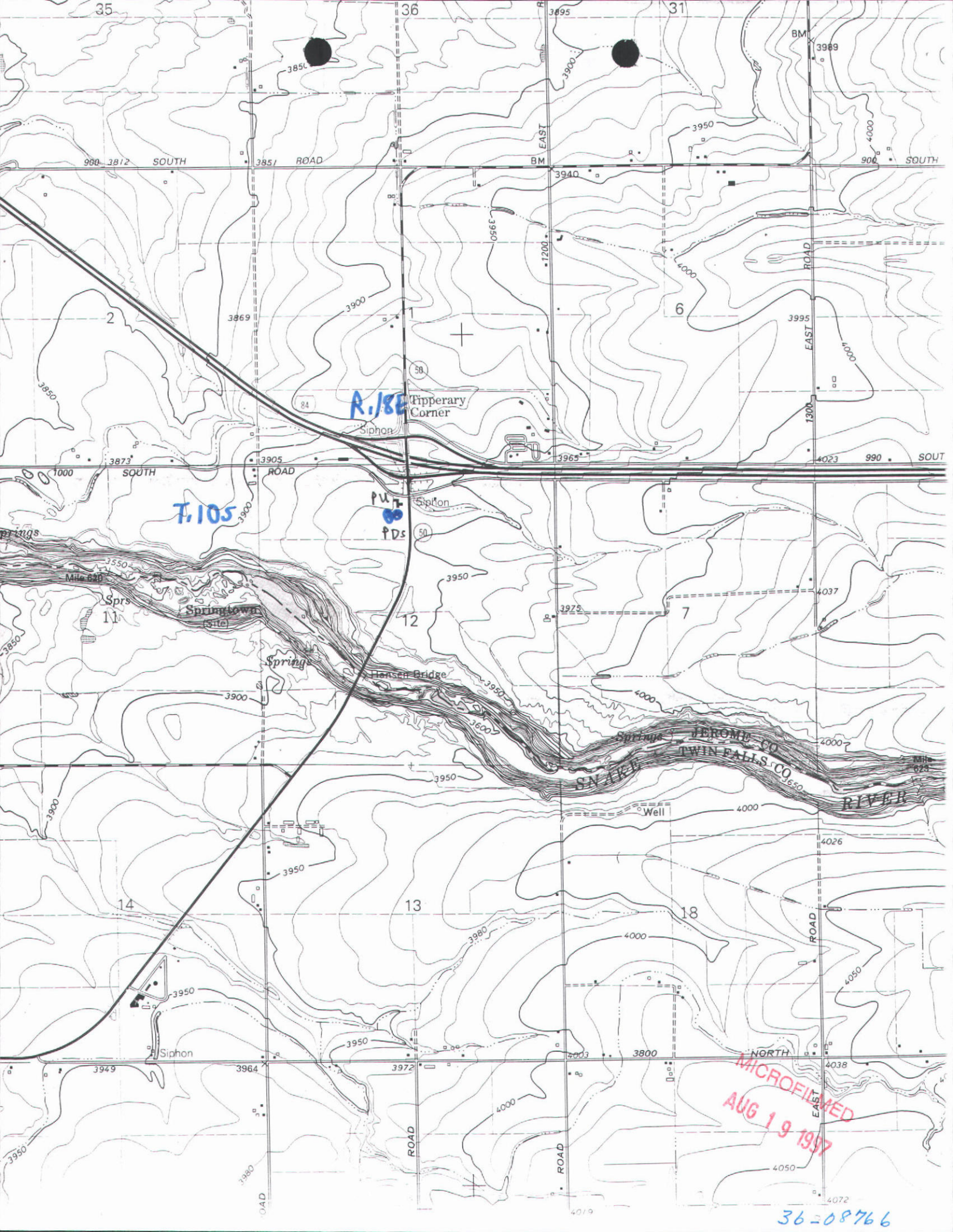




A.18E

T.10S

P.U.
PDs

MICROFILMED
AUG 19 1997

36-08766

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Jerome } ss.

JUN 16 1997

Department of Water Resources
Southern Region

Patty Nance

being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 4 day of June, 1997, and the date of the last publication was on the 11 day of June, 1997.

Patty Nance

Subscribed and sworn to before me this 12th day of June, 1997.
(SEAL)

Norma De Voe

NOTARY PUBLIC

16156/7276
NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 28

Affidavit Fee \$2.25

Lines tabular at 400.19 7¢/Pica

Lines straight at 36.01 6¢/Pica

Subsequent lines at 30.01 5¢/Pica

TOTAL COST 68.27

COPY OF NOTICE

(Paste Here)

Permit - Willie
TITLE OF NOTICE 36-08766

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Res.
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

DAN WILLIE
DBA TRAVELERS' OASIS
1017 S 1150 E
EDEN ID 83325

Re: Application for Permit No. 36-08766

Source: 9 groundwater (existing development)

Diversion Pt(s): Two (2) points within NE1/4NW1/4, S12, T10S, R18E; Jerome County.

Use: 1/1-12/31 Commercial (0.11 cfs)

In: NE1/4NW1/4, S12, T10S, R18E.

Date Filed: 05/16/1997

The application proposes to divert groundwater from the "Eastern Snake Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. The permit, if approved, will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 23, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the North Side News on 6/4 & 6/11/97.

MICROFILMED

AUG 19 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08766	)	ORDER OF
	)	
IN THE NAME OF DAN WILLIE	)	REINSTATEMENT
DBA TRAVELERS' OASIS	)	
_____	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before December 1, 1997; and,

WHEREAS, the Department notified the permit holder on September 30, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

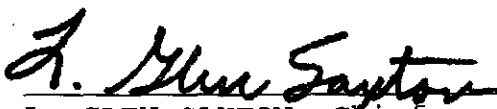
WHEREAS, the permit lapsed on December 2, 1997, since an acceptable proof of beneficial use or extension of time request had not been received; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 24, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08766 is **REINSTATED** with an advance in priority to **June 8, 1997**.

DATED this 14th day of January, 1998.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

MAR 26 1998

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No: 000121
Receipt By: SS
Date Received: 12/24/97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 24 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 36-08766 Telephone No. 208-825-4147
2. Name(s) of Permit Holder(s): Dan Willie
3. Mailing Address: 1017 S 1150 E Eden, Idaho 83325
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 6 / yr. 68
- a. Well Driller: Harry Bolton Drilling Permit Number: - - - -
- b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): Other: Commercial
6. Total rate of diversion and/or volume for which proof is submitted: 0.11 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | |
|------------------------|--|---|
| Measuring Device: | Is a measuring device required? | Yes <u> </u> or No <u>X</u> |
| | Has the measuring device been installed? | Yes <u> </u> or No <u> </u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes <u> </u> or No <u>X</u> |
| | Has the measurement port been installed? | Yes <u> </u> or No <u> </u> |
8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Kevin Lott Telephone Number: 208-825-4147
Address: 10175 1150 E Eden, Idaho 83325

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

Signature of permit holder: Daniel F. Willie Date: 10/19/97
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 26 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 36-08766

Proposed Priority: May 16, 1997

Maximum Diversion Rate:

0.11 CFS

This is to certify, that **DAN WILLIE**
DBA TRAVELERS' OASIS
1017 S 1150 E
EDEN ID 83325

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW, Sec. 12, Township 10S, Range 18E
JEROME County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 18E 12

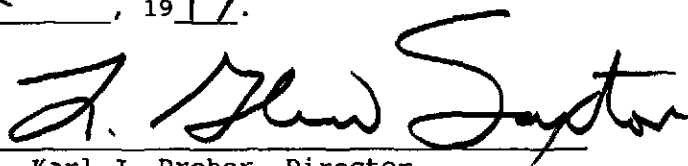
NENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1997.
2. Subject to all prior water rights.
3. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
4. Two points of diversion are located within NENW, S12, T10S, R18E.
5. Commercial use is for a convenience store, restaurant and service station and does not include lawn, garden, landscape, or other types of irrigation.
6. Rights 36-07045, 36-08766, and 36-08767 when combined, shall not exceed a total diversion rate of 0.11 cfs nor a total annual diversion volume of 15.0 AF for commercial use.

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

12th day of August, 1997.


Karl J. Dreher, Director

MICROFILMED
AUG 19 1997

RECEIVED

MAY 16 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

JUL 03 1997

Department of Water Resources To appropriate the public waters of the State of Idaho
Southern Region

Department of Water Resources

1. Name of Applicant Dan Willie dly Travelers' Oasis Phone 825-4147

Mailing address 1017 S 1150 E, Eden, ID 83325

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

3. Location of point of diversion is ^{2 points} Township SE 10S Range NE 18E Sec. NW 12, in the SE 1/4, NE 1/4, NW 1/4, Govt. Lot _____, B.M., Jerome County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.11 cfs for Commercial purposes from 1-1 to 12-31 (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)

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

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

5. Total quantity to be appropriated is (a) 0.11 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Wells & pumps (existing), pipelines
to restaurant, convenience store/gas station

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. ~~Proposed~~ well diameter is 9 inches; proposed depth of well is 330 & 425 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 6-20-68; Drilling firm Harry Bolton;

Well was drilled for (well owner) Lee Lucich; Drilling Permit No. _____

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

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MICROFILMED

AUG 19 1997

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	18E	12					C												

C = Commercial Use

Total number of acres to be irrigated _____

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

License 36-07045 covers original development

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: See attached sheet, I request this application be processed, as development was completed in 1985.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

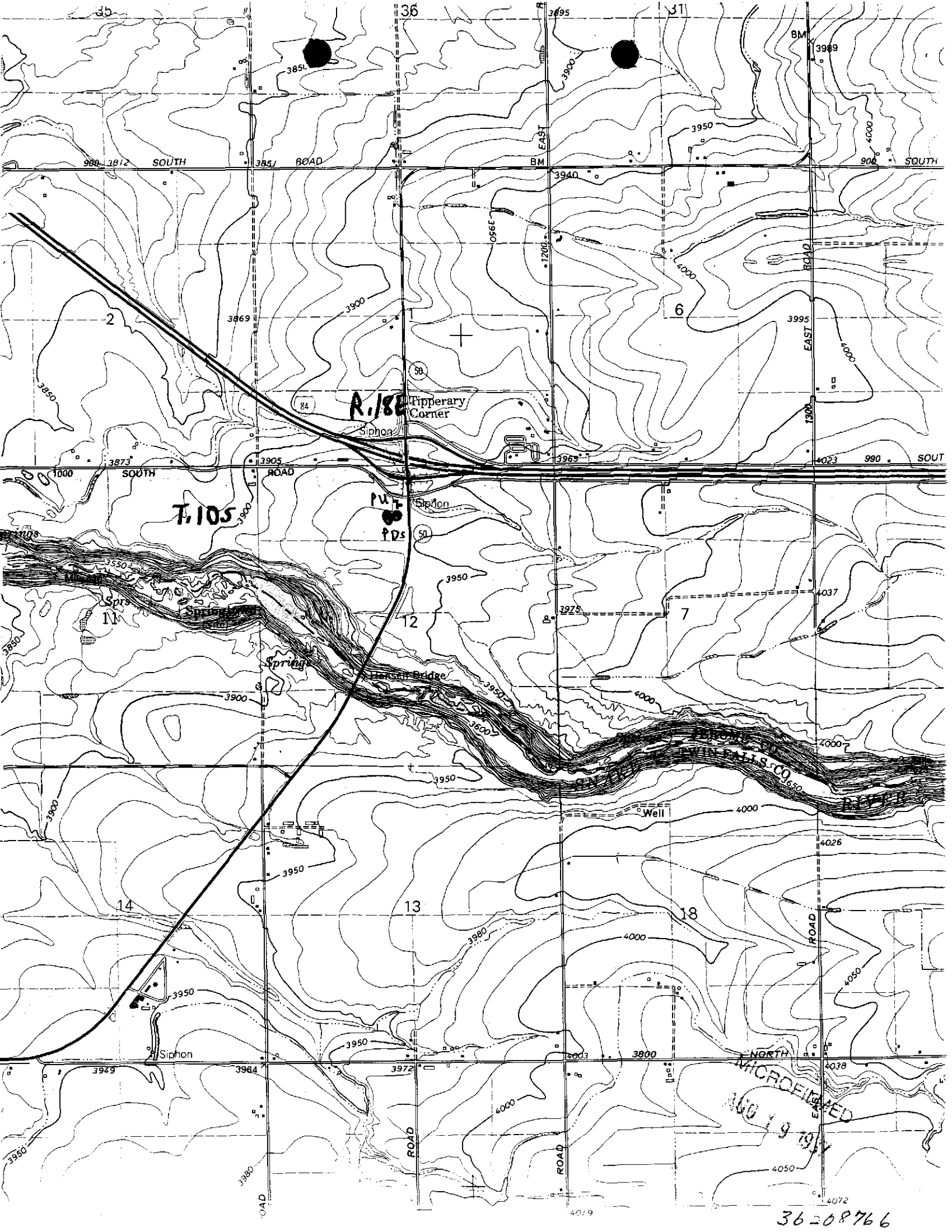
Danilla L. Willie owner

Signature of Applicant (and title, if applicable)

Received by: J. Stanton Date: 5/16/97 Time: 10:46 am Preliminary check by: J. Stanton
 Fee \$ 50. Received by: MB # 5020124 Date: 5/16/97
 Publication prepared by: MB Date: 5/16/97 Published in: North Side News
 Publication approved: MB Date: 6/17/97

MICROFILMED

AUG 19 1997



36208766

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08166 Reviewed by [Signature] Date 1-14-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
no Drilling permit required? 1968
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50.00 Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 12-24-97
Date proof due 12-1-97 -
No. of days late 23 = 23 76-8-97
Priority Date 5-16-97 + 136
New Priority Date 6-8-97 159

DEFICIENCIES OR ACTION ITEMS

Reinstate & advance priority to June 8, 1997.
Proof acceptable

DATA ENTRY

New Address X Proof Made 12-24-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 1998

Dan Willie
DBA Travelers Oasis
1017 S 1150 E
Eden ID 83325

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 36-08766

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to June 8, 1997, as provided in Section 42-218a.2, Idaho Code.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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 the field examination, you may contact the **Southern** Regional Office of the department in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
MAR 26 1998

September 30, 1997

DBA TRAVELERS' OASIS
DAN WILLIE
1017 S 1150 E
EDEN ID 83325

PROOF DUE NOTICE

RE: PERMIT NO. 36-08766

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 December 1, 1997.

(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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAR 26 1998

CERTIFIED MAIL

NO. 590062228



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

August 13, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAN WILLIE
DBA TRAVELERS' OASIS
1017 S 1150 E
EDEN ID 83325

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08766/36-08767

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permits authorizing you to establish new water rights. Please be sure to thoroughly review the conditions of approval and remarks listed on your permits.

The permits are preliminary orders issued by IDWR pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits into licensed water rights. Also enclosed are forms entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit these forms immediately.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

RECORDED

AUG 19 1997

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

AUG 19 1987

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PERMIT APPROVAL NOTICE** to the person(s) listed below:

Water Right Nos. 36-08766/36-08767

DAN WILLIE
DBA TRAVELERS' OASIS
1017 S 1150 E
EDEN ID 83325


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 19 1997

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 36-B766 Name: Willie Travellers Date: 7/7/97 Ad OK? / ✓ Gvmt Lts: ✓

AREA OF CONCERN? Not exempt No Yes: ESRP Mor / GWMA / Trust / Non-trust ✓ within ESRP
PROTESTED: Oasis Aquifer
- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

Yes/proof filed
1 year/no proof
+1 year

- NA
- P16
- 26A-P17

N Snake G.W.D.
West WMD.

GROUNDWATER: <✓ FLO-CH>

+ 0.24 cfs
-/- 0.24 cfs
+ 5 a.

- 01M (MD or power, & report) or 028 (report (existing MD's))
- No MD
- 01M or 028; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

DRILLING PERMIT:

Existing well
Included w/permit
No WD permit?
irr. in WD

- NA (pre 7/1/87; ✓ WDQ3)
- Permit No. _____, P99
- 046-46B-P23 (post 7/1/87)
- P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Source in/below Min. Str. Flow? - <SEE MAP & LISTING> (modify remark *WB9)

Water District (dom. inc.)

- R04 (req) WD # _____ <SEE MAP & LISTING>

> 0.20 cfs

- 01J (meas dev)-P08

≤ 0.20 cfs

- 01H (lock dev)-P01 or No MD (in-stream stock)

WMD or GWD

> 0.24 cfs/5 acres

- _____ or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

Springs/sink, Inactive WD, & Rest of State

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS (*Surface water):

Snake R (01)

- 11A-P04, NA

(02/03-ir)

- 007-P07 (w/ remark *WB9 if above Weiser), NA

Boise River (63)

- 05A (if WD), 11E (not 42-111 use), NA

Payette River (65)

- 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

Domestic (+1 in concern area)

- 070-071

Fish Propagation

- 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)

Irr <POU> ≤ 5 acres

- 057 (0.03 cfs/acre)

> 5 acres

- 03A (0.02 cfs/acre)

Mining

- 054 (req) & 09E-P10

Municipal (restricted areas)

- 022 (+memo?)

Power

- 17K-08A-025-01F(P19)-028-09E(P10); 027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; +25 cfs-P18

Storage (✓3 compo.)

- 072 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

42-248 area

- P84 (if in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (-85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

Swan Falls Flag

- C <SEE CODE CHART>

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust <1>

- 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- 0168
- ① WB5 / Comm / not growing, deliv. & service station @ Travellers Oasis
- ② WB32 / 2 in ③ WB33 / 36 / 045 / 8766 / 8767 / 0.11 cfs. @ Truck Plaza

BENEFICIAL USE DUE: * 12/1/1997

COMMENTS:

- pre - 87 usage.

* per Allan's request.

FROM: Allen Merritt *Am*

DATE: July 1, 1997

TO: Application No. 36-08766 & 36-08767
In the Name of: Dan Willie DBA Travelers' Oasis

SUBJECT: Review and Recommendation

These two applications deal with the same site being the "Travelers' Oasis" truck stop north of the Hansen Bridge just off of Interstate 84. The truck stop is already covered by right 36-07045.

Application 36-08766 is being made to cover the pre-1987 development beyond that which is covered under 36-07045.

Application 36-08767 is being made to cover future modifications to the truck stop with future increase in customer load. The application is based on the premise that the expanded use is non-consumptive in nature.

ANALYSIS:

Review of the documents submitted with application 36-08766 supports that additional use was established in late 1986. The documents and arguments submitted with 36-08767 to support the premise that the new use is non-consumptive are worth considering. From the figures presented there appears to be a projected increase of 4450 gallons per day due to increased customer load. It is argued that this water will return to the groundwater through the sewage drainfield system. If this is not totally non-consumptive it appears that the increase in consumption is insignificant.

RECOMMENDATION:

Both applications are recommended to be approved subject to the following conditions:

-When these rights are combined with 36-08766 the total commercial diversion rate shall be limited to 0.11 cfs and that the total annual commercial diversion volume shall be limited to 15 afa.

-No new wells are authorized under approval of these permits.

-Proof of beneficial use must be submitted for 36-08766 immediately upon approval of the permit.

-No increase beyond existing area of irrigated landscape is authorized under these permits.

-Permit 36-08767 is non-consumptive.

MICROFILMED

AUG 19 1997

Water Right Number - 36-07045

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

WILLIE-HUNZEKER ENTERPRISES

1 - 1017 S 1150 E

2 -

3 -

City- EDEN

State- ID Zip- 83325

Phone - 208-825-4147

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/15/1968 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

10S 18E 12 SE NE NW (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
10 - COMMERCIAL 01/01 12/31 0.040 1.80
49 - FIRE PROTECTION 01/01 12/31 0.100+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.140 1.80 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 18E 12 NE NW 10 COMMERCIAL (53) JEROME

+ - - Diversion Means - 2 WELLS, 2 PUMPS

+ - - Non-Irrigation Use - COMMERCIAL/ TRUCK STOP, CAFE, STORE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

GEN PROPERTY IS ALSO KNOWN AS OASIS TRUCK STOP.
TWO POINTS OF DIVERSION LOCATED IN SE1/4 NW 12, T10S, R18E.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

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AUG 19 1997

07/01/97 11:26:53
Page 2

Prefix Translation: WATER RIGHT

+ - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 01/17/91 BEDKE 10/07/91 WORSTELL 10/15/91 MERRITT 07/18/92 POST-STD 08/28/92 PR-PROD
11/02/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257068 08/24/92

[illegible]

Date: 01/16/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

Date: 10/07/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS

2 WELLS, 1 SYSTEM, SAME PRIORITY.

Date: 10/15/1991 User Id: MERRITT Subject: ALLOW WHAT WAS LICENSED. SYSTEM SEEMS TO HAVE BEEN EXPANDED.

THE SYSTEM AND USE HAS APPEARS TO HAVE EXPANDED SINCE ORIGINAL RATE FOR COMMERCIAL USE; THIS HAS BEEN DISALLOWED.

LICENSE. CLAIM APPEARS TO HAVE ATTEMPTED TO EXPAND DIVERSION
RECOMMENDATION BASED ON ORIGINAL LICENSED AMOUNT. APPEARS THAT

EXPANSION NEEDS TO BE COVERED UNDER NEW PERMIT.

+ - ~ ~ ~ ~ ~ Adjudication Rights Dates and Flags Area ~ ~ ~ ~ ~ +

Court Report Filing - 11/02/1992
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 12/08/1988
Proof Due Date - 00/00/0000
Licensed Date - 00/00/0000

```
Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 10/15/1991
Last Amended Date - 00/00/0000
Proof Made Date - 00/00/0000
Receipt Number - S004342
POU Ownership Flag - Y
Name Connector -
```

Civil Case Number	-	39576
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S
Presumption Flag	-	
Notice of Error Flag	-	

MICROFILMED
AUG 19 1987

Travelers. Cusis

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. P. Stanton DATE 5-16, 1997
APPLICATION NO. 36-08766

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
 - ☒ Address
 - ☒ Source (see USGS quad for names of water sources)
 - ☒ Point of diversion (10 Acres for spring, lot & block description, subdivisions, local name, flow &/or volume.)
 - ☒ County
 - ☒ Quantity (flow &/or volume)
 - ☒ Period of use
 - ☒ Nature of proposed use (include description of use)
 - ☒ Description of diverting works.
 - ☒ Time required for beneficial use of water.
 - ☒ Place of use or acres irrigated.
 - ☒ Map
 - ☒ Signature (If applicant is corp., partnership, or municipality of signator is required)
 - ☒ Fee
 - ☒ Yes ☐ No* In form to receipt
- PROPOSED PRIORITY DATE
5-16 1997

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to previous application on the back.)
 - ☒ Overlapping point of diversion. *Pac-1987 development - process app.*
 - ☐ Yes ☒ No Field check required
 - ☐ Yes ☐ No Field check by _____
 - ☐ Yes ☐ No Field report attached
 - ☐ Yes ☒ No Critical Ground water area
 - ☐ Yes ☒ No Groundwater management area
 - ☐ Yes ☒ No Send Dam safety information
 - ☐ Yes ☒ No Send power requirement letter
 - ☐ Yes ☒ No Send fish farm requirement letter
 - ☐ Yes ☒ No Power residency affidavit.
 - ☐ Yes ☒ No Power efficiency form
 - ☒ Yes ☐ No Within trustwater boundary (If yes, attach trustwater supplementary analysis sheet.)
 - ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

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

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest _____
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☒ Yes ☐ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See Memo 7/1/97

See below for additional information

Date of priority recommended 5/16, 1997
By AD Date 7/1, 1997

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Jerome } ss.

JUN 16 1997

Department of Water Resources
Southern Region

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 4 day of June, 1997, and the date of the last publication was on the 11 day of

June, 1997.
Patty Nance

Subscribed and sworn to before me this 12th day of June, 1997.
(SEAL) Norma DeWoe

NOTARY PUBLIC

16156/7276

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 21

Affidavit Fee \$2.25

Lines tabular at 600.19 7¢/Pica

Lines straight at 36.01 6¢/Pica

Subsequent lines at 30.01 5¢/Pica

TOTAL COST 61.27

COPY OF NOTICE

(Paste Here)

Permit - Willie
TITLE OF NOTICE 36-08766

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Res.
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

DAN WILLIE
DBA TRAVELERS' OASIS
1017 S 1150 E
EDEN ID 83325

Re: Application for Permit No. 36-08766

Source: Groundwater (existing development)

Diversion Pt(s): Two (2) points within NE1/4NW1/4, S12, T10S, R18E; Jerome County.

Use: 1/1-12/31 Commercial (0.11 cfs)

In: NE1/4NW1/4, S12, T10S, R18E.

Date Filed: 05/16/1997

The application proposes to divert groundwater from the "Eastern Snake Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. The permit, if approved, will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 23, 1997. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the North Side News on 6/4 & 6/11/97.

MICROFILMED

AUG 19 1997

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Karl J. Dreher, Director

Published in the North Side News on 6/4
& 6/11/97.

MICROFILMED
AUG 19 1997



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

May 19, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
ATTN **North Side News**
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

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

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

AUG 19 1997

NOTICE OF APPLICATION FOR WATER PERMIT

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EDEN ID 83325

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Karl J. Dreher, Director

Published in the North Side News on 6/4 & 6/11/97.

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AUG 19 1997

OK
20



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

May 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAN WILLIE
DBA TRAVELERS' OASIS
1017 S 1150 E
EDEN ID 83325

Re: Application for Permit No. 36-08766

Dear Mr. Willie:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office also acknowledges receipt of material submitted as evidence of pre-1987 development and your request to process your application under this classification. Therefore, this office has scheduled advertising the application in the North Side News for 6/4 & 6/11/97. A period of ten days following the second publication will be allowed for the submittal of protests.

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.

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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AUG 19 1997

~~Connie Brutke~~
829-5926 Floyd Lilly Company

011 Pump
Installed May 5/68
023 082
No 26989

Phone 825-4147

WORK ORDER

Bill to Travelers Oasis

Date 9/9/86

Address Rt #1
Eden Idaho 83325

Delivery Wanted

Place

Type of Pump Rod

Direction From

Depth of Well 425'

Depth to Water 380'

Length of Pipe in Well 315'

Size of Pipe 2"

Motor Size 7 1/2 hp

Remarks

Pump Sr. No.

Motor Sr. No.

Installed 10/6/86

1	40KG03B 7.5 hp		4	1 1/2 x 1 1/4 bushing	2.55
	Hitachi	2290.00	1	1 1/4 x 1/4 "	1.97
42	2" 7.5 C pipe	2.19	1	1/4 tee	1.36
315	8/3 Neo sub wire	116	1	100 PSI gauge	5.00
335	10/1 ground wire	.14	1	FS6-2 switch	12.50
3	2" #80 check valves	34.90	1	2" line ball valve	57.00
2	2 x 12 gal nipple	4.27	4	CA220 pres tank	388.99
3	rolls Scotch 331 tape	2.95	4	1 1/4 x 12 nipple	3.03
1	2" 90° elbow	4.94	4	1 1/4 x 2 1/2 "	8.2
3	2" gal tee	6.52	2	1 1/4 x 2 "	7.5
4	2 1/2 x 1 1/4 tee	7.07	2	2 x 24" "	8.05
1	2" union	8.50	1	2 x 8 "	3.27
4	1 1/4 union	5.58	2	2 x 6 "	2.27
4	1 1/4 brass gate valve	12.70	1	2 x 4 "	1.69
2	2" plug	2.67	2	2 x 3 "	1.43
1	2 x 1 1/4 bushing	3.55			
TOTAL			OVER		

IDAHO SALES TAX ACT - EXEMPTION CERTIFICATE
I certify that the following tangible personal property of

will be directly used or consumed in or during processing farming or fabricating operation and is necessary and essential for such operation.

Signed

Mileage

Labor

TOTAL

MICROFILMED
AUG 19 1997

RECEIVED

MAY 16 1997

Exhibit B2

Department of Water Resources
Southern Region

36-08766

Dan or Mike

Lonnie Brutke 829-5926
Floyd Lilly Company

#18501

WORK ORDER

No 26101

Phone 825-4147

Site to Trappers Oasis

Address Eden ID 83325

Place

Direction From

Remarks ~~Check pump~~
pull & replace

Date 5/2/35

Delivery Wanted

Type of Pump 2 wire

Depth of Well

Depth to Water 250'

Length of Pipe in Well 315

Size of Pipe 1" galv

Motor Size 1 1/2 hp 2 wire

Pump Sr. No. 68P4F5-06 1K84Y

Motor Sr. No. 2 wire 1 1/2 hp 284

Franklin
1 8P4F02F-06 1 1/2 hp
325' 10-3 Neo wire
1 1" 80 check valve
1 FSG-2 switch
2 Rolls scotch 33+ tape
1 5yr Warranty #
1 30 Amp Double Pole Breaker
5 service call, replace pump
1 1/2 hr 3

7/8/85 Sold 6/30/68
539291B
Pump
4-18961
Motor
5-14630
7 1/2 hp 3Ø 220V
Model #
6718D454
220V
250' ?
Water 300' ?
45 GPM @ 30 PSI
280' water

TOTAL

IDAHO SALES TAX ACT - EXEMPTION CERTIFICATE
I certify that the following tangible personal property of

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Department of Water Resources
Southern Region

Exhibit B1

MICROFILM 40K

AUG 19 1997 343-9453

36-08766

Well
Cycle

1-1-96 22810360

1-2-96 22817090

1-3-96 22824090 RECEIVED 1-29-96

4-96

MAY 16 1997

1-30-96

23025550

23032407

5 22835600 Department of Water Resources
Southern Region

1-31-96

23038840

6 22842934

7 2-1-96

8 22856090

✓

2-2

23055150

9 2-3

10 22888780 2-4

11 2-5 23071730

12 22880920 2-6 23079450

13 2-7 23085690

14 2-8

15 22900250 2-9 23102880

16 22908010 2-10

17 2-11

18 22917106 2-12 23123510

19 2-13

20 2-14 23140150

21 2-15 23149500

22 22972280 2-16 23161990

23 2-17

24 22990860 2-18

25 MICROFILMED 23189530

26 23002170 AUG 21 9 1997

27 Exhibit C 2-21 23463315

28 36-08766

14

15 23397360

16

MICROFILMED

AUG 21 9 1997

11

12

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11

12 24101050 ✓

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8 24420930

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10

MICROFILMED

AUG 21 9 1997

13

avg 4435

11,377

10,2916

NOTES:

NOTES:

TRAVELERS' OASIS

WATER/SEWER LOG

Oct 96
MONTH YEAR

DAY	WATER SYSTEM			SEPTIC SYSTEM		DRAIN FIELD		COMMENTS
	METER READING	USAGE	#2 WELL CYCLED	GREASE TRAP CHK'D/PMP'D	SEPTIC TANK CHK'D/PMP'D	SECTION IN USE	LF	
1	25308950							
2	25318460		/					
3	25328740							
4	25337090							
5								
6								
7	25346730							
8	25355890							
9	25363760							
10	25371910		/					
11	25379920							
12								
13								
14	25424530							
15	25442350							
16	25455360		/					
17	25467340							
18	25479460							
19								
20								
21	25144870							
22	25521500		/					
23	25529630							
24	25538350							
25	25545130							
26								
27								
28								
29	25565830		/					
30	25572990							
31	25586560							
32	25595040							

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AUG 9 1997

NOTES:

TRAVELERS' OASIS

WATER/SEWER LOG

Nov, 96
MONTH YEAR

DAY	WATER SYSTEM			SEPTIC SYSTEM		DRAIN FIELD		COMMENTS
	METER READING	USAGE	#2 WELL CYCLED	GREASE TRAP CHK'D/PMP'D	SEPTIC TANK CHK'D/PMP'D	SECTION IN USE	LF	
1	25524430							
2								
3								
4	25622030	2759						
5	25628620	661						
6	25635100	647	/					
7	25641280	618						
8	25647490	621						
9								
10								
11	25658140	2065						
12	25676610	847						
13	25684860	825	/					
14	25692270	741						
15	25699680	741						
16								
17								
18	25719610	1993						
19	25726020	641						
20	25732350	633	/					
21	25738910	656						
22	25745400	649						
23								
24								
25	25766320	2092						
26	25772400	608						
27	25777440	704	/					
28	25787000	776						
29	25795010	781						
30								
31								

MICROFILMED

AUG 9 1997

TRAVELERS' OASIS

WATER/SEWER LOG

Dec 1996
MONTH YEAR

DAY	WATER SYSTEM			SEPTIC SYSTEM		DRAIN FIELD		COMMENTS
	METER READING	USAGE	#2 WELL CYCLED	GREASE TRAP CHK'D/PMP'D	SEPTIC TANK CHK'D/PMP'D	SECTION IN USE	LF	
1								
2	25815110							
3	25820530	529						
4	25827200	673	✓					
5	25835270	801						
6	25841420	615						
7								
8								
9	25844600	1998						
10	25847700	652						
11	25851480	658	✓					
12	25855010	613						
13	25857080	647						
14								
15								
16	25860760	8058						
17	25861320	566						
18	25861710	609	✓					
19	25862580	657						
20	25863120	594						
21								
22								
23	25865060	8314						
24	25866050	519						
25	25866360	501	✓					
26	25867020	498						
27	25867510	486						
28								
29								
30	25866110	2101						
31	25866780	647						

NOTES:

Handwritten notes and signatures at the bottom of the page.

MAY-15-97 THU 13:55

JEROME COUNTY CLERK

FAX NO. 12083242719

P. 01

Date

May 1, 1997

No 1276

BUILDING PERMIT

COUNTY OF JEROME

Permission is hereby granted to the undersigned owner or contractor to Construct a structure on the property described below and in the exact manner described in the application for this permit subject to the regulations and ordinances of the County of Jerome. The owner of the property for which this permit is granted hereby consents to the necessary inspection by the Building Inspector of the County of Jerome or his deputies of the work being performed as authorized by this permit.

PROPERTY OWNER Proctor's Quarry ADDRESS 1-84 Hansen InterchangeLOCATION OF CONSTRUCTION 1-84 Hansen InterchangeCONTRACTOR Jim Lynn (Ind) ADDRESS 221 S. Main - JeromeTYPE OF CONSTRUCTION Part Stone Addition a Driveway

REMARKS _____

ISSUED BY At Depuorth APPLICANT Jerry LucasVALUATION 118,000.00PERMIT FEE 377.50

Building Official

RECEIVED

MAY 16 1997

Exhibit A

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Department of Water Resources
Southern Region

AUG 19 1997

36-08766

MAY-15-97 THU 13:56
RECEIVED

JEROME COUNTY CLERK

FAX NO. 12083242719

P. 02

MAY 16 1997

BUILDING PERMIT APPLICATION - COUNTY OF JEROME

Department of Water Resources - Southern Region
IMPORTANT - COMPLETE ALL ITEMS, MARK BOXES WHERE APPLICABLE AND SUBMIT PLAN AND LEGAL DESCRIPTION

LOCATION
OF
BUILDING

DIRECTIONS TO CONSTRUCTION SITE

I-84 - Hansen Bridge

II. TYPE AND COST OF BUILDING - All applicants complete Parts A - D

A. TYPE OF IMPROVEMENT

- 1 ☐ New building
2 ☐ Addition (If residential, enter number of new housing units added, if any, in Part D, 12)
3 ☒ Alteration (See 2 above)
4 ☐ Repair, replacement
5 ☐ Wrecking (If multifamily, residential, enter number of units in building in Part D, 12)
6 ☐ Moving (relocation)
7 ☐ Mobile ☐ Modular

D. PROPOSED USE - For "Wrecking" most recent use

- | | |
|--|--|
| Residential | Nonresidential |
| 12 ☐ One family | 18 ☐ Amusement, recreational |
| 13 ☐ Two or more family - Enter number of units _____ | 19 ☐ Church, other religious |
| 14 ☐ Transient hotel, motel, or dormitory - Enter number of units _____ | 20 ☐ Industrial |
| 15 ☐ Garage | 21 ☐ Parking garage |
| 16 ☐ Storage | 22 ☐ Service station, repair garage |
| 17 ☐ Other - Specify _____ | 23 ☐ Hospital, institutional |
| | 24 ☐ Office, bank, professional |
| | 25 ☐ Public utility |
| | 26 ☐ School, library, other educational |
| | 27 ☐ Stores, mercantile |
| | 28 ☐ Tanks, towers |
| | 29 ☐ Other - Specify <i>Retention</i> |

B. OWNERSHIP

- 8 ☒ Private (individual, corporation, nonprofit institution, etc.)
9 ☐ Public (Federal, State, or local government)

III. SELECTED CHARACTERISTICS OF BUILDING - For new buildings and additions, complete Parts E - L; for wrecking, complete only Part J, for all others skip to IV.

E. PRINCIPAL TYPE OF FRAME

- 30 ☐ Masonry (wall bearing)
31 ☒ Wood frame
32 ☐ Structural steel
33 ☐ Reinforced concrete
34 ☐ Other - Specify _____

G. SET BACK FOOTAGE

- 40 Front yard *OK*
41 Rear yard *OK*
42 Side yard *OK*

J. DIMENSIONS

- 48 Number of stories *1*
49 Total square feet of floor area, *3200 sq ft*
50 Total land area, sq. ft. _____

F. PRINCIPAL TYPE OF HEATING FUEL

- 35 ☐ Gas
36 ☐ Oil
37 ☒ Electricity
38 ☐ Coal
39 ☐ Other - Specify *Electric*

H. CURB AND GUTTER

- 43 ☐ Yes ☒ No

K. NUMBER OF OFF-STREET PARKING SPACES

- 51 Enclosed _____
52 Outdoors _____

I. TYPE OF MECHANICAL

- Will there be central air conditioning?
44 ☒ Yes 45 ☐ No
Will there be an elevator?
46 ☐ Yes 47 ☒ No

L. RESIDENTIAL BUILDINGS ONLY

- 53 Number of bedrooms _____
54 Number of bathrooms { Full *1*
Partial _____

IV. IDENTIFICATION - To be completed by all applicants

Name	Mailing Address - Number, Street, City, and State	ZIP Code	Tel. No.
1. Owner <i>11114 Antelope Island</i>	<i>TRAVELLERS OASIS - 1-84 HANSEN BRIDGE</i>		
2. Contractor <i>TAC-LYN CONSTRUCTION</i>	<i>221 S. LINCOLN, JEROME</i>	<i>83338</i>	<i>824-5251</i>
3. Architect			

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

Terry Lucas 5-1-85 MIC
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT (DATE)

THIS SPACE FOR OFFICE USE ONLY

DATE *May 1-1985* PERMIT NO. *1316*
VALUATION *118000.00* FEE *323.50*
ROFILMED
APPROVED BY *CPH/UP/NOTH*

Appal line - Sec 5 & NENIK Sec. 12 - AUG 18 1937

36-08766

Travelers' Oasis Truck Plaza

1017 South 1150 East
Eden, Idaho 83325
Phone (208) 825-4147
Fax (208) 825-5720

To Whom It May Concern,

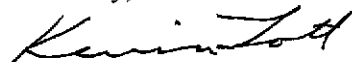
The Travelers' Oasis is a commercial truck stop that includes diesel, gas, restaurant, grocery, and deli operations. Mr. Dan Willie acquired the property in 1979, and expanded in 1985 to its current size (see Exhibit A1 and A2).

Two wells are currently on the property. In 1985 and 1986, the well pumps were replaced raising pumping capacity to 48 g.p.m. or 0.11 cfs. These same pumps are still in use today. Copies of the original purchase orders are attached as Exhibits B1 and B2. The original owner's water license was established in 1968, and limits domestic use to 18 g.p.m. or 0.04 cfs. Since water use for this property is commercial (not domestic), and has been since Dan Willie has been the owner, and the diversion rate capability has been 48 g.p.m. since 1986, the owner respectfully requests that his license be modified to indicate actual capacity.

From the time that the current pumps were installed in 1986, annual usage volume has also exceeded that licensed requirement (1.8 acre-feet per year). Unfortunately actual usage records do not exist for that time. The owner began taking meter readings at the beginning of 1996. Actual usage for calendar year 1996 was 3,192,420 gallons (10 acre-feet). Because the business has not substantially changed since the 1985 expansion, it is reasonable to assume that total consumption since then has been constant. Therefore Dan Willie hereby makes a request to increase the license to reflect a maximum annual consumption of 10 acre -feet.

The Travelers' Oasis is a business in good standing in Jerome County, Idaho. Through its successful business operations over many years, the owner can easily show beneficial use of these additional water rights. There is no known reason that the owners should not be permitted to continue to operate this business as he has since 1985. Therefore we request that this application be processed and approved as expeditiously as possible.

Sincerely,



Kevin Lott
General Manager

RECEIVED

MAY 16 1997

Department of Water Resources
Southern Region

MICROFILMED

AUG 19 1997

36-08766