

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 19 1985
Department of Water Resources
Southern District Office

State of Idaho,)
) SS.
County of Gooding)

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

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

of said advertisement was on the 14 day of May

19 85, and the date of the last publication was on the 21

day of May, 19 85.

Subscribed and sworn to before me this 21

day of May, 19 85.
(SEAL)

Linda E. Esterbrook
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____

Number of Insertions _____

_____ Lines tabular at 48¢ _____

_____ Lines straight at 38¢ _____

_____ Subsequent lines at .28.5¢ _____

Total Cost 0

Rerun

MICROFILMED

COPY OF NOTICE (Paste Here)

Notice of Appl. for water
TITLE OF NOTICE right

PLAINTIFF ATTORNEY

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-8141

BANBURY PIPE CO.
C/O MAURICE MILLER, RT. 3
BOX 427, BUHL, ID 83316
Source: BANBURY SPRINGS
trib. to SNAKE RIVER

IDA

1041

Twin

8330

Date Filed: 01/20/1983
Diversion Pt: NWSE Sec 33 T 08S
R 14E

Use: COMMERCIAL (1.00 CFS)
DOMESTIC (0.27 CFS)

In: LOT 04 (NWSW) LOT 07
(SWSW) Sec 28 T 08S R 14E
NESE NWSE SESE Sec 32 T 08S
R 14E LOT 06 (NWSW) LOT 07
(SWSW) Sec 33 T 08S R 14E LOT
03 (NWNW) Sec 04 T 09S R 14E

37-8180

HALCO, INC.
1418 BLUE LAKES BLVD.
NORTH, TWIN FALLS, ID 83301
Source: SPRING trib. to SINKS

Date Filed: 06/25/1984
Diversion Pt: NESW Sec 04 T 01N
R 14E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)

In: NESW NWSW Sec 04 T 01N
R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before MAY 31, 1985.

/s/ A. KENNETH DUNN
Director

PU 5-14, 21; #3675

(Idaho Code, Rev. Statutes 1971)
7 pt. per line, straight 38¢
7 pt. per line, tabular 48¢
7 pt. per line, successive
insertions 28.5¢

No. #3675

10/31/91
No address

% Sally Hoock
4810 River Rd
Buhl, ID 83316
Rt. 3

RECEIVED
DEC 03 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08141

1. Owner: Banbury Pipe Company

Phone No. _____

Current Address: % Leland Foster Rt. 3 Box 411, Buhl, ID, 83316

2. Accompanied by: Mike Archibald

EXAM. DATE: 8/7/90

Address: _____ Phone No. _____

Relationship to Permit Holder: Board Member

3. Source: Banbury Sprs. tributary to Snake River

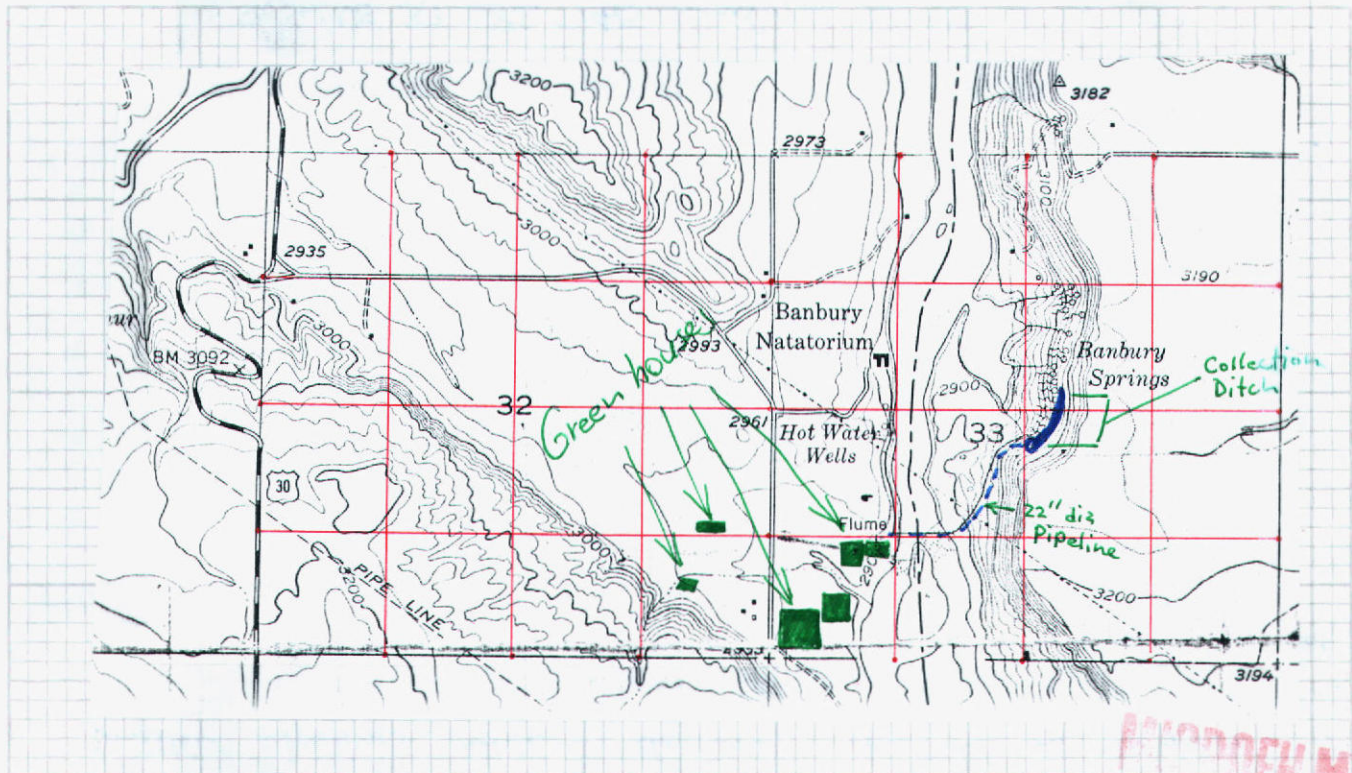
B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached

2. Other water rights with same point of diversion: 36-02038 (A36-02038) & 36-04160 → 04162 & 04168 (A36-10906) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 200'

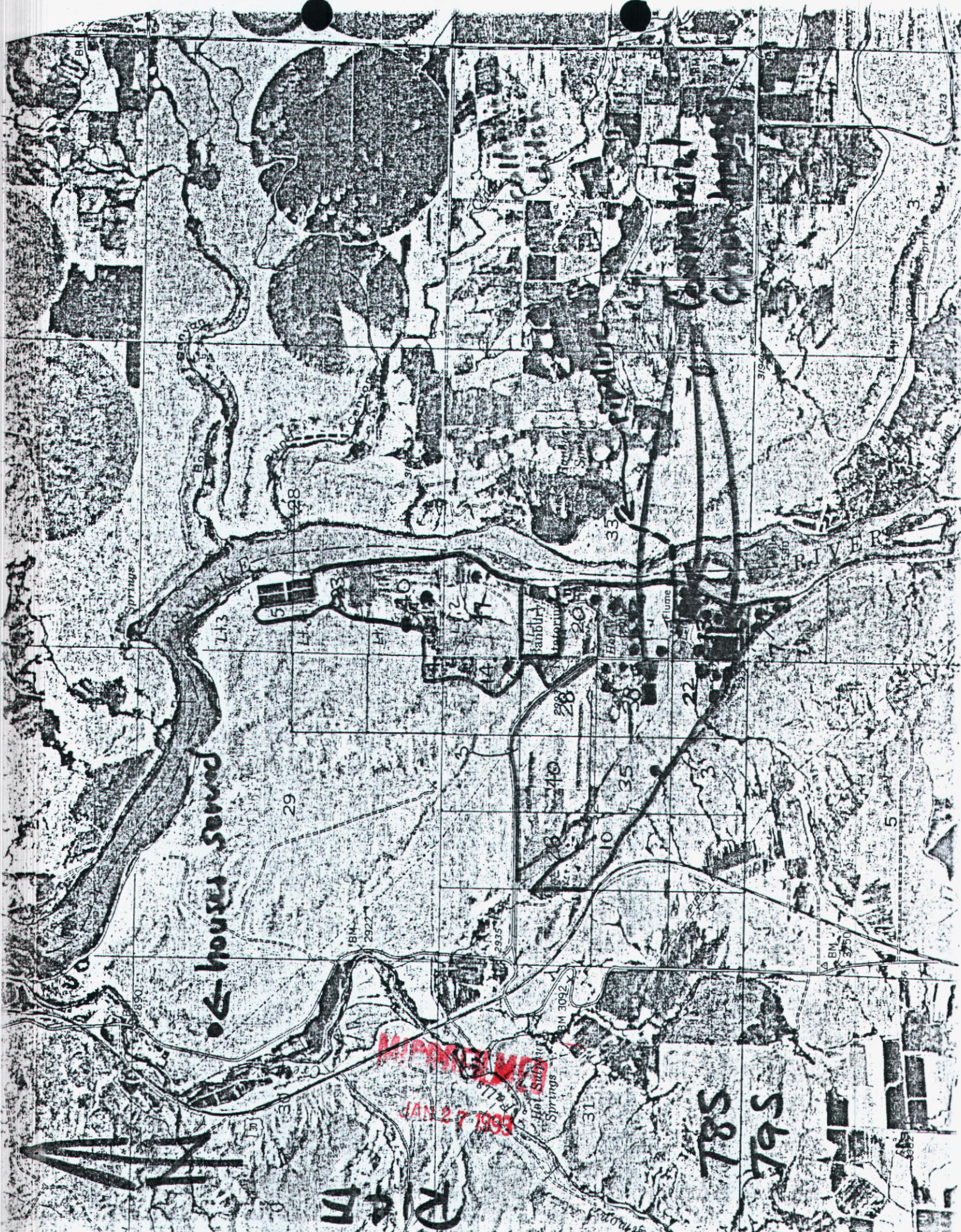
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

JAN 27 1993

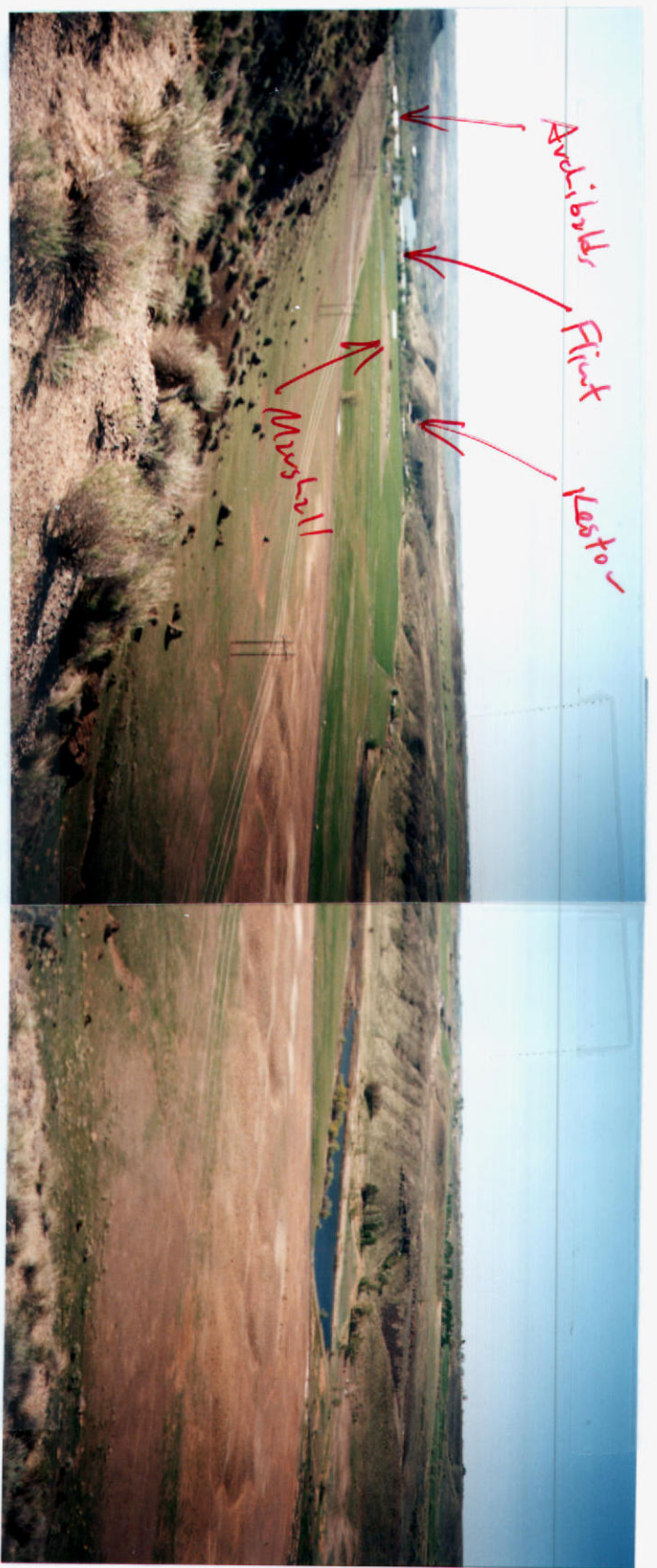


Permit 36-08141

A36-0208

June 1991

AL



DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
JAN 27 1993



Permit
36-08141

A36-02038
June 1991

Ala



MICROFILMED
JAN 27 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08141

Priority: January 20, 1983

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

72.0 AF

This is to certify, that BANBURY PIPE CO
C/O DOUGLAS ELGAN
PO BOX 82
GOODING ID 83330

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 20, 1983; and
has submitted Proof of Beneficial Use on May 25, 1990. An examination indicates
that the works have a diversion capacity of 13.250 cfs of water from:

BANBURY SPRINGS

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	1.00 CFS	72.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSWNE , Sec. 33, Township 08S, Range 14E
NWNWSE , Sec. 33, Township 08S, Range 14E
GOODING County

PLACE OF USE: COMMERCIAL
TWN RGE SEC

08S 14E 32 NESE SESE
33 Lot 7(SWSW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

RECORDED

JAN 27 1993

State of Idaho
Department of Water Resources

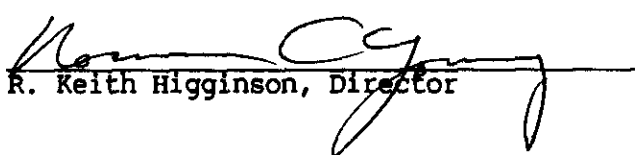
WATER RIGHT LICENSE

WATER RIGHT NO. 36-08141

CONDITIONS/REMARKS:

6. The total combined rate of diversion under this right and right 36-02038 shall not exceed 13.25 cfs.
7. Multiple springs are captured in a collection ditch located within SWSWNE and NWNWSE, S33, T08S, R14E.
8. Commercial use is for greenhouses.

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 18th day of DECEMBER, 1992.

Acting for  R. Keith Higginson, Director

JAN 27 1993

State of Idaho
Department of Water Resources

RECEIVED

DEC 9 1992

APPROVED

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08141

Department of Water Resources

Date of Priority: January 20, 1983

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume: 72.0 AF

Comes now
C/O SALLY HOECK
4810 RIVER RD
BUHL ID 83316

BANBURY PIPE CO

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08141, and requests that the permit be changed as follows:

Source: **BANBURY SPRINGS**

tributary to **SNAKE RIVER**

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

COMMERCIAL

01/01 to 12/31

1.00 CFS

72.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSNE , Sec. 33, Township 08S, Range 14E
NNWSE , Sec. 33, Township 08S, Range 14E
GOODING County

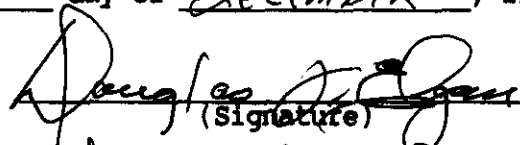
PLACE OF USE: COMMERCIAL
TWN RGE SEC

08S 14E 32 NESE
33 Lot 7(SWSW)

SESE

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

Signed at Twin Falls, this 7th day of December, 1992.


(Signature)
for Banbury Pipe Co.
RECEIVED

JAN 27 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08141

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = 20.00 Received by MTS # 5015217 Date 12-7-92

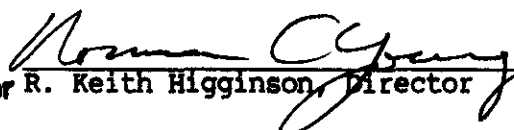
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-08141 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. The total combined rate of diversion under this right and right 36-02038 shall not exceed 13.25 cfs.
7. Multiple springs are captured in a collection ditch located within SWSNE and N4WSE, S33, T08S, R14E.
8. Commercial use is for greenhouses.

Witness my hand this 18TH day of DECEMBER, 1992


Acting for R. Keith Higginson, Director

RECORDED

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Banbury Pipe Company Phone 543-5953
Post office address % Maurice Miller, Rt. #3, Box 427, Buhl, ID. 83316
2. Source of water supply Banbury Springs which is a tributary of Snake River
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 8 S
Range 14E B.M. Gooding County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.23 cfs for Domestic purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount 1.0 cfs for Commercial purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)

5. Total quantity to be appropriated:

a. 1.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 500' Collection ditch to 4x4x7
Concrete Collection box. Assorted sizes and lengths of pipelines to
place of use See map for location.

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation: See 8 b

(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: _____ horsepower under _____ feet of head.

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

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 34.

(5) If water is to be used for other purposes describe: Watering plants in Commercial
greenhouses. Archibald 125' hds X 1.5 gph = 187.5 gpm + 2 hoses for hand watering
= 18 gpm = 205.5 gpm Flint 6000 drippers @ 2 gph/dripper + 200 mist heads @ 10 gph/head = 233 gpm
+ 1 hose @ 8 gpm = Total = 446.8 gpm = 1.0 cfs MAX. inst. use

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RECORDED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	14E	28									4+4 D	4+7 D							
8S	14E	32													D	D		D C	
8S	14E	33									4+6 D	4+7 D C							
9S	14E	4					4+3 D												

D = Domestic C = Commercial

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above. 36-2038

9 claims filed at the same time

9. a. Who owns the property at the point of diversion Idaho Power

b. Who owns the land to be irrigated or place of use Applicant Stockholders in Pipe Co.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Easement with Idaho Power, System has been in since about 1923

10. Remarks This filing is to cover uses which have started since 1971 and projected for the next 5 years.

[illegible]

Sanbury Pipe Co.
Maurice D. Miller Pres.
(Applicant)

MICROFILMED

Proposed Priority 1/20/83

Received by T.G. Blau Date 1-20-83 Time 10:00 Am

Preliminary check by JP Fee \$ 45.00

Receipted by T.G. Blau Date 1-20-83 # 23941

Publication prepared by manga Date 4/23/85

Published in Gardner Co. Leader

Publication dates 4/30 + 5/1/85 5/14 + 5/21/85

Publication approved manga Date 6/21/85

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Adm kw

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. 36-8141, 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 June 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
A flow measurement 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.
Consumptive use of water under this permit shall not exceed 2.0 acre feet per day.

Witness my hand this 26 day of June, 1985.

David R. Tuttle Jr.
Acting Chief, Operations Bureau

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

Frank T. Crow, Jr.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 30 day of April 19 85, and the date of the last publication was on the 7 day of May, 19 85.

[Signature]

Subscribed and sworn to before me this 7th

day of May, 19 85
(SEAL)

[Signature: Linda E. Esterbrook]
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>76½</u>
Number of Insertions	<u>2</u>
Lines tabular at 48¢	
<u>76½</u> Lines straight at 38¢	<u>29.07</u>
<u>76½</u> Subsequent lines at .28.5¢	<u>21.80</u>
Total Cost	<u>50.87</u>

COPY OF NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

WA 36-8135
ARCOOSH & ZIDAN, INC.
RT. 1, GOODING, ID 83330
Source: GROUNDWATER
Date Filed: 12/30/1982
Diversiion Pt: SWSE SESE Sec 30 T 07S R 16E
Use: STOCKWATER (0.70 CFS)
DOMESTIC (0.04 CFS)
In: SESE Sec 30 T 07S R 16E

36-8141
BANBURY PIPE CO.
C/O MAURICE MILLER, RT. 3
BOX 427, BUHL, ID 83316

Ic Source: BANBURY SPRINGS trib. to SNAKE RIVER Resources

1c Diversiion Pt: NWSE Sec 33 T 08S R 14E
Tv Use: COMMERCIAL (1.00 CFS) 3301
DOMESTIC (0.27 CFS)

In: LOT '04 (NWSW) LOT 07

(SWSW) Sec 28 T 08S R 14E

36 NESE NWSE SESE Sec 32 T 08S

36 R 14E LOT 04 (NWNW) LOT 07

37 (SWSW) Sec 33 T 08S R 14E LOT

03 (NWNW) Sec 04 T 09S R 14E

37-8179

HALCO, INC.

1418 BLUE LAKES BLVD.

NORTH, TWIN FALLS, ID 83301

Source: SPRING trib. to SINKS

Date Filed: 06/23/1984

Diversiion Pt: LOT 03 Sec 04 T 01N

R 14E

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: LOT 03 (NENW) LOT 04

(NWNW) Sec 04 T 01N R 14E

38-8180 HALCO, INC.

1418 BLUE LAKES BLVD.

NORTH, TWIN FALLS, ID 83301

Source: SPRING trib. to SINKS

Date Filed: 06/23/1984

Diversiion Pt: NESW Sec 04 T 01N

R 14E

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.02 CFS)

In: NESW NWSW Sec 04 T 01N

R 14E

If issued, the permit(s) will be

subject to all prior water rights.

Protests against the granting of

any permit must be filed with the

Director of the Idaho Department

of Water Resources, 1041 Blue

Lakes Blvd. North, Twin Falls,

Idaho 83301 and received on or

before MAY 17, 1985.

/s/ A. KENNETH DUNN

Director

PUB: 4-30; 5-7 #3675

No. 3675

MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 19 1985
DEPARTMENT of Water Resources
Southwest District Office

COPY OF NOTICE
(Paste Here)

Notice of Appl. for water
TITLE OF NOTICE right

State of Idaho,)
) SS.
County of Gooding)

Frank T. Crow, Jr., being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14 day of May 19 85, and the date of the last publication was on the 21 day of May, 19 85.

Subscribed and sworn to before me this 21

day of May, 19 85
(SEAL)

Linda E. Esterbrook
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice _____

Number of Insertions _____

_____ Lines tabular at 48¢ _____

_____ Lines straight at 38¢ _____

_____ Subsequent lines at .28.5¢ _____

Total Cost 0

Rerun

PLATINUM ADVERTISING

IDAHO
1041
Twin
8330

RESC.
No.

PUB

(Idaho Code, Rev. Statutes 1971)
7 pt. per line, straight 38¢
7 pt. per line, tabular 48¢
7 pt. per line, successive
insertions 28.5¢

No. #3675

MICROFILMED

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 22, 1992

BANBURY PIPE CO
C/O DOUGLAS ELGAN
PO BOX 82
GOODING ID 83330

RE: WATER RIGHT NO. 36-08141

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
JAN 27 1993

ROUTING SLIP

TO: Pam Skapp-50FROM: Mel SDATE: 12-7-

FOR YOUR:
Information
Approval
Signature

ATTACHED TO BE:
Posted
Circulated
Distributed

PER:	
Our Conversation	☒
Your Request	☐

Change address to:

C/o Douglas Elgan

PO Box 82

Gooding, ID

83330

DISTRIBUTED

27

1993

w/ Licensing Amendment

36-08141

Database Updated 12-09-92



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 24, 1992

BANBURY PIPE CO
C/O SALLY HOECK
4810 RIVER RD
BUHL ID 83316

RE: WATER RIGHT NO. 36-08141

Dear Water Right Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment. If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
JAN 27 1993

JAN 27 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 27, 1992

BANBURY PIPE CO
C/O SALLY HOECK
4810 RIVER RD
BUHL ID 83316

RE: WATER RIGHT NO. 36-08141

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

JAN 27 1993

LICENSE REVIEW CHECKLIST

Permit # 36-8141

Date 10-21-92
as

	Yes	No	
NAME	☒	☐	Address Change? <u>New per FE</u>
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? _____
	☐	☒	<u>4280 gpm = 9.54 cfs / 1.0 cfs (COMM)</u>
	☒	☐	Disagree with Theoretical? _____
	☐	☒	Limited by Capacity? <u>13.25 cfs</u> <u>(Capacity per 36-2038)</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season _____
			<u> </u> Season Recommended _____
	☐	☒	Disagree with Examiner's Calculations? _____
	☐	☒	<u>72.0 afa (COMM)</u>
	☐	☒	Limited by Flow? _____
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☒	☐	Verify with Map _____
	☒	☐	Amendment Needed? <u>Add SWNE, S 33</u>
	☐	☐	Is Overlap Analysis a Consideration? _____
P/U	☐	☒	Verify with Map _____
	☐	☒	Amendment Needed? <u>Drop all but 3 1/4 1/4</u>
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? <u>Drop DOM</u>
	☐	☒	Amendment Needed? _____
REMARKS	☒	☐	Multiple P/Ds in 1/4 1/4? <u>Springs</u>
	☒	☐	Non-Irr. Uses <u>COMM/Greenhouses</u>
	☒	☐	Special Overlap Condition <u>P/D 36-2038, 13.25</u>
	☒	☐	Other <u>Multiple Springs/Collection Ditch/P/D</u>
CONDITIONS	☐	☒	Measuring Device _____
	☐	☒	W/Master Control _____
	☐	☒	Overlap _____
	☐	☒	Water Quality _____
			DATES/MISC _____
			<u> </u> Water Dist. _____
			<u> </u> App Rec'd _____
			<u> </u> Exam Made _____
COMMENTS/MEMOS NEEDED:			<u>Reduced Uses, P/U</u> <u>Amend P/D</u>
			<u>Measured with Polysonic</u>
			<u>Capacity 13.25 = previously licensed under 36-2038</u>
License	☐	☐	10-Day ☐ 15-Day ☒ Special Correspondence _____

Stage: LICENSE

Water Source: BANBURY SPRINGS

13.25 CFS

T08S R14E S33

COMMERCIAL

POL COUNTY: TWIN FALLS

Conditions of Approval:
004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

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

Audit: 10/22/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

RECEIVED
DEC 03 1991

A. GENERAL INFORMATION

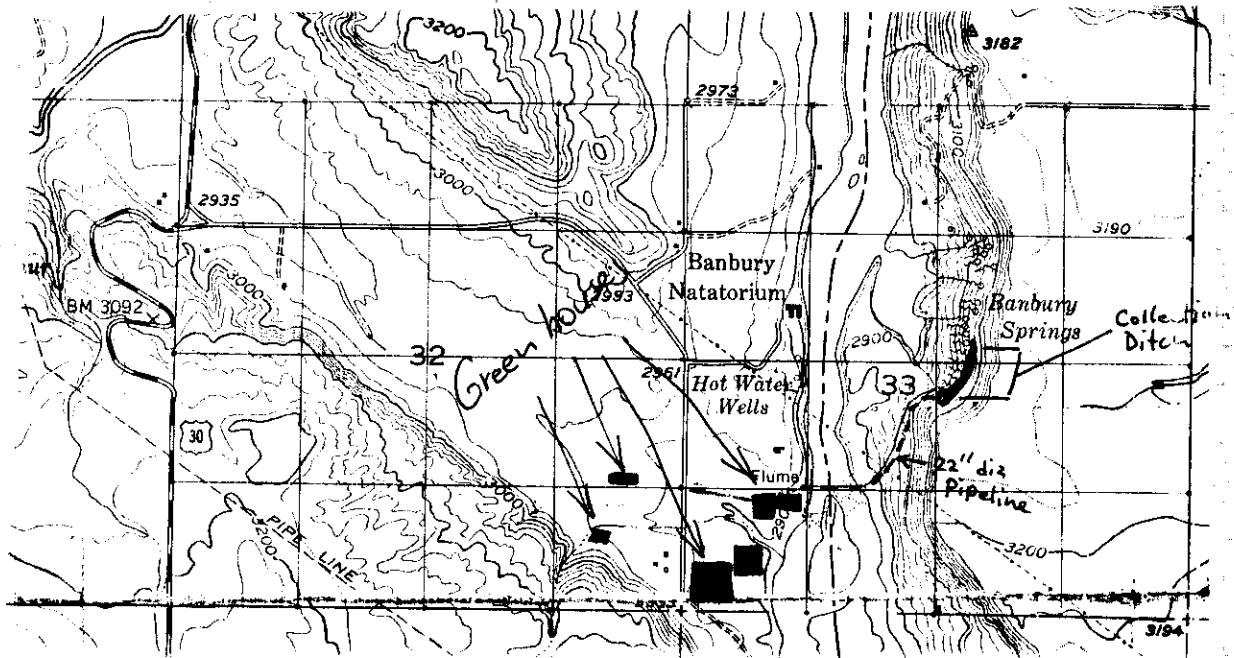
1. Owner: Banbury Pipe Company Permit No. 36-08141
Current Address: % Sally Hoeck, Rt. 3, Box 441, Buhl, ID, 83316 Phone No. _____
2. Accompanied by: Mike Archibald EXAM. DATE: 8/7/90
Address: _____ Phone No. _____
Relationship to Permit Holder: Board Member
3. Source: Banbury Sprs. tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: 36-02038 (A36-02038) & 36-04160 → 04162 & 04168 (A36-10906) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



8/20/92

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2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The existing Banbury Pipeline with collection ditch & conc.

Lead box is on the East side of the river. The pipeline

crosses the river the splits from 22" to various

Smaller pipelines which deliver water to the various Shazehaldes

for irrigation, domestic, stockwater & commercial uses.

This percent covers the now recently developed Corcoran's

Useful for the system.

☒ See Remarks on page 4 for continuation

Well or Diversion Identification No.*					
Motor Make	N/A				
Hp					
Motor Serial No.					
Pump Make					
Pump Serial No. or Discharge Size					

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

5. Point(s) of Diversion:

Diversions ditch collects water within;

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rgo.	Soc.	NE%				NW%				SW%				SE%				Totals
85.	14E.	32													C				
85	14E.	33												L47	C				

* Note that P/C is in Twin Falls County.

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

See attached printout of total flow from springs
measured in 22" dia pipeline as it crossed the
river.
 $Q_{meas} \approx 4280 \text{ gpm} = 9.33 \text{ cfs}$

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

— N/A

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

: Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

$$V_{max} = (1.0 \text{ cfs}) \times (1.98 \text{ A.F./cfs/day}) \times (365 \text{ days/yr.}) = 722.7 \text{ A.F./Ann.}$$

$$V_{Irrig. Com.} \approx (5 \text{ Ac.}) \times (4.0 \text{ A.F./Ac.}) \times \left(\frac{365}{246}\right) \approx 30 \text{ A.F./Ann.}$$

$$V_{cool} \approx (\text{see attached sheet}) \approx 41.7 \text{ A.F./Ann.}$$

$$V_{misc} = \text{for washing} \\ 21 \text{ low } .3 \text{ A.F.} \\ (9 \text{ gpm} \times 10 \text{ hrs/day} \times 3 \text{ days})$$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The domestic use from the pipeline is covered under 36-02038 (A36-02038) however due to EPA requirements the domestic use is being forced to be discontinued. NO Domestic use is being recommended under this permit.

The Commercial use consists of approx. 200,000 sq. ft. of greenhouses where water is used for evaporative cooling, plant watering & miscellaneous washings, ect.

5 acres

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Commercial Use	1/1 12/31	1.00	72.0

Totals:

1.00	72.0
------	------

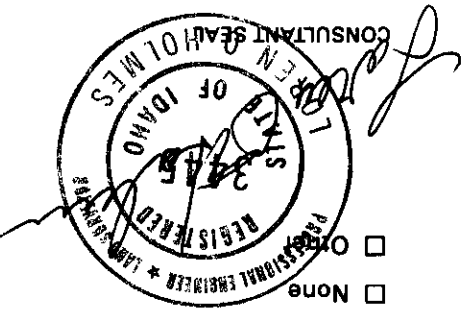
2. Recommended Amendments

- ☒ Change P.D. as reflected above
- ☒ Change P.U. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

J. AUTHENTICATION

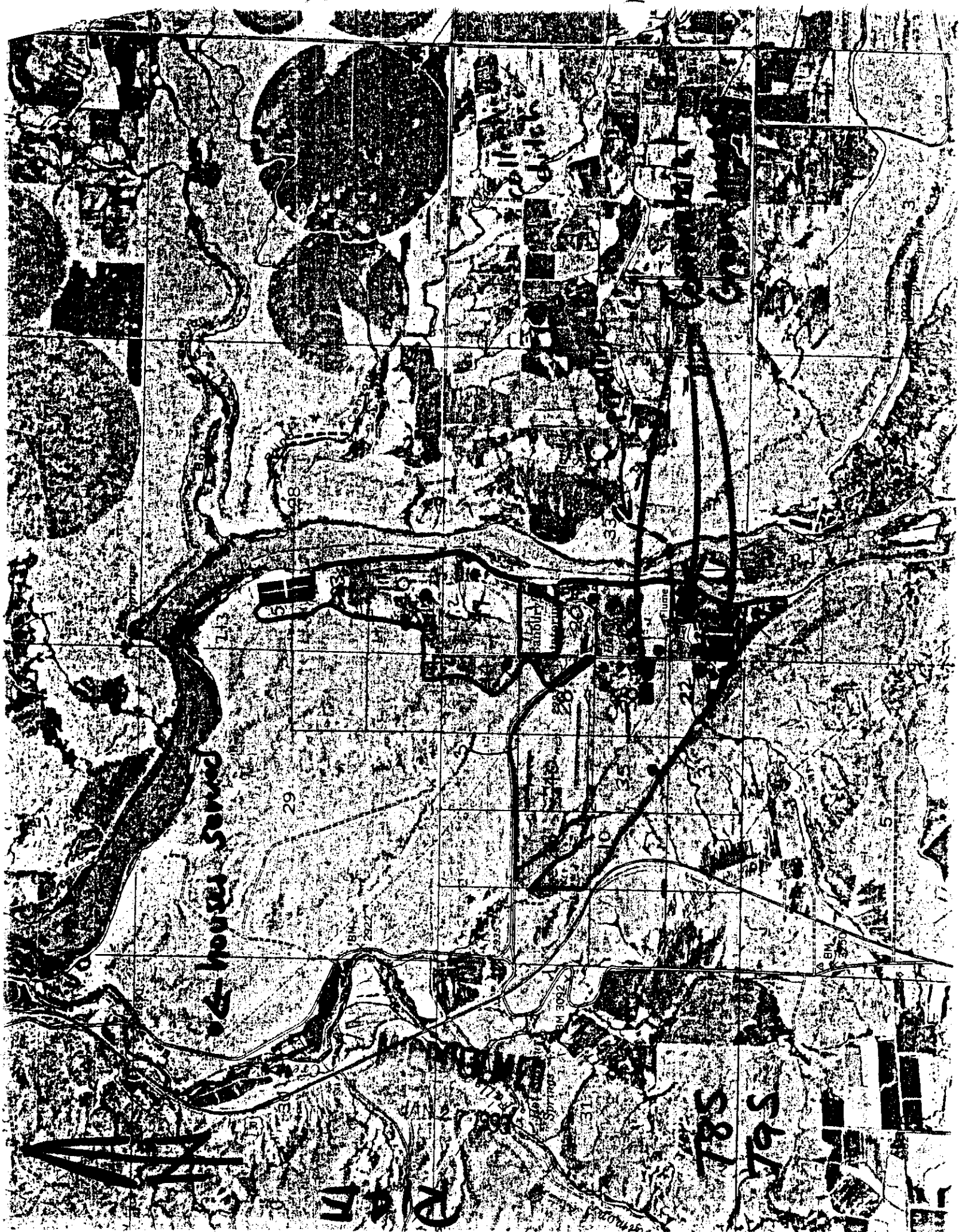
Field Examiner's Name: Allen Newitt
Signature: [Signature]
Certification Date: 4/10/91
Field Report Preparation Date: 11/22/91

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



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FRICION LOSS CHARACTERISTICS
PVC CLASS 160 IPS PLASTIC PIPE
 (1120, 1220) SDR 26 C = 150
PSI LOSS PER 100 FEET OF PIPE (PSI/100 FT)

Sizes 1" thru 5". Flow GPM 1 thru 1250.

SIZE	1.00	1.25	1.50	2.00	2.50	3.00	3.50	4.00	5.00	SIZE
OD	1.315	1.660	1.900	2.375	2.875	3.500	4.000	4.500	5.563	OD
ID	1.195	1.532	1.754	2.193	2.655	3.230	3.692	4.154	5.133	ID
WALL THK	0.060	0.064	0.073	0.091	0.110	0.135	0.154	0.173	0.214	WALL THK

Flow G.P.M.	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Velocity F.P.S.	P.S.I. Loss	Flow G.P.M.
1	0.28	0.02	0.17	0.01	0.13	0.00													1
2	0.57	0.06	0.34	0.02	0.26	0.01	0.16	0.00											2
3	0.85	0.14	0.52	0.04	0.39	0.02	0.25	0.01											3
4	1.14	0.23	0.69	0.07	0.53	0.04	0.33	0.01	0.23	0.00									4
5	1.42	0.35	0.86	0.11	0.66	0.05	0.42	0.02	0.28	0.01									5
6	1.71	0.49	1.04	0.15	0.79	0.08	0.50	0.03	0.34	0.01	0.23	0.00							6
7	1.99	0.66	1.21	0.20	0.92	0.10	0.59	0.03	0.40	0.01	0.27	0.01							7
8	2.28	0.84	1.39	0.25	1.06	0.13	0.67	0.04	0.46	0.02	0.31	0.01							8
9	2.57	1.05	1.56	0.31	1.19	0.16	0.76	0.05	0.52	0.02	0.35	0.01	0.26	0.00					9
10	2.85	1.27	1.73	0.38	1.32	0.20	0.84	0.07	0.57	0.03	0.39	0.01	0.29	0.01					10
11	3.14	1.52	1.91	0.45	1.45	0.23	0.93	0.08	0.63	0.03	0.43	0.01	0.32	0.01					11
12	3.42	1.78	2.08	0.53	1.59	0.28	1.01	0.09	0.69	0.04	0.46	0.01	0.35	0.01	0.28	0.00			12
14	3.99	2.37	2.43	0.71	1.85	0.37	1.18	0.12	0.81	0.05	0.54	0.02	0.41	0.01	0.33	0.01			14
16	4.57	3.04	2.78	0.91	2.12	0.47	1.35	0.16	0.92	0.06	0.62	0.02	0.47	0.01	0.37	0.01			16
18	5.14	3.78	3.12	1.13	2.38	0.58	1.52	0.20	1.04	0.08	0.70	0.03	0.53	0.02	0.42	0.01			18
20	5.71	4.59	3.47	1.37	2.65	0.71	1.69	0.24	1.15	0.09	0.78	0.04	0.59	0.02	0.47	0.01			20
22	6.28	5.48	3.82	1.64	2.91	0.85	1.86	0.29	1.27	0.11	0.86	0.04	0.65	0.02	0.52	0.01	0.34	0.00	22
24	6.85	6.44	4.17	1.92	3.18	1.00	2.03	0.34	1.38	0.13	0.93	0.05	0.71	0.03	0.56	0.02	0.37	0.01	24
26	7.42	7.47	4.51	2.23	3.44	1.15	2.20	0.39	1.50	0.15	1.01	0.06	0.77	0.03	0.61	0.02	0.40	0.01	26
28	7.99	8.57	4.86	2.56	3.71	1.32	2.37	0.45	1.62	0.18	1.09	0.07	0.83	0.04	0.66	0.02	0.43	0.01	28
30	8.57	9.74	5.21	2.91	3.97	1.50	2.54	0.51	1.73	0.20	1.17	0.08	0.89	0.04	0.70	0.02	0.46	0.01	30
35	9.99	12.95	6.08	3.87	4.64	2.00	2.96	0.68	2.02	0.27	1.36	0.10	1.04	0.05	0.82	0.03	0.54	0.01	35
40	11.42	16.59	6.95	4.95	5.30	2.56	3.39	0.86	2.31	0.34	1.56	0.13	1.19	0.07	0.94	0.04	0.61	0.01	40
45	12.85	20.63	7.82	6.16	5.96	3.19	3.81	1.08	2.60	0.42	1.75	0.16	1.34	0.09	1.06	0.05	0.69	0.02	45
50	14.28	25.07	8.69	7.49	6.63	3.88	4.24	1.31	2.89	0.52	1.95	0.20	1.49	0.10	1.18	0.06	0.77	0.02	50
55	15.71	29.91	9.56	8.93	7.29	4.62	4.66	1.56	3.18	0.62	2.15	0.24	1.64	0.12	1.30	0.07	0.85	0.02	55
60	17.14	35.14	10.43	10.49	7.95	5.43	5.09	1.83	3.47	0.72	2.34	0.28	1.79	0.15	1.41	0.08	0.92	0.03	60
65	18.57	40.76	11.29	12.17	8.62	6.30	5.51	2.12	3.76	0.84	2.54	0.32	1.94	0.17	1.53	0.09	1.00	0.03	65
70	19.99	46.76	12.16	13.96	9.28	7.23	5.93	2.44	4.05	0.96	2.73	0.37	2.09	0.19	1.65	0.11	1.08	0.04	70
75			13.03	15.86	9.94	8.21	6.36	2.77	4.34	1.09	2.93	0.42	2.24	0.22	1.77	0.12	1.16	0.04	75
80			13.90	17.88	10.60	9.25	6.78	3.12	4.63	1.23	3.12	0.47	2.39	0.25	1.89	0.14	1.23	0.05	80
85			14.77	20.00	11.27	10.35	7.21	3.49	4.91	1.38	3.32	0.53	2.54	0.28	2.00	0.16	1.31	0.06	85
90			15.64	22.23	11.93	11.51	7.63	3.88	5.20	1.53	3.51	0.59	2.69	0.31	2.12	0.17	1.39	0.06	90
95			16.51	24.58	12.59	12.72	8.05	4.29	5.49	1.69	3.71	0.65	2.84	0.34	2.24	0.19	1.47	0.07	95
100			17.38	27.03	13.26	13.99	8.48	4.72	5.78	1.86	3.91	0.72	2.99	0.37	2.36	0.21	1.54	0.08	100
110			19.12	32.24	14.58	16.69	9.33	5.63	6.36	2.22	4.30	0.86	3.29	0.45	2.60	0.25	1.70	0.09	110
120					15.91	19.61	10.18	6.61	6.94	2.61	4.69	1.01	3.59	0.52	2.83	0.30	1.85	0.11	120
130					17.24	22.74	11.02	7.67	7.52	3.03	5.08	1.17	3.89	0.61	3.07	0.34	2.01	0.12	130
140					18.56	26.09	11.87	8.80	8.10	3.47	5.47	1.34	4.19	0.70	3.31	0.39	2.16	0.14	140
150					19.89	29.64	12.72	10.00	8.68	3.94	5.86	1.52	4.48	0.79	3.54	0.45	2.32	0.16	150
160							13.57	11.27	9.26	4.45	6.25	1.71	4.78	0.89	3.78	0.50	2.47	0.18	160
170							14.42	12.61	9.83	4.97	6.64	1.92	5.08	1.00	4.01	0.56	2.63	0.20	170
180							15.27	14.02	10.41	5.53	7.03	2.13	5.38	1.11	4.25	0.63	2.78	0.22	180
190							16.11	15.49	10.99	6.11	7.43	2.35	5.68	1.23	4.49	0.69	2.94	0.25	190
200							16.96	17.03	11.57	6.72	7.82	2.59	5.98	1.35	4.72	0.76	3.09	0.27	200
225							19.08	21.19	13.02	8.36	8.79	3.22	6.73	1.68	5.31	0.95	3.48	0.34	225
250									14.47	10.16	9.77	3.91	7.48	2.04	5.91	1.15	3.87	0.41	250
275									15.91	12.12	10.75	4.67	8.23	2.44	6.50	1.37	4.25	0.49	275
300									17.36	14.24	11.73	5.49	8.97	2.86	7.09	1.61	4.64	0.58	300
325									18.81	16.51	12.70	6.36	9.72	3.32	7.68	1.87	5.03	0.67	325
350											13.68	7.30	10.47	3.81	8.27	2.15	5.41	0.77	350
375											14.66	8.29	11.22	4.33	8.86	2.44	5.80	0.87	375
400											15.64	9.35	11.97	4.88	9.45	2.75	6.19	0.98	400
425											16.62	10.46	12.72	5.46	10.04	3.07	6.58	1.10	425
450											17.59	11.62	13.46	6.07	10.63	3.42	6.96	1.22	450
475											18.57	12.85	14.21	6.70	11.23	3.78	7.35	1.35	475
500											19.55	14.13	14.96	7.37	11.82	4.15	7.74	1.48	500
550													16.46	8.80	13.00	4.96	8.51	1.77	550
600													17.95	10.33	14.18	5.82	9.29	2.08	600
650													19.45	11.99	15.36	6.75	10.06	2.41	650
700															16.55	7.75	10.83	2.77	700
750															17.73	8.80	11.81	3.14	750
800															18.91	9.92	12.38	3.54	800
850																	13.16	3.96	850
900																	13.93	4.41	900
950																	14.71	4.87	950
1000																	15.48	5.36	1000
1050																	16.25	5.86	1050
1100																	17.03	6.39	1100
1150																	17.80	6.94	1150
1200																	18.58	7.51	1200
1250																	19.35	8.10	1250

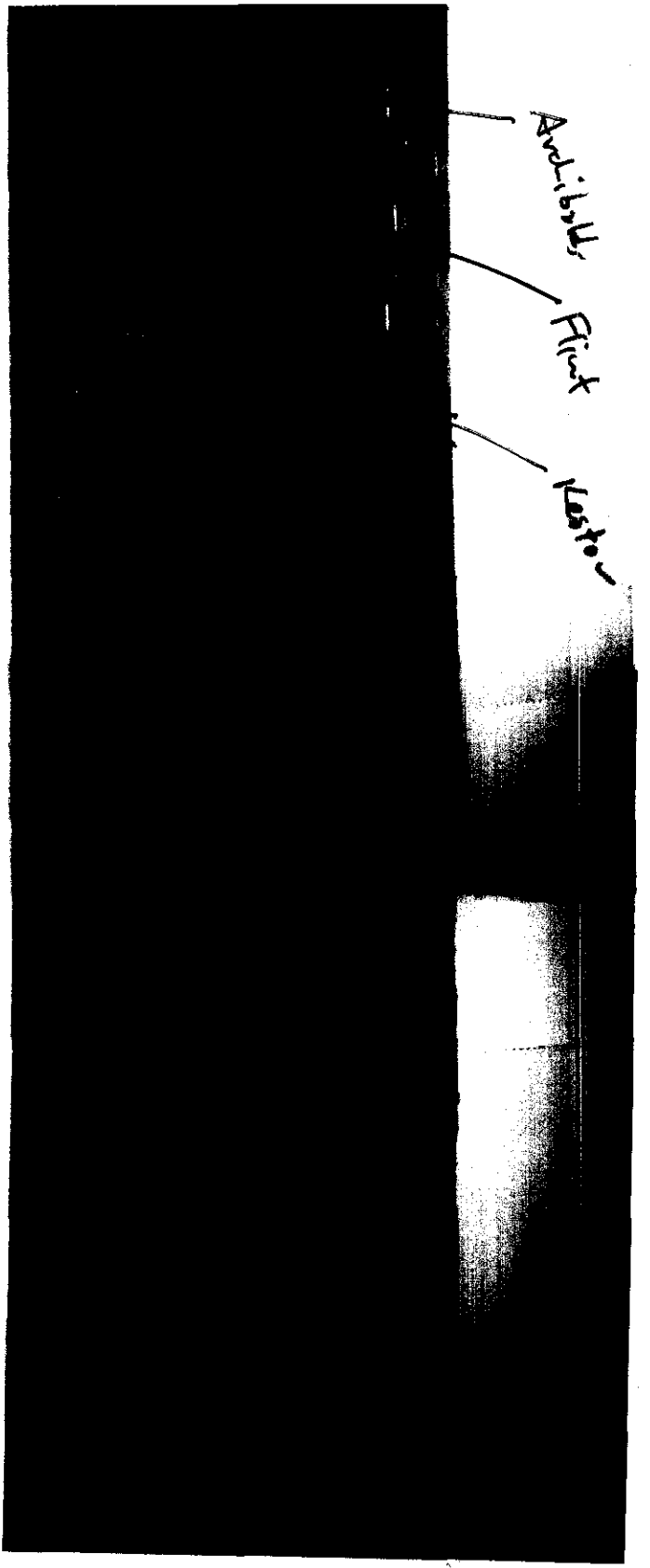
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Permit 36-28191

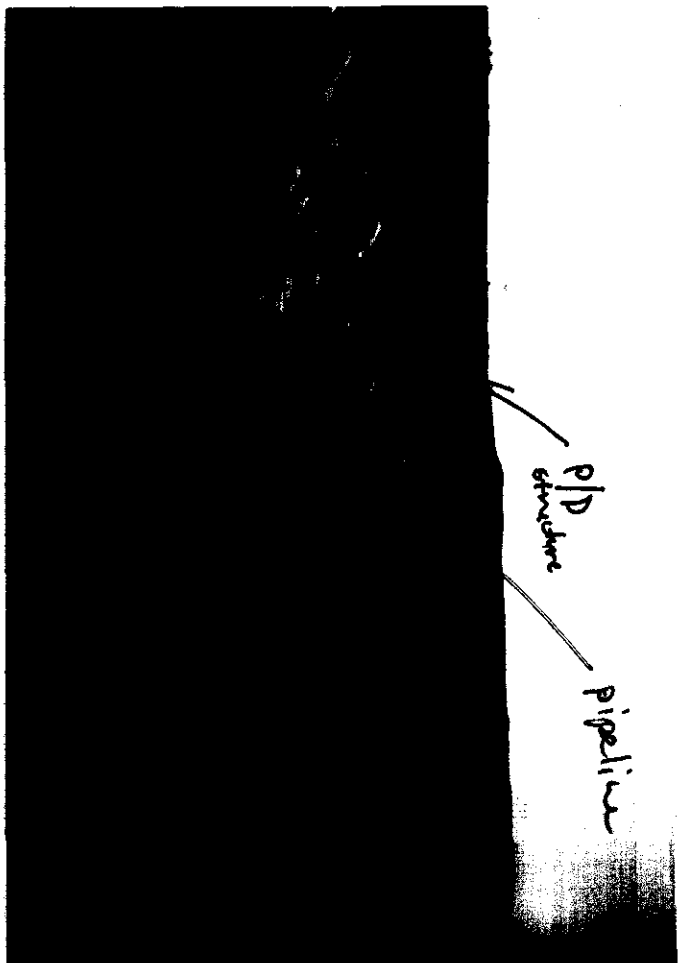
A36-0208

June 1991

40



Amphib
Flint
Kest



P/D structure
pipeline



JAN 27 1993

Permit
36-08141

A36-02038
June 1991
A2

P/D

Archibald

RECORDED

JAN 27 1993

A36-02038

A36-10906

36-08141

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

08-07 11:3300 *R
+436.412E 1GPM

08-07 11:3400 *R
+433.242E 1GPM

08-07 11:3400 *R
+432.449E 1GPM

After valve opened

PRINTER USE
?

MODE SELECT
INPUT

OUTER DIAMETER
22.1539 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.3150 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
?

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
18.312 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

MODE SELECT
TO CHECK

0809.3 MMSEC
100.62 % T8

08-08 00:4600 *R
+002.50 % AI2

MM-DD HH:MM
08-07 11:26

08-07 11:2600 *R
+427.694E 1GPM

08-07 11:2600 *R
+427.430E 1GPM

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CFS calculation

125 sprinklers 1.5 gpm	→	187.5 gpm
6000 drippers @ 2 gph	→	200 gpm
200 misters @ 10 gph	→	33 gpm
3 hoses @ 9 gpm	→	27 gpm
Compressor * see vol. cal.	→	9 gpm
cooler pads		97 gpm

Total instantaneous flow 553.5 gpm
or 1.23 cfs

∴ Allow 1.0 cfs filed on.

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Cooling Volume

1. For Compressor

It has $\frac{1}{4}$ " copper tube with 60 psi on tube.

Assume tube acts as orifice

$$Q = C a \sqrt{2gh}$$

$$a = \left[\frac{\frac{1/4}{12}}{2} \right] \pi = 0.00034 \text{ ft}^2$$

$$C = 0.6$$

$$g = 32.2$$

$$h = 60 \text{ psi} \times 2.31 \text{ ft/psi} = 138.6'$$

$$\therefore Q = (0.6)(0.00034) \sqrt{2(32.2)(138.6)} = 0.019 \text{ cfs}$$

$$V_1 = 0.019 \times 1.98 \times 365 = 13.9 \text{ Af}_2$$

2. For Cooling pads

They have 2" service line which has 60 psi at head and discharges near atmospheric pressure. The total delivery line approx. 200' in length. These pads are used when temp. is over 75°F.

Estimate time when temp over 75° :

$$(5 \text{ mo./yr.} \times 31 \text{ days/mo} \times 10 \text{ hrs/day}) = 1550 \text{ hrs.}$$

Assuming entire 60 psi or 138.6' is dissipated in pipe the flow is estimated with the following equation.

$$Q = \frac{0.463}{n} d^{8/3} s^{1/2}$$

$$d = \frac{2}{12} = 0.16667 \text{ ft.}$$

$$s = \frac{138.6'}{200'} = 0.693$$

$$n = 0.015 \text{ from handbook for Galv. iron pipe}$$

$$\therefore Q = \frac{0.463}{(0.015)} (0.16667)^{8/3} (0.693)^{1/2}$$

$$Q = 0.216 \text{ cfs}$$

$$V_2 = \frac{(0.216 \text{ cfs})(450 \text{ gpm/cfs})(1550 \text{ hrs/24hr})(60 \text{ min/hr})}{325900 \text{ gal/A.F.}}$$

$$V_2 = 27.8 \text{ Af}_2$$

$$\text{Total Vol for cooling} = V_1 + V_2 = 13.9 + 27.8 = 41.7 \text{ Af}_2$$

$$\text{Total Vol} = V_{\text{Inr}} + V_{\text{cool}} + V_{\text{mis.}} = 720$$

10/17/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Idaho 83706-2237

REASON CHECKED
Unclaimed ☒ Refused ☒
Addressee unknown ☐
Insufficient Address ☐
No such street number ☐
No such office in state ☐
Do not re-mail in this envelope ☐

Miller
343 Blu
Twin Falls

RECEIVED
JUN 29 1990
Department of Water Resources

REFUSED

JAN 27 1993

June 19, 1990

BANBURY PIPE CO.
C/O MAURICE MILLER
RT. 3 BOX 427
BUHL, ID 83316

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08141

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 21 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8141

Date: 6-12-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change If yes, prepare a data entry
☒ Proof received timely
 Reinstated

Source of Water:

☒ Surface water
☐ Groundwater
NA 1. well log in file
NA 2. drilling permit
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

PROOF ACCEPTABLE

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	
	-
	=
	+
	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change!

RECEIVED
MAY 29 1990

For Office Use Only
Amt. of Fee \$ 100.00
Date 5/25/90
Receipt No. 3012348
Received by DRJ
6/12-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

MAY 25 1990

Department of Water Resources

Department of Water Resources

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

Permit No. 36-8141 Telephone No. 543-4682

Name(s) of Permit Holder(s): Banbuty Pipe Company

Post Office Address: % Leland Foster, President Rt 3 Box 411, Buhl ID 83316

Source of Water: Banbuty Springs

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 34 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Commercial (Greenhouse irrigation)

Total rate and/or volume for which proof is submitted 1.0 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1/20/1993

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

per telecon w/ Mr. Foster 5/25

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

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Leland Foster
Name Telephone No.

Address

MICROFILMED

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

5-23-90
Date

Leland Foster - President
Signature (and title if on behalf of a company or organization)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

RECEIVED
APR 6 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Department of Water Resources

March 31, 1990

BANBURY PIPE CO.
C/O MAURICE MILLER
RT. 3 BOX 427
BUHL, ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 36-08141

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 21 1990

INTER-DEPARTMENT MEMO — 1

FROM

Beta Fleck

DATE

4-23-90

TO

File 36-8141

SUBJECT

Returned Mail

The Gooding County Assessor's Office
has no address for Bamberg Pipe Co.

RECEIVED

JUN 21 1991

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

TO
SENDER

REASON CHECKED
Unclassified
A-
In-
No. s
No. s
Do not remain in this country

Refused
Address
number
office in state

RECEIVED

APR 6 1990

Department of Water Resources

FOECIS
Refused

~~Miller~~
~~343 Blue Lakes Blvd N #12~~
~~Twin Falls, ID 83301~~

BOISE
APR - 2 1990
IDAHO

MICROFILMED

JUN 21 1990

Notice
Notice
Turn

CERTIFIED MAIL

NO. 138452

138452

March 31, 1990

BANBURY PIPE CO.
C/O MAURICE MILLER
RT. 3 BOX 427
BUHL, ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 36-08141

Dear Permit Holder:

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SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 21 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECORDED

JUN 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BANBURY PIPE CO.
C/O MAURICE MILLER
RT. 3 BOX 427
BUHL, ID 83316

JULY 03, 1985

RE: PERMIT NO. 36-8141

DEAR PERMIT HOLDER:

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

PLEASE BE ADVISED THAT NUMEROUS PRIOR APPLICATIONS FOR PERMIT HAVE BEEN FILED TO APPROPRIATE WATER FROM YOUR SOURCE, TO BE USED ON DESERT LAND ENTRY AND/OR CAREY ACT LANDS. DEVELOPMENT OF THESE WATER RIGHTS IS CURRENTLY PREVENTED BY THE U.S. BUREAU OF LAND MANAGEMENT. HOWEVER, IF THE LANDS ARE RELEASED FOR DEVELOPMENT, THE ASSOCIATED WATER RIGHTS WILL RECEIVE WATER PRIOR TO YOUR WATER RIGHT ENCLOSED. THEREFORE BE SURE TO ANALYZE THE FUTURE IMPACT OF THESE RIGHTS BEFORE MAKING A MAJOR INVESTMENT IN A WATER SUPPLY SYSTEM.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR A FLOW MEASUREMENT PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE FLOW MEASUREMENT PORT.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

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

MICROFILMED

RE: PERMIT 36-8141

PAGE 01
JULY 03, 1985

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

BANBURY PIPE CO.

INITIAL REVIEW BY: J.F. Stanton

APPLICATION NUMBER: 36-8141

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☐ No Field check required.
☐ Yes ☐ No Critical groundwater area.
☐ Yes ☐ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☐ Yes ☐ No* In form for advertising.
Final date for protests: 5/17/85 5/31/85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/2/85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 1/20/83 Date of priority recommended.
☒ Special conditions of approval or cover letter. OIC, 26

MICROFILMED

app. not identified in S.F. suit
→ DCM I ←

By: ADN Date: 6/21/85

STATE OFFICE REVIEW:

L11, L03, L17

26 04 OIC 32

RECEIVED

- ☐ See attached sheet for more information.
By: KW

Date: 6/24/85

JUN 24 1985

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

1000000000 00 0000 0000000000

DECLARED

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 23, 1985

Gooding County Leader
P.O. Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before MAY 17, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-8141

BANBURY PIPE CO.

C/O MAURICE MILLER, RT. 3 BOX 427, BUHL, ID 83316

Source: BANBURY SPRINGS trib. to SNAKE RIVER

Date Filed: 01/20/1983

Diversion Pt: NWSE Sec 33 T 08S R 14E

Use: COMMERCIAL (1.00 CFS)
DOMESTIC (0.27 CFS)

In: LOT 04 (NWSW) LOT 07 (SWSW) Sec 28 T 08S R 14E NESE NWSE SESE
Sec 32 T 08S R 14E LOT 06 (NWSW) LOT 07 (SWSW) Sec 33 T 08S R 14E
LOT 03 (NWNW) Sec 04 T 09S R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before ~~MAY 17, 1985.~~

May 31, 1985

A. KENNETH DUNN

Director

Published ~~4/30 & 5/7/1985.~~

5/14 & 5/21/1985

MICROFILMED