP	RANGE	SEC	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
10 S	26E	25							40	40	40	40							160

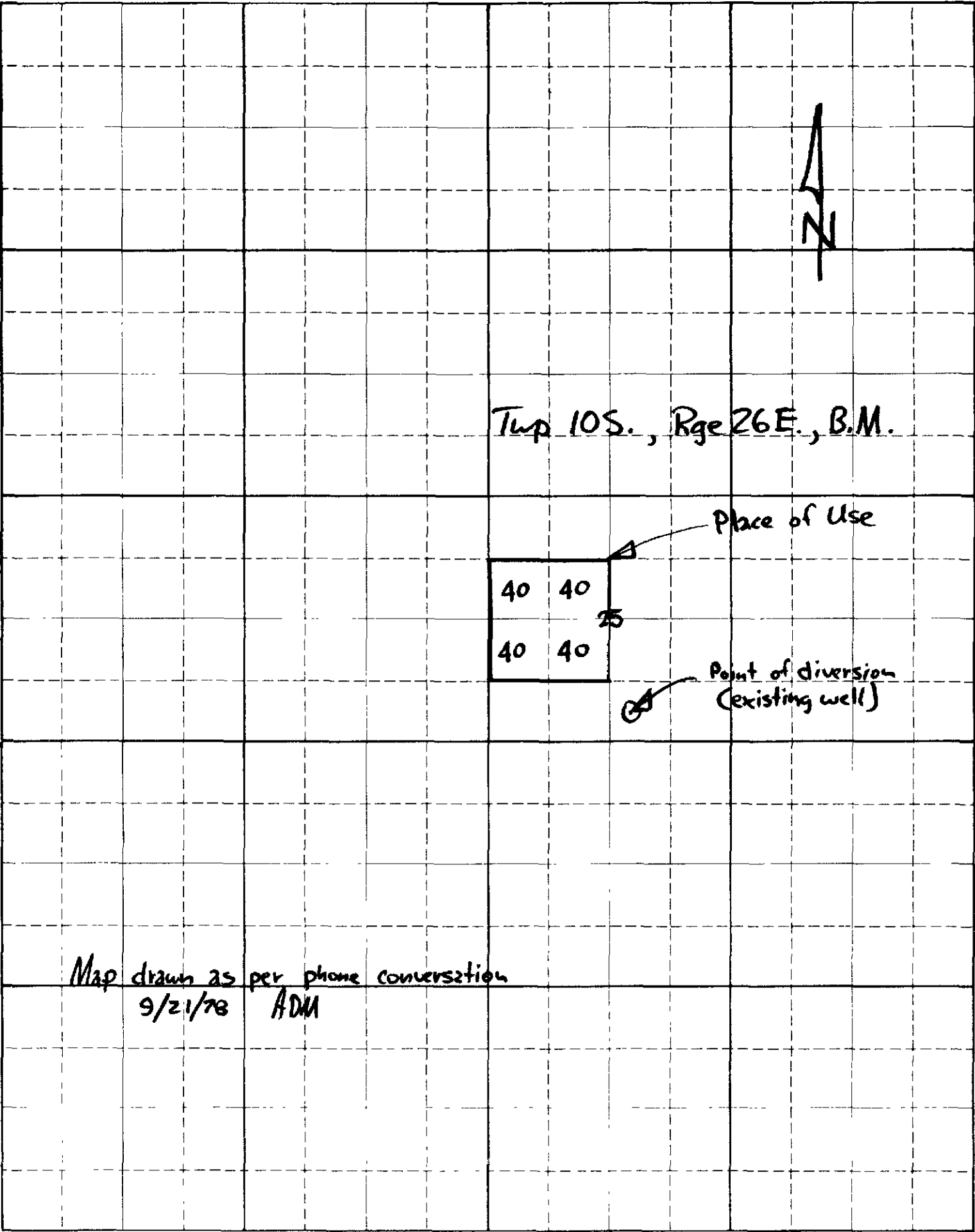
Total number of acres to be irrigated 160

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

- 9 a Who owns the property at the point of diversion Phillip and Dorothy Wheeler
- b Who owns the land to be irrigated or place of use Simplot Industries, Inc.
- c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Written agreement for use of water from existing well.

10 Remarks

11 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

SIMPLQT INDUSTRIES, INC.

By [Signature]
(Applicant) Its Secretary

Proposed Priority 9-13-78

Received by BK Date 9-13-78 Time 3:15 PM

Preliminary check by _____ Fee \$ 65.00 92-15

Receipted by mmf Date 9/20/78 # 10571

Publication prepared by mmf Date 9/22/78

Published in South Idaho Press

Publication dates 10/3/78 + 10/10/78

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by th 33

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 43-7129, and said application is hereby APPROVED.

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

a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 83.

c Other. (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department. (2) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 22nd day of November 19 78.

L. Glen Saxton

Chief, Operations Bureau

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss
STATE OF IDAHO)

being first
duly sworn, deposes and says that he is the

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

The South Idaho Press for
consecutive weeks, commencing with the issue
dated 1978, and ending
with the issue dated 1978.

Subscribed and sworn to before me
this day of

1978.

[Signature] Notary Public

Cost of Publication

Notary Fee

Total Cost

78-417

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that
Simplot Industries, Inc., Boise has
on September 13, 1978 sub-
mitted Application No. 43-7129
for a permit to appropriate 3.2
cubic feet per second of water
from existing well by means of
200 h.p. motor, lane turbine
pump, 1/4 mile 10 inch portable
mainline, 1/4 mile 8 inch portable
mainline, three 1/4 mile irrigation
lines within the SW 1/4 SE 1/4, Sec.
25, Twp 10 S., Rge 26 E.,
B.M., Cassia County to be used
from Mar 15 to Nov 15 for
irrigation purposes of 160 acres
within the S 1/2 NW 1/4, N 1/2 SW 1/4,
Sec 25, Twp 10 S., Rge 26 E.,
B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd
North, Twin Falls, Idaho, 83301
on or before October 20, 1978.

C. Stephen Allred
Director

Published in the South Idaho
Press on October 3 and 10, 1978.

*ok
maga
10/6/78*

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

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 25, 2002

MICHAEL P WHEELER
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323

RE. Transfer No.: 69195 - Water Rights 43-7192, 43-7129 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

MICROFILMED

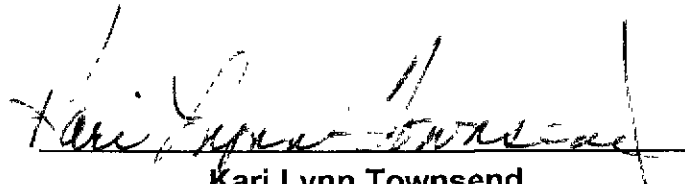
MICROFILMED

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below

RE: TRANSFER NO. 69195 - WATER RIGHTS 43-7192, 43-7129

**MICHAEL P WHEELER
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323**



**Kari Lynn Townsend
Secretary**

MICROFILMED

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69195

DATE REVIEWED 7-22-2002

SPLIT___ POD___ ADD POD___ POU___ PERIOD___ or NATURE___ of USE

ALL OF RIGHT(S) (W=Water Right C=SRBA Claim (R=SRBA Recommendation

<u>R143-7129</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>W143-7192</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
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<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season 5-15 to 11-15

Standard Volume 4.0 / 3.0

(1)___ Priority (2)___ Use (3)___ Season/W61 (4)___ Rate (5)___ Volume

(6)___ Source (7)___ P/D (8)___ P/U (9)___ Proof/Owner (10)___ Map

(11)___ ^{ESPA} Water District (12) Yes Pertinent Conditions (13) No Expansion
WM/Rcvd _____ w/limits

(3) 43-7192 Allow extended season to standard w/wr
(7) Add 2nd P/D to 43-7192 - No changes to 43-7129 - existing wells
(8) Combine rts + shift acres creating 18.5 acre PDU

Conditions/Remarks W143-7192 W34, T17, O1Q, R64, W27, T07 T08, T19
Trustwater Conditions W35

WRs for Update Comments 73-7129

Database Updated to Reflect Final Action 4-25-2002 CS

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Michael Wheeler

TRANSFER NO. _____

1. Right number(s)

43-7129 etc.

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☐ Change P/D ☒ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments:

NO OVERLAPPING RIGHTS, 43-7192 IS A

POST SRBA RIGHT

5. Check Proposed Right for amount of land &/or water transferred:

☐ Also see attached memo for more analysis information

a. ☒

All of right

b. ☐

Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)

c. ☒

Description of point(s) of diversion

d. ☒

Description of place of use

e. ☒

Map showing P/D & P/U after transfer

f. ☒

Correct notarized signature and \$100 fee

g. ☒

Proof of ownership of right &/or land from which water is transferred

h. ☒

Expansion in use of right - Comments: NONE

APPARENT

69195

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): NONE

j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) ONLY Y3-7129 IS SUBJECT TO SRBA

k. ☒ Comment letters ☒ Yes ☐ No
If yes OK! Water District # NEED
Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY P. SKINNER DATE 6/17/2001
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWRO3::VAULT ☐ Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny due to _____
3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: 9/7/01

4. By [Signature] Date 9/7/01

60105
43-7129-110

WATER RIGHT NO.

[illegible]



D.L. EVANS BANK

Your Hometown Community Bank

RECEIVED

OCT 22 2001

Department of Water Resources
Southern Region

October 22, 2001

Mr. James Stanton
Idaho Department of Water Resources
Twin Falls, ID 83303

Re Application for Transfer 69195, Michael Wheeler

In my capacity as field servicer for Farmer Mac, I have been granted authority to give lienholder consent to the above application

If you have any questions, please contact me at 736 7300.


ERIC R. STEIGERS
Farmer Mac Manager

MICROFILMED

Twin Falls - Downtown Office 222 So Main PO Box 87 Twin Falls, ID 83303
(208) 736-7300 Fax (208) 736-7373 Express Banking 1-888-873-9777

882-F 10/10 P 888-T

2087367373

From-D.L. EVANS

Oct-22-01 13:14



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 15, 2001

Eric Steigers
D L Evans Bank
PO Box 87
Twin Falls, ID
83303

RE: App for Transfer 69195, Michael Wheeler

Dear Mr. Steigers;

Per your request, a copy of the above-referenced application is enclosed for your review. We are holding this application for an ok from the lienholder, which is apparently D L Evans Bank. Based on information in the file, it appeared that Farmer Mac was the lienholder. Once we receive written approval from the proper party, this application will be forwarded to our Boise office for final action.

Regards,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

2002

MEMO

FROM: Allen Merritt



DATE: September 7, 2001

TO: Transfer File No. 69195

In the name of: Michael &/or Diana Wheeler

Water Right(s): 43-7129
43-7192

SUBJECT: Review and Recommendation

This transfer creates a 183 acre PPU for right 43-07129 (140 acres) reviewed in the SRBA and right 43-7192 (43 acres) licensed in 1993 and not included in the SRBA. The rights are limited when combined to 2.86 cfs.

The transfer was processed without protest.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

- Subject to SRBA
- When combined limited to 2.86 cfs
- When combined limited to irrigation of 183 acres.
- Measure and report use if required in future.

Cover
Please get letter from F...
for letter. 76-1-1000
to S.O.
76-1-K, 77-
LETTER RECEIVED
10/22/2001
P.S.

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

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is a legal clerk 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 2 consecutive week(s), commencing with the issue dated July 16, 2001, and ending with the issue dated July 23, 2001.

Ruth (Lynn) Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 23rd day of July in the year of 2001 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Ray Moore
Notary Public for Idaho

Residing at. Paul, Idaho

My commission expires. 09-20-2001

Cost of Publication 437.58

Affidavit Fee 5.00

Total Cost 442.58

OK
MB
8/3/01

RECEIVED

JUL 25 2001

Department of Water Resources
Southern Region

01-260

NOTICE OF PROPOSED CHANGES OF WATER RIGHTS

Five transfers have been filed to change water rights diverted in Cassia County.

JODEE and OLETA WILLETT, 2534 S 2400 E, MALTA ID 83342 has amended Application No. 68499 for changes to the following water rights diverted from GROUND WATER as follows.

Right No. 43-4109
Priority: 8/1/1954
Use: IRRIGATION (2.00 CFS/400.0 AFA)

Point(s) of Diversion: SWSWSW S28 T14S R27E

Place of Use: 233 acres within S28 and S29 T14S R27E

Right No. 43-2298
Priority: 2/23/1959
Use: IRRIGATION (3.00 CFS)

Point(s) of Diversion: NWNE S29 T14S R27E

Place of Use: 260 acres within S20, S21, S28 and S29 T14S R27E

Right No. 43-2395
Priority: 6/1/1953
Use: IRRIGATION (2.90 CFS)

STOCKWATER

Point(s) of Diversion: SWNWSW S32 T14S R27E

Place of Use: 145 acres within S29 and S32 T14S R27E

Right No. 43-2416
Priority: 1/21/1955
Use: IRRIGATION (1.60 CFS)

Point(s) of Diversion: SESENW S32 T14S R27E

Place of Use: 80 acres within S32 T14S R27E

Right No. 43-4130
Priority: 4/15/1954
Use: IRRIGATION (1.90 CFS)

Point(s) of Diversion: NWNW S8 T15S R27E

Place of Use: 420 acres within S32 T14S R27E; S5 and S8 T15S R27E

Right No. 43-11200
Priority: 6/30/1985
Use: IRRIGATION (3.00 CFS)

Point(s) of Diversion: NENWNE, SENWNE S29 T14S R27E

Place of Use: 125 acres within S20, S21 and S28 T14S R27E

Right No. 43-4111
Priority: 8/1/1958
Use: IRRIGATION (1.35 CFS/552.0 AFA)

Point(s) of Diversion: SESENW, SWNWSW S32 T14S R27E

Place of Use: 363 acres within S29 and S32 T14S R27E

Right No. 43-2282
Priority: 4/28/1941
Use: IRRIGATION (0.90 CFS/180.0 AFA)

Point(s) of Diversion: SWSWSW S28 T14S R27E

Place of Use: 233 acres within S28 and S29 T14S R27E

Right No. 43-10500
Priority: 6/30/1985
Use: IRRIGATION (1.09 CFS)

Point(s) of Diversion: SWSWSW S28 T14S R27E

Place of Use: 233 acres within S28 and S29 T14S R27E

The purpose of the transfer is to split 38 acres (0.50 cfs) from right 43-4130 and combine with others listed above and divert in a common distribution system supplied by five wells within SWSWSW S28; NENWNE, SENWNE S29; SESENW; SWNWSW S32 T14S R27E for irrigation of a 1080 acre permissible place of use within S20, S21, S28 S29 and S32 T14S R27E. A total of 12.25 CFS/3224 AFA will be associated with the system.

PETTY and SYLVIA GRUSH, 2025 S 81; MALTA ID 83342 have filed Application No. 68938. The transfer involves two farms supplied water from both RAFT RIVER and GROUND WATER as follows:

FARM #1 RAFT RIVER RIGHTS

as listed below are diverted within SWSWSW S7; NWNWSW S20 T14S R27E for irrigation of lands in S7 T14S R27E:

Right No. 43-165C
Priority: 4/1/1871
Use: IRRIGATION (229 acres)

0.61 CFS/75.0 AFA

Right No. 43-168C
Priority: 4/1/1879
Use: IRRIGATION (229 acres)

1.83 CFS/333.9 AFA

Right No. 43-169E
Priority: 6/1/1879
Use: IRRIGATION (229 acres)

1.37 CFS/497.3 AFA

Right No. 43-178D
Priority: 12/12/1911
Use: IRRIGATION (229 acres)

3.20 CFS/916.0 AFA

Right No. 43-11291
Priority: 4/1/1871
Use: IRRIGATION (229 acres)

0.10 CFS/12.3 AFA

Right No. 43-172C
Priority: 4/1/1879
Use: IRRIGATION (229 acres)

0.61 CFS/221.4 AFA

Right No. 43-10789
Priority: 4/1/1871
Use: IRRIGATION (229 acres)

1.41 CFS/254.5 AFA

Right No. 43-11292
Priority: 4/1/1871
Use: IRRIGATION (229 acres)

0.10 CFS/42.2 AFA

FARM #1 GROUND WATER RIGHTS as listed below are diverted within SWSESE S7 T14S R27E for irrigation of lands in S7 T14S R27E:

Right No. 43-2367
Priority: 10/23/1951
Use: IRRIGATION (229 acres)

2.18 CFS/584.0 AFA

Right No. 43-2456
Priority: 2/18/1957
Use: IRRIGATION (229 acres)

1.60 CFS/916.0 AFA

FARM #2 RAFT RIVER RIGHTS as listed below are diverted within SWSWNE S18 T14S R27E for irrigation of lands within S18 T14S R27E:

Right No. 43-10608
Priority: 12/12/1911
Use: IRRIGATION (230 acres)

3.20 CFS

Right No. 43-11287
Priority: 4/1/1881
Use: IRRIGATION (230 acres)

0.67 CFS

Right No. 43-11286
Priority: 4/1/1881
Use: IRRIGATION (230 acres)

0.46 CFS

Right No. 43-11283
Priority: 4/1/1871
Use: IRRIGATION (230 acres)

0.17 CFS

Right No. 43-11284
Priority: 4/1/1871
Use: IRRIGATION (230 acres)

0.50 CFS

Right No. 43-11285
Priority: 4/1/1871
Use: IRRIGATION (230 acres)

0.24 CFS

FARM #2 GROUND WATER RIGHTS as listed below are diverted within SESENE and SESESE S18 T14S R27E for irrigation of lands within S18 T14S R27E:

Right No. 43-2414
Priority: 12/8/1954
Use: IRRIGATION (230 acres)

3.10 CFS/792.0 AFA

Right No. 43-10605
Priority: 6/30/1985
Use: IRRIGATION (230 acres)

The purpose of the transfer is to combine the two farms into a common delivery system with permissible place of use of 459 acres within S7 and S18 T14S R27E for all rights listed above. The RAFT RIVER RIGHTS will be diverted from a pump on the river within SWSWSW S7 T14S R27E and the GROUND WATER RIGHTS will be diverted from two wells within SWSESE S7 and SESESE S18 T14S R27E. A total of 9.82 CFS/1836 AFA will be diverted from the combined system.

HUNSAKER FAMILY PARTNERSHIP, DBA HUNSAKER FARMS, 561 TERRACE DRIVE; BURLEY ID 83318, has filed Application No. 69166 for changes to the following water rights diverted from GROUND WATER within L2 (NWSWNW) S31 T11S R28E for irrigation of a 1235 acre permissible place of use within S31 and S32 T11S R28E and S36 T11S R27E

Right No. 43-2339C
Priority: 2/27/1950
Use: IRRIGATION (1235 acres)

2.40 CFS/2,476.0 AFA

Right No. 43-2467C
Priority: 12/23/1958
Use: IRRIGATION (1235 acres)

1.78 CFS/2,476.0 AFA

Right No. 43-4002C
Priority: 7/1/1963
Use: IRRIGATION (1235 acres)

1.68 CFS/2,476.0 AFA

Right No. 43-2317C
Priority: 8/14/1948
Use: IRRIGATION (1235 acres)

1.00 CFS/2,476.0 AFA

Right No. 43-2423C
Priority: 3/1/1955
Use: IRRIGATION (1235 acres)

1.64 CFS/2,476.0 AFA

Right No. 43-2510C
Priority: 6/18/1961
Use: IRRIGATION (1235 acres)

1.26 CFS/2,476.0 AFA

Right No. 43-10019
Priority: 6/30/1985
Use: IRRIGATION (1235 acres)

4.83 CFS

The purpose of the transfer is to add two points of diversion (wells) to the rights as follows:

Point(s) of Diversion: L2 (NWSWNW), NWSE S31; SENW S32 T11S R28E

A total of 9.70 CFS/2476 AFA will be diverted from the three wells.

MICHAEL P and DIANA M WHEELER, 2155 E 100 S; DECLO ID 83323 have filed Application No. 69195 for changes to the following water rights diverted from GROUND WATER:

Right No. 43-7192
Priority: 5/16/1983
Use: IRRIGATION (0.82 CFS/172.0 AFA)

Point(s) of Diversion: SENW S25 T10S R26E

Place of Use: 43 acres within S26 T10S R26E

Right No. 43-7129
Priority: 9/13/1978
Use: IRRIGATION (2.80 CFS/560.0 AFA)

Point(s) of Diversion: NWSWNW, NWSWSE S25 T10S R26E

Place of Use: 140 acres within S25 T10S R26E

The purpose of the transfer is to combine the rights in a common delivery system with diversions within NWSWNW, NWSWSE S25 T10S R26E for irrigation of a 183 acre permissible place of use within S25 and S26 T10S R26E. A total of 3.62 CFS/732 AFA will be diverted by the system.

SIX S RANCH, PO BOX 711130; SALT LAKE CITY UT 84171-1130 has filed Application No. 69204 for changes to the following

water right

Right No. 45-10429

Priority: 8/25/1987

Source: GROUND WATER

Use: STOCKWATER 0.07 CFS

DOMESTIC 0.04 CFS

Total Amount: 0.11 CFS

Point(s) of Diversion: L4 NWNW

S2 T11S R25E

Place of Use: S2 T11S R25E

The right is currently diverted from

one well, the purpose of the transfer is to

hook up a second (existing well) within

L4 NWNW S2 T11S R25E to the system.

Protests may be submitted based on

the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change

must be filed with the Department of

Water Resources, Southern Region, 1341

Fillmore St, Suite 200, Twin Falls ID

83301 together with a protest fee of

\$25.00 for each application on or before

August 06, 2001. The protestant must

also send a copy of the protest to the

applicant

KARL J DREHER Director

Published in the South Idaho Press on

July 16 and 23, 2001

MICROFILMED

2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNF
GOVERNOR

KARL L. DREHER
DIRECTOR

July 6, 2001

MICHAEL P WHEELER &
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323

RE Application for Transfer No 69195

Dear Applicant(s).

The Department of Water Resources acknowledges receipt of your application. Please refer to this number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the South Idaho Press for 7/16 and 7/23/01. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submission of protests. (August 6, 2001)

If an 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.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

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.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mary A. Baldwin'.

Mary A. Baldwin
Administrative Assistant

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

06/12/2001

MICHAEL & DIANA WHEELER
2155 E 100 S
DECLO ID 83323

RE: Application for Transfer of Water Right(s)

Dear Applicant(s),

The Department of Water Resources has received your water right transfer application. In order to continue to process your request, additional information is required as described below.

- A notarized statement from the holder of the lien, deed of trust, mortgage, or contract agreeing to the proposed changes
- Proof of ownership of the land in Section 25, Township 10 South, Range 26 East. This could be a Warranty Deed, tax notice, or other documentation showing ownership.

Please submit this information as soon as possible to prevent any unnecessary delays in the processing of your application. If you have any questions, or need any further assistance, feel free to contact this office at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

MICROFILMED

Type	WR #	Owner	Source	TRS	SWNW	SEnw	NESW	NWSW	Total
Right	43 7015	GLEN R KUNAU, DONA KUNAU,	GROUND WATER	10S26E25					66
Right	43 7020B	PHILIP F WHEELER,	GROUND WATER	10S26E25					160
Right	<u>43 7129</u>	MICHAEL P WHEELER,	GROUND WATER	10S26E25	39	22	40	39	140
TClaim	43 2464B	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
TClaim	43 2370B	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
TClaim	43 2466	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
TClaim	43 4007	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
TClaim	43 7020B	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
TClaim	43 7063	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
TRight	43 7185	PHILIP F WHEELER,	GROUND WATER	10S26E25					154.8
Rec	43 10459	GLEN R KUNAU,	GROUND WATER	10S26E25					0
Claim	43 7020B	DOROTHY WHEELER, PHILIP F WHEELER,	GROUND WATER	10S26E25					160
Claim	<u>43 7129</u>	MICHAEL P WHEELER,	GROUND WATER	10S26E25	39	22	40	39	140
Claim	43 7015	DONA KUNAU, GLEN R KUNAU,	GROUND WATER	10S26E25					66
Rec	43 7015	DONA KUNAU, GLEN R KUNAU,	GROUND WATER	10S26E25					66
Rec	43 7020B	DOROTHY WHEELER, PHILIP F WHEELER,	GROUND WATER	10S26E25					160
Rec	<u>43 7129</u>	MICHAEL P WHEELER,	GROUND WATER	10S26E25	39	22	40	39	140

MICROFILMED

JUN 1980

7/1

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	Total
Right	43 7020C	W D TAYLOR LIVESTOCK INC, DBA KEITH POWELL F	GROUND WATER	10S26E26					260
Right	43 7192	DIANA M WHEELER, MICHAEL P WHEELER,	GROUND WATER	10S26E26	23			20	43
Claim	43 7020C	PHILIP F WHEELER, DOROTHY WHEELER,	GROUND WATER	10S26E26					260
Rec	43 10459	GLEN R KUNAU,	GROUND WATER	10S26E26					0
Rec	43 10459	GLEN R KUNAU,	GROUND WATER	10S26E26					0
Rec	43 10042	DOROTHY WHEELER, PHILIP F WHEELER,	GROUND WATER	10S26E26					0
Rec	43 10042	DOROTHY WHEELER, PHILIP F WHEELER,	GROUND WATER	10S26E26					0
Claim	43 10042	DOROTHY WHEELER, PHILIP F WHEELER,	GROUND WATER	10S26E26					0
Claim	43 10042	DOROTHY WHEELER, PHILIP F WHEELER,	GROUND WATER	10S26E26					0
Claim	43 10459	GLEN R KUNAU,	GROUND WATER	10S26E26					0
Claim	43 10459	GLEN R KUNAU,	GROUND WATER	10S26E26					0
Rec	43 7020C	PHILIP F WHEELER, DOROTHY WHEELER,	GROUND WATER	10S26E26					260

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS **MICROFILMED**

Permit No. 43-7129 JUN 15 2002
Name(s) of Permit Holder(s): Simplot Industries, Inc.
Post Office Address: Box 27, Boise, Idaho 83707
Tel. No. 208-336-2110

☒ I hereby certify that construction of diversion works for the above referenced permit began on April, 1978 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

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

*Note: A financing difficulty is
not an acceptable reason

7-12-82

Date

Richard H. Thomas
Signature of Permit Holder

SECRETARY

SIMPLOT INDUSTRIES, INC.

P.O. Box 27

Boise, Idaho 83707

PLACE
STAMP

NO HERE

BOISE

JUL 13 '82

IDAHO

RECEIVED



JUL 14 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

MICROFILMED

JUL 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 3, 1989

RE: Water Right No. 43-7129

Michael Wheeler
Star Rt., Box 78
Declo, ID 83323

Dear Mr. Wheeler:

Enclosed herewith is a copy of the Amended Water Right License issued on the above referenced water right. The license was amended to include a second point of diversion which was added after the field examination was conducted.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MEMORANDUM

TO: File 43-7129

FROM: Sharla

DATE: December 26, 1988

RE: Amended License

When this right was originally prepared for licensing, the permit holder submitted an amendment to add a second p/d. The Dept. accepted and receipted the amendment and prepared the license accordingly for signature. It was then decided that an amendment should not be accepted after the field exam is completed. The intention at that point was to issue the license with just the original point of diversion and to prepare a transfer application after the license was issued to add the second p/d. Unfortunately, when the data entry was corrected to take off the second p/d, the original p/d was the one removed from the computer and the license was issued using the new p/d. The error wasn't readily caught.

As can be seen from the driller's report, the second well has been drilled and is probably in use. At this point, it would be inappropriate to amend the original license to reflect only the original p/d and then prepare a transfer application to add the new one back on. The simple solution, therefore, is to prepare an amended license to simply add the second p/d, which could have been done using the amendment to begin with. The fee submitted for the amendment should, therefore, be retained.

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

USE TYPEWRITER OR
BALLPOINT PEN

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

RECEIVED

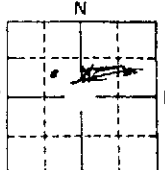
FEB 04 1998

1 WELL OWNER Name <u>MICHAEL F. WHEELER</u> Address <u>STARKE BLVD 78</u> <u>DEER, IDAHO 83215</u> Owner's Permit No. <u>43-7127</u> 2 NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc in lithologic log) 3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) 4 METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____ 5 WELL CONSTRUCTION Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 inches</td> <td>16 inches</td> <td>1</td> <td>775.5 feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>28</u> inches by <u>2 1/2</u> inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>560 perforations</td> <td>246 feet</td> <td>768 feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>32</u> Material used in seal ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☒ CUTLASS Sealing procedure used ☐ Slurry pit ☐ Temp surface casing ☐ Overbore to seal depth Method of joining casing ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	250 inches	16 inches	1	775.5 feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	560 perforations	246 feet	768 feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	7. WATER LEVEL Static water level <u>178</u> feet below land surface Flowing? ☐ Yes ☒ No GPM flow _____ Artesian closed in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF Quality _____ Describe artesian or temperature zones below _____ 8 WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge GPM</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> 9 LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td>2 1/2</td><td>0</td><td>17</td><td>TAN CLAY</td><td> </td><td> </td></tr> <tr><td>2 1/2</td><td>17</td><td>45</td><td>GRAY BLACK BASALT, CREVICY</td><td> </td><td> </td></tr> <tr><td> </td><td>45</td><td>60</td><td>GRAY BASALT, HARD</td><td> </td><td> </td></tr> <tr><td> </td><td>60</td><td>66</td><td>TAN CLAY, SOME LENSARS</td><td> </td><td> </td></tr> <tr><td> </td><td>66</td><td>91</td><td>GRAY-BLACK BASALT-HARD</td><td> </td><td> </td></tr> <tr><td> </td><td>91</td><td>102</td><td>GRAY BASALT, HARD CREVICY</td><td> </td><td> </td></tr> <tr><td> </td><td>102</td><td>108</td><td>GRAY-BROWN BASALT</td><td> </td><td> </td></tr> <tr><td> </td><td>108</td><td>116</td><td>HARD GRAY BASALT, CREVICY</td><td> </td><td> </td></tr> <tr><td> </td><td>116</td><td>142</td><td>BROWN BASALT, HARD</td><td> </td><td> </td></tr> <tr><td> </td><td>142</td><td>147</td><td>GRAY-BLACK BASALT, HARD CREVICY</td><td> </td><td> </td></tr> <tr><td> </td><td>147</td><td>163</td><td>REDISH-BROWN CINDER, BASALT</td><td> </td><td> </td></tr> <tr><td> </td><td>163</td><td>165</td><td>BLACK CINDER, LOOSE</td><td> </td><td> </td></tr> <tr><td> </td><td>165</td><td>175</td><td>HARD GRAY BASALT-BLACK CINDER</td><td> </td><td> </td></tr> <tr><td> </td><td>175</td><td>180</td><td>BROWN BASALT, CREVICY</td><td> </td><td> </td></tr> <tr><td> </td><td>180</td><td>185</td><td>HARD GRAY BASALT, BACKEN & LOOSE</td><td> </td><td> </td></tr> <tr><td> </td><td>185</td><td>198</td><td>GRAY BLACK BASALT, BACKEN</td><td> </td><td> </td></tr> <tr><td> </td><td>198</td><td>232</td><td>GRAY-BLACK BASALT, HARD CREVICY</td><td> </td><td> </td></tr> <tr><td>16</td><td>232</td><td>244</td><td>GRAY CLAY, SOME SAND, SANDY</td><td> </td><td> </td></tr> <tr><td> </td><td>244</td><td>250</td><td>TAN-GRAY CLAY WITH COARSE FINE SAND</td><td> </td><td> </td></tr> <tr><td> </td><td>250</td><td>193</td><td>FIRM TAN GRAY CLAY, SANDY</td><td> </td><td> </td></tr> <tr><td> </td><td>193</td><td>203</td><td>GRAY CLAY, STICKY</td><td> </td><td> </td></tr> <tr><td> </td><td>203</td><td>318</td><td>TAN-YELLOW CLAY, SOME GRAVEL</td><td> </td><td> </td></tr> <tr><td> </td><td>318</td><td>312</td><td>FIRM GRAY CLAY</td><td> </td><td> </td></tr> <tr><td> </td><td>312</td><td>381</td><td>TAN-YELLOW CLAY, SOME SHALE</td><td> </td><td> </td></tr> <tr><td> </td><td>381</td><td>315</td><td>TAN CLAY WITH SAND & GRAVEL</td><td> </td><td> </td></tr> <tr><td> </td><td>315</td><td>395</td><td>FIRM PAINTED GRAVEL & TAN CLAY</td><td> </td><td> </td></tr> <tr><td> </td><td>395</td><td>405</td><td>TAN CLAY, STICKY</td><td> </td><td> </td></tr> <tr><td> </td><td>405</td><td>412</td><td>GRAY CLAY, STICKY</td><td> </td><td> </td></tr> <tr><td> </td><td>412</td><td>430</td><td>TAN CLAY, STICKY</td><td> </td><td> </td></tr> <tr><td> </td><td>430</td><td>434</td><td>FINE GRAVEL, SAND, AND CLAY</td><td> </td><td> </td></tr> <tr><td> </td><td>434</td><td>440</td><td>FIRM TAN-GRAY CLAY</td><td> </td><td> </td></tr> <tr><td> </td><td>440</td><td>450</td><td>TAN CLAY, SANDY, SOME GRAVEL</td><td> </td><td> </td></tr> <tr><td> </td><td>450</td><td>458</td><td>TAN CLAY, STICKY</td><td> </td><td> </td></tr> <tr><td> </td><td>458</td><td>460</td><td>GRAY CLAY, STICKY</td><td> </td><td> </td></tr> <tr><td> </td><td>460</td><td>465</td><td>TAN CLAY, STICKY</td><td> </td><td> </td></tr> </tbody> </table> 10. Work started <u>AUGUST 12</u> finished <u>NOV. 18, 1987</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>WEECH WELL DRILLING</u> Firm No. <u>210</u> Address <u>DEER, IDAHO 83215</u> Date <u>11/30/87</u> Signed by (Firm Official) <u>Wayne H. Wheeler</u> and _____ (Operator) <u>SILVER</u>	Discharge GPM	Pumping Level	Hours Pumped										Bore Diam	Depth		Material	Water		From	To	Yes	No	2 1/2	0	17	TAN CLAY			2 1/2	17	45	GRAY BLACK BASALT, CREVICY				45	60	GRAY BASALT, HARD				60	66	TAN CLAY, SOME LENSARS				66	91	GRAY-BLACK BASALT-HARD				91	102	GRAY BASALT, HARD CREVICY				102	108	GRAY-BROWN BASALT				108	116	HARD GRAY BASALT, CREVICY				116	142	BROWN BASALT, HARD				142	147	GRAY-BLACK BASALT, HARD CREVICY				147	163	REDISH-BROWN CINDER, BASALT				163	165	BLACK CINDER, LOOSE				165	175	HARD GRAY BASALT-BLACK CINDER				175	180	BROWN BASALT, CREVICY				180	185	HARD GRAY BASALT, BACKEN & LOOSE				185	198	GRAY BLACK BASALT, BACKEN				198	232	GRAY-BLACK BASALT, HARD CREVICY			16	232	244	GRAY CLAY, SOME SAND, SANDY				244	250	TAN-GRAY CLAY WITH COARSE FINE SAND				250	193	FIRM TAN GRAY CLAY, SANDY				193	203	GRAY CLAY, STICKY				203	318	TAN-YELLOW CLAY, SOME GRAVEL				318	312	FIRM GRAY CLAY				312	381	TAN-YELLOW CLAY, SOME SHALE				381	315	TAN CLAY WITH SAND & GRAVEL				315	395	FIRM PAINTED GRAVEL & TAN CLAY				395	405	TAN CLAY, STICKY				405	412	GRAY CLAY, STICKY				412	430	TAN CLAY, STICKY				430	434	FINE GRAVEL, SAND, AND CLAY				434	440	FIRM TAN-GRAY CLAY				440	450	TAN CLAY, SANDY, SOME GRAVEL				450	458	TAN CLAY, STICKY				458	460	GRAY CLAY, STICKY				460	465	TAN CLAY, STICKY		
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6 LOCATION OF WELL

Sketch map location must agree with written location

N

W  E

S

Subdivision Name _____

Lot No _____ Block No _____

County CAISIA

SE 1/4 NW 1/4 Sec 15 T 10 N R 26 E W

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTRECEIVED
USE TYPEWRITER OR
BALLPOINT PEN

JAN 06 1988

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

1. WELL OWNER

Name MICHAEL P. WHEELER
Address STARTE Bn 78
DEER, IDAHO 83318
Owner's Permit No 43-7129

7. WATER LEVEL

Department of Water Resources

Static water level 175 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 _____

Describe artesian or temperature zones below

2. NATURE OF WORK

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

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ 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)

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
2.50 inches	16 inches	0 feet	772.5 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☒ Yes ☐ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ TorchSize of perforation 3/8 inches by 2 1/2 inches

Number	From	To
560 perforations	246 feet	768 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

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

Placed from _____ feet to _____ feet

Surface seal depth 22 Material used in seal. ☒ Cement grout☐ Bentonite ☐ Puddling clay ☒ CementSealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

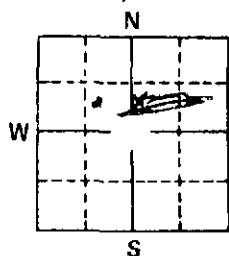
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County CASSIASE 1/4 NW 1/4 Sec. 25, T. 10, R. 26 E.W.

10.

Work started AUGUST 12 finished NOV. 28, 1987

11. DRILLERS CERTIFICATION

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

Firm Name WEECH WELL DRILLING Firm No. 310Address BURLEY, IDAHO 83318 Date 11/30/87Signed by (Firm Official) [Signature]

and

(Operator) S.H.M.E.

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

USE TYPEWRITER OR
BALLPOINT PEN

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

JAN 06 1983

1. WELL OWNER

Name _____

Address _____

Owner's Permit No. 43-87-5-002
43-7129

7. WATER LEVEL

Department of Water Resources

Static water level _____ feet below land surface.

Flowing? ☐ Yes ☐ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ OF. Quality _____

Describe artesian or temperature zones below

2. NATURE OF WORK

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

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)

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☐ Yes ☐ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

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

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

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

Placed from _____ feet to _____ feet

Surface seal depth _____ Material used in seal: ☐ Cement grout

☐ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used ☐ Slurry pit ☐ Temp. surface casing

☐ Overbore to seal depth

Method of joining casing. ☐ Threaded ☐ Welded ☐ Solvent

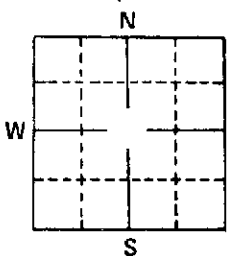
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County _____

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, T. 12 N. S. R. 26 E. W.

10.

Work started _____ finished No. 28,87

11. DRILLERS CERTIFICATION

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

Firm Name Weech Firm No. 210

Address _____ Date _____

Signed by (Firm Official) _____

and

(Operator) _____

6/87

RECEIVED

Drilling Permit No. 43-87-5-002Water Permit No. 43-7129

Injection Permit No. _____

AUG 19 1987

State of Idaho
Department of Water Resources

D:

Water Resources
Region Office

DRILLING PERMIT

AUG 14 1987

(Authorizing Construction of a Well)*

Department of Water Resources

1. Applicant MICHAEL F WHEELER2. Address 517W RT BOX 78Booth, IDAHO 83323

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

3. Water right permit no. 43-7129; Injection well permit no. _____4. Proposed well location SE 1/4 NW 1/4 1/4, or Gov't lot No. _____,
Sec. 25, Twp. 13, Rge. 5E, County CASSIA,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

() Domestic (X) Stockwater () Monitoring

(X) Irrigation () Industrial () Municipal

() Injection () Other, Specify _____

6. Well construction information:

(X) New well () Deepen () Replace

Proposed surface diameter 16" Proposed depth 700 ft

Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)

() 85°F to 212°F (Low temp. geothermal well)

() 212°F or more (Geothermal well)

7. Anticipated construction start date Aug 12, 19878. Well Driller (if known) REX WEECHAddress BURLEY, IDAHODate 8-7-87 Applicant's signature [Signature]Title Owner

* After other pre-requisite approvals have been obtained.

ACTION OF IDWR

(✓) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 12 day of August, 19 87.

Signed Loren O. Hulme
Title Southern Region Mgr

Received by M. B. Klein Fee 100⁰⁰ Date 8/12/87

Receipt No. 45136 Construction start date

Construction start extension to

Extension approved by

MICHAEL P. WHEELER
STAR RT. BOX 78
DECLO, ID 83323

January 7, 1988

RE: Permit No. 43-7129

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure



Ident. No. 43-7129

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

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

VOID

Comes now Michael P. Wheeler Phone 349-5761
of (address) Star Rt., Box 78 Declo, ID 83323, and represents to the
Director of the Idaho Department of Water Resources

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 43-7129, and requests that the permit and permit map be changed as follows.

1. Point of diversion: SW 1/4 SE 1/4, Section 25 (existing), Township 10S, Range 26E, B.M.,
County of Cassia. Other points of diversion: _____
(new proposed well) SE1/4NW1/4, Sec. 25, T10S, R26E

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

Amount 3.2 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3 Place of use or land to be irrigated:

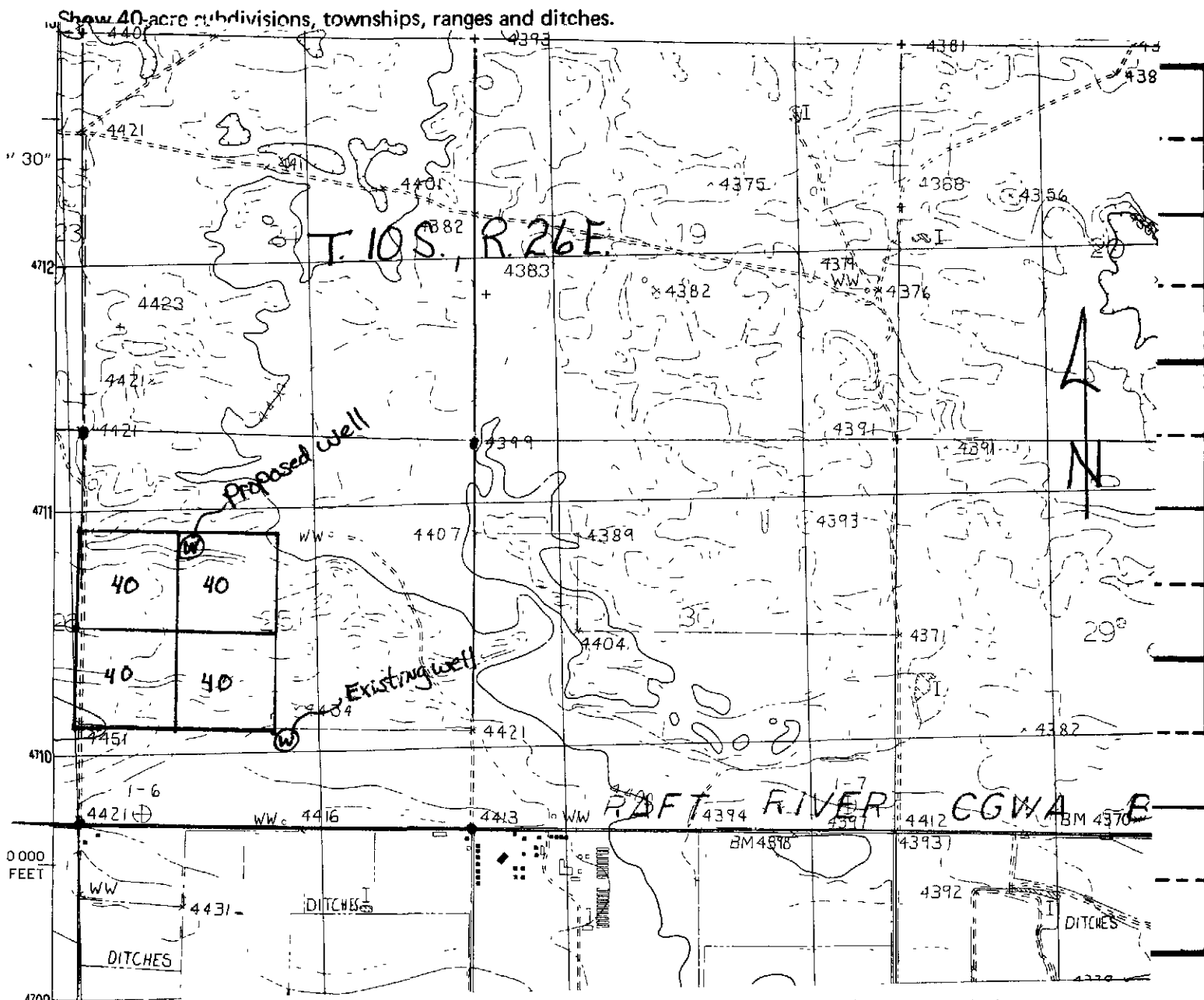
TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	26E	25							40	40	40	40							160

Total number of acres to be irrigated = 160

4. a. Who owns the property at the point of diversion? Philip F Wheeler & Michael P. Wheeler
b. Who owns the land to be irrigated or the place of use? Michael P. Wheeler
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing family farm operation, father/son

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

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



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

Signed at June 8, this _____ day of _____, 19 87.

Michael B. Wheeler
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by YB Fee = \$20.00

Received by MB. Date 6/8/87

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 43-7129.

Witness my hand this _____ day of _____, 19 87.

Director

REFILMED

REF 08 1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
MAR 3 1986

43-7129
Permit No

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

186 5 gpm No. corr. FCI = 930 gpm.
41 4.3 gpm 176.3 gpm
23 5/8" Nozzle - 60 psi - 5563 gpm = 127.9 gpm.

Total = 1234.2 gpm $\times 1.41$ = 2.75 cfs ✓

Annular area Pipe ID. $3.75 \sqrt{1.56 \times 2.5 \sqrt{33.7} - \frac{127.9}{44.7}} = 2.85$

Allow 280% = 140 Acres $\times 0.2$ = 28

b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 140 \text{ A} \times 4.0 \text{ AF/A} = 560 \text{ AF}$ ✓
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1361 \text{ AF}$ ✓
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 560 \text{ AF}$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use. 43-7192-app., no overlap

b) Other water rights with same point of diversion: 43-7192-application,
no overlap

c) Analysis:

"old" exam -
no fee

RECOMMENDED AMOUNTS

10 day *

3.

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
43-7129	9-13-1978	2.80 cfs	9-13-1978	10-25-1983	2.86 cfs

4. Permit Holder: Michael P. Wheeler ← see signature on amendment
Address: Star Rt., Box 78, Declo, ID 83323 middle initial is P. not T.

5. Source: gw tributary to ✓

6. Beneficial Use

	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>IRRIGATION</u> ✓	<u>MAR. 15</u> ✓ <u>NOV. 15</u> ✓	<u>2.80 cfs</u> ✓	<u>560.0/a</u> ✓

Allowable Maximums:

2.80 cfs ✓

560.0/a ✓

7. Point(s) of Diversion: ✓

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			SW	SE	25	10S	26E	Cassia
			SE	NW	25	10S	26E	" "

8. Place(s) of Use ✓

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	26E	25							39	22	40	39							140
Total Acres																			140

9. Recommended Conditions/Remarks:

* with approval of amendment rec'd
in our (S.D.) office on 7/22/87

10. 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

11. Examiner's Signature Terry A. Blau

Checked in Regional Office by J. F. Stanton

Approved in State Office by K. Walker

Date 1-24-86

Date 1-27-86

Date 9-14-87

RECORDED

FEB 08 1987

September 29, 1987

MICHAEL P. WHEELER
STAR RT. BOX 78
DECLO, ID 83323

RE: Permit No. 43-7129

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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FEB 08 1989

For Annubar Measurements

Pipe size / Annubar Model No.

TABLE 3

C ←

Based
ON
Annubar
Model No.

% Difference

6"	3.75	+2.60
8" (7.981")	3.87	+ .10
10"	3.94	-2.34
12"	3.99	-3.64
14" & 16"	4.01	-4.16
18" & 24"	4.02	-4.42
30" & larger	4.03	-4.68

$$\frac{(7.56)^2 \times 3.87 \times \sqrt{33.7}}{448.8} = 2.86 \text{ cfs}$$

kw
9/14/87

RECEIVED
JUL 22 1987

State of Idaho
Department of Water Resources

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: T. G. BLAU

Right Number 43-7129 Applicant WHEELER, Michael P.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).
☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☐ ~~MA~~ Existing water rights from the same source, amended place of use.
- ☐ * Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised? Not in CGWA, not Protested.
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By [Signature] Date 8-4-87
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

TERRY T. UHLING
F. BRUCE COVINGTON
LAIRD B. STONE
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
RUTH D. SIMPSON

Boise Office
1020 MAIN ST., SUITE 390
P.O. BOX 2139
BOISE, IDAHO 83702-2139
TELEPHONE (208) 336-0700

June 19, 1987

Mr. Allen Merritt
Idaho Department of Water Resources
2148 Fourth Avenue E.
Twin Falls ID 83301

RE: Michael P. Wheeler
Permit No. 43-7129

Dear Mr. Merritt:

This letter shall serve to notify you that Permit No. 43-7129, formerly held by Simplot Industries, Inc., will be dismissed from Ada County Case No. 81375 in the Sixth Dismissal which we anticipate filing by July 1, 1987. Idaho Power Company will make no objection to processing this permit before that time.

Yours very truly,



Thomas G. Nelson

TGN:dcB
48061

cc: Diane Wheeler

RECEIVED

JUN 22 1987

De

RECEIVED

JUL 22 1987

Department of Water Resources

MICROFILMED

FEB 08 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources
Permit No. 43-7129
Phone No. 549-5761

1. Owner: Mike Wheeler Phone No. 349-5761
Current Address: Star Rt. Box 78, Declo, ID 83323
2. Accompanied by: Mike Wheeler & Phil Wheeler (Dad) EXAM. DATE: 5-9-85
Address: Same Phone No. _____
Relationship to Permit Holder: Same
3. Source: Well tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S.	200	C2694-03-173	Vertical	7-1/2" 12 R H ^{EFF} 84%

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Well with Turbine pump pumping at 74 psi to 4 hand lines
and 4 wheel lines. 186 5gpm Nelson Flow control Nozzles
41 4.3gpm Nelson Flow control Nozzles and 23 $5\frac{1}{2}$ Nozzles

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	Annubar/manometer			75		7.981"	

- 7. Measurements** ☐ Additional data/computation sheets attached

Manometer Reading $38.3 - 4.6 = 33.7$, $38 - 4.4 = 33.6$, $38.3 - 4.5 = 33.8$

Inside Pipe dia = $7 \frac{9}{16}$ "

Bowles replaced by Aurora Pump Spring of 85

PWL 205' - 21" = 203.25 Power mtr West n. house #16 384 827 10 Rev IN 43 Sec

8. Point(s) of Diversion: Indicate Method of Determination *NO multiplier shown*

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination _____ |
|----|------------------|---|

[illegible]

10. Other water rights on these lands 43-7192
11. Other water right diverted from same p.d. _____

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the stream and on systems

43-7129

13. _____
14. _____
- _____
- _____
- _____
- _____
- _____
- _____

15. 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 |
16. Examiner's/Consultant's Signature *Termy S. Blau* Date 1-24-86
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____
- Date

RECEIVED

FEB 08 1986

CONSULTANT SEAL

D419 26

T10S Rge 26E

HL

46

D156

39

22

42.2

HL

180

39

46

HL

HL

HL

HL

PD

26

D261

38

D

287

E

PERMIT TO ENTER AREA
1/1/78

MICHAEL P. WHEELER
STAFF PT. FOR TS
DECLG

ID #777

RE Permit No. 43-7129

Dear Permit Holder

We acknowledge receipt of your statement of intent to use for the above referenced permit.

Enclosed please find a copy of an order authorizing the permit.

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

A condition of approval of your original permit requires the installation of an access port which, according to the permit submitted to us, has not been installed. An access port must be installed before the time a field examination is made.

A field examiner will contact you to arrange for the examination.

If you have any questions regarding the field examination, contact this office by phone at 734-7378 or by mail at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

Enclosure

RECEIVED

FEB 08 1989

March 7, 1984

Michael ^PT. Wheeler
Star Route, Box 78
Declo, ID 83323

Dear Mr. Wheeler:

Re: Permit No. 43-7129

This office acknowledges receipt of the statement of beneficial use postcard submitted for this permit received on October 25, 1983. The permit has been reinstated with no advance in priority as per enclosed order.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will contact you to schedule the exam at a convenient time.

If you have any questions regarding the field examination, please contact our Southern Regional office at 734-3578.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enc.

cc: Southern Region

RECEIVED

^CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 43-7129

DATE: March 7, 1984

Date proof received	<u>298</u>	<u>Oct 25, 1984</u>
Proof due	<u>★ -</u>	<u>4 Nov 1</u>
Number of day proof late	<u> </u>	<u> </u>
Priority date	<u> </u>	<u> </u>
New priority date	<u> </u>	<u> </u>

Remarks:

Postcard received before proof due.
 Reinstate permit with no advance in
 priority. Note the permit was Mr
 Wheeler's property at the time he sub-
 mitted the postcard.

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 43-7129

Name(s) of Permit Holder MICHAEL P. WHEELER

Post Office Address STAR RT. Box 78

DECHO, IDAHO 83323 Tel. No. 349-5761

Source of Water GROUNDS

Extent of Use ☐ Domestic (number of households)

☒ Stockwater 20 BEEF COWS (number and type of stock)

☒ Irrigation 120 (acres)

☐ Other

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

Access Port Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

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

10/20/83
Date

Michael P. Wheeler
Signature of Permit Holder

CONVERSATION MEMORANDUM

DATE Dec 6, 1983FILE 43-7129NAME OF PARTY Michael WheelerEMPLOYEE Rita FleckRE: B/W postcard and assignment

Mr. Wheeler was sent a copy of the lapse notice mailed to Simplot. Simplot assigned the permit to Mr. Wheeler. However, Mr. Wheeler has not mailed it ^(as assigned) yet.

Mr. Wheeler did, however, send in the B/W postcard copy dated Oct 25, 1983. Upon receipt of the assignment we can reinstate the permit.

MICROFILMED

November 28, 1983

Ronald Graves, Secretary
Simplot Industries, Inc.
P. O. Box 27
Boise, ID 83707

Dear Mr. Graves:

Re: Permit No. 43-7129

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 43-7129 has lapsed. This office did not receive either an acceptable notice that you have completed the project (proof of beneficial use) by the date required on your permit or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated August 31, 1983.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit an extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are again enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request and that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation.

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

LGS:rf

RECEIVED
NOV 30 1983

RECEIVED
NOV 30 1983
11-30-1983
[Signature]

STATEHOUSE
RUSH, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138745

SIMPLE INDUSTRIES INC.
P.O. BOX 27
RUSH, ID 83707

PROOF DUE NOTICE

AUGUST 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 43-7129 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAH CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A DRYSP NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE DRYSP NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

SINCERELY,

WITA BUSH
SECRETARY/RECORDS MANAGER
ENCLOSURES



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS

Governor

C STEPHEN ALLRED

Director

Mailing address

Statehouse

Boise, Idaho 83720

(208) 384-2215

November 24, 1978

Re: Permit No. 43-7129

Simplot Industries, Inc.
P.O. Box 27
Boise, Idaho 83707

Gentlemen:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide specifications for the installation to you.

Sincerely,

A handwritten signature in black ink, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

*Access port specs
sent 1-11-79
mm*

MICROFILMED

43-7129

STAFF REVIEW - STATE OFFICE

1. ☒ Name vs. Signature
2. GW Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. ☒ Place of Use for irrigation (add acres)
9. 2 Property Owner at ^{Wheeler} Pt. of Div. & _{App} Pl. of Use
10. ☒ Map
11. ☒ Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>/</u> Idaho Fish & Game Dept.	<u>/</u> Dept. of Lands
<u>/</u> Bureau of Land Management	<u> </u> Other

Dam Safety Information _____ (Goes to Permit Section)

Check:

Critical G.W. Area _____ yes ☒ no near Poff R. CGW north boundaryOther rights on same land None plotted

P/A Withdrawals of all protests received _____ yes _____ no

Conditions:

ID Power Co. Letter - Snake R. NoMeas. Dev. or Sc. Meas. YesID Power Co. Letter - G.W. & Tribs. NoTotalizing meter NoSnake River Condition NoSupplemental NoPayette River Letter NoRight-of-Way Cond. YesPriority Date 9-13-78Watermaster Cond. No
Wtr. Dist No. _____Water Quality #16 NoMeas. Dev. Cond. for apps within
a Water Dist. NoWater Quality #10 No
intrastate _____ interstate _____
Jmi
Reviewer

11/20/78
Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 43-7129 - Simplot Industries, Inc.

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ADM 9-21-78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) J 9-25-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) LH 11-13-78

Critical groundwater area: yes _____ no ☒

(8) LH 11-13-78

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) Obs well 105 RCB 3484D2

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) maria 10/16/78

Affidavit of Publication received(date) 10/12/78

(12) maria 9/22/78

Final date for protests 10/20/78
Protests received: yes _____ no _____

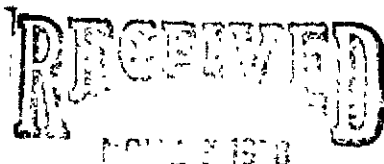
(13) LH 10-13-78

All requested information received from agencies or applicant: NA yes _____ no _____

(14) LH 10-13-78

Action recommended:

☒ Approve _____ Deny



Department of Water Resources

9-13-78 Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for Approval

(15) District S By Loren O'Halloran Date 10-13-78

September 22, 1978

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Application for Permit #43-7129 - Simplot Industries, Inc.
Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Simplot Industries, Inc.
Boise
has on 9/13/78 submitted Application No. 43-7129
for a permit to appropriate 3.2 cubic feet per second ~~acre feet per annum~~
of water from existing well
by means of 200 h.p. motor, lane turbine pump, 1/4 mile 10 inch portable mainline,
1/4 mile 8 inch portable mainline, three 1/4 mile irrigation lines
within the SW 1/4, Sec. 25, Twp. 10S, Rge. 26E, B.M., Cassia County

to be used from Mar. 15 to Nov. 15
for irrigation purposes of 160 acres

within the SW 1/4, Sec. 25, Twp. 10S, Rge. 26E

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before October 20, 1978.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press
on 10/3/78 and 10/10/78

FILED

78-417

**NOTICE OF APPLICATION
FOR WATER PERMIT**

NOTICE IS HEREBY GIVEN that Simplot Industries, Inc., Boise has on September 13, 1978 submitted Application No. 43-7129 for a permit to appropriate 3.2 cubic feet per second of water from existing well by means of 200 h.p. motor, lane turbine pump, 1/4 mile 10 inch portable mainline, 1/4 mile 8 inch portable mainline, three 1/4 mile irrigation lines within the SW 1/4 SE 1/4, Sec 25, Twp 10 S, Rge 26 E, B.M., Cassia County to be used from Mar 15 to Nov 15 for irrigation purposes of 160 acres within the S 1/4 NW 1/4 N 1/2 SW 1/4, Sec 25, Twp 10 S, Rge 26 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd North, Twin Falls, Idaho, 83301 on or before October 20, 1978.

C. Stephen Allred
Director

Published in the South Idaho
Press on October 3 and 10, 1978.

ok
meyer
9/27/78



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3370

September 22, 1978

Simplot Industries, Inc.
P. O. Box 27,
Boise, Idaho 83707

Re: Application for Permit #43-7129 - Simplot Industries, Inc.

Gentlemen:

Enclosed is your receipt No. 10571 for check No. 92-155 in the amount of \$65.00 for the above referenced Application for Permit which was received in this office September 20, 1978.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

SIMPLIOT INDUSTRIES, INC. / ONE CAPITAL CENTER, 999 MAIN STREET / SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707, (208) 336-2110 / TELEX 368432

RECEIVED
SEP 13 1978

September 12, 1978

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Enclosed for filing in your office is an Application for Permit submitted by Simplot Industries, Inc. Also enclosed is a check in the amount of \$65.00 covering your filing fee.

Sincerely,

RONALD N. GRAVES
Corporate Counsel

jw

Enclosures

