

JOHN H. MANN

M.E.D. VENTURE

CITY OF HAGERMAN

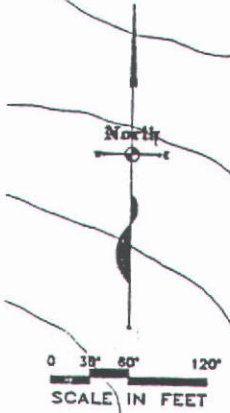
HAGERMAN AVE 185'±

KEVIN & SHERRI BROOKS

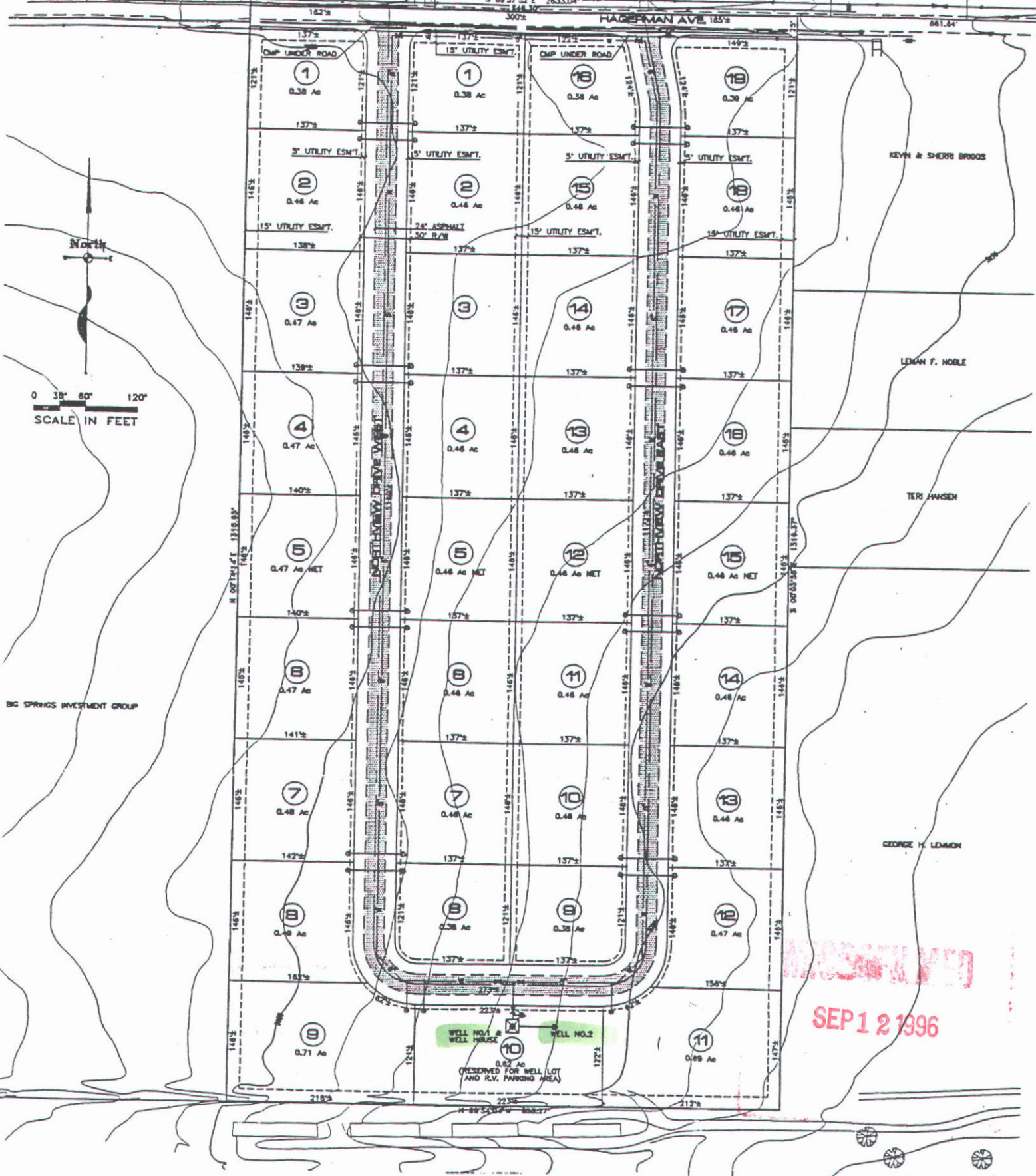
LEON F. NOBLE

TERI HANSEN

GEORGE H. LAMON



BC SPRINGS INVESTMENT GROUP

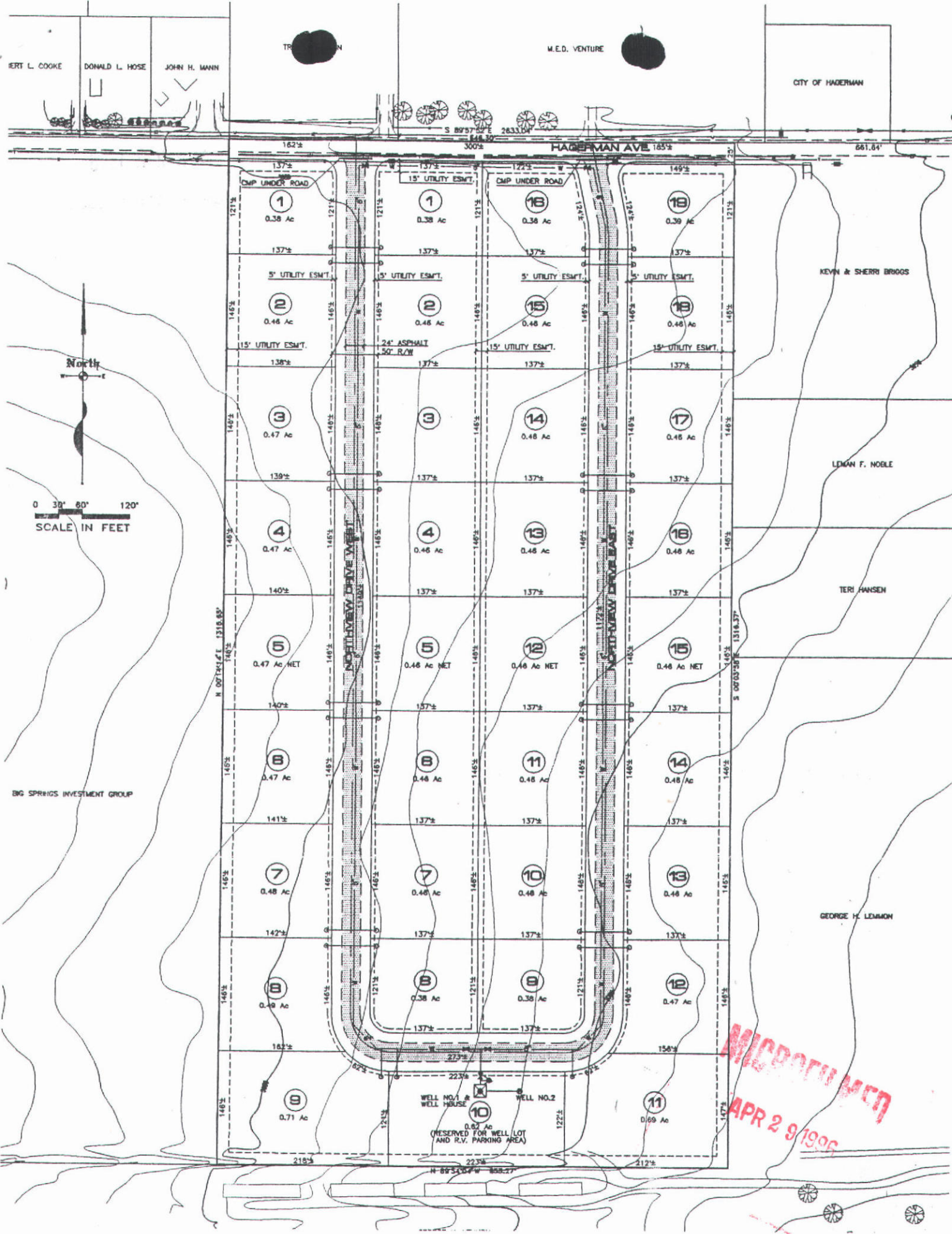


RECEIVED
SEP 12 1996

BERT L. COOKE DONALD L. HOSE JOHN H. WANN

M.E.D. VENTURE

CITY OF HAGERMAN



MICROFILMED
APR 29 1996

SEC 24, 7S, 13E

Topographic map of the Hagerman area, Idaho. The map shows the Snake River, Hagerman Valley, and surrounding features. Key locations include Hagerman, Florence Spring, and the Billingsley Wildlife Management Area. The map includes contour lines, roads, and various landmarks. A blue rectangle highlights a specific area in the lower right. Handwritten notes include "SEC 24, 7S, 13E" at the top, "APR 29 1996" in red, and "36-08747" at the bottom. A red stamp "WASCO" is also visible.

FROM : BRUCE BOTHWELL

PHONE NO. : 2088376402

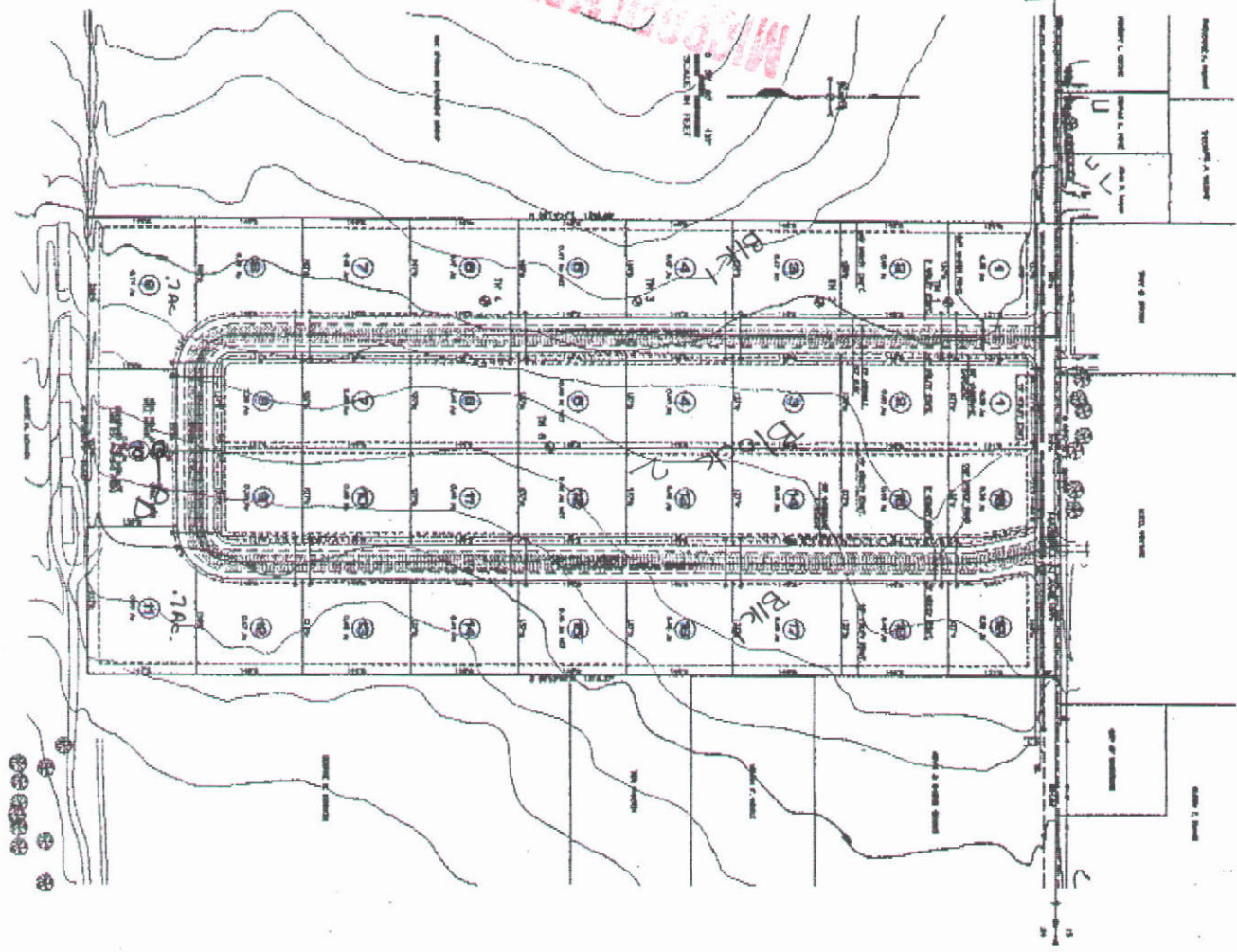
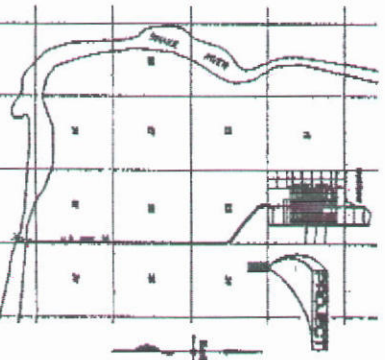
Apr. 11 1996 10:33AM P01

Post-it® Fax Note	7671	Date	# of Pages
To	CINCY ZIMMERS	From	B. Bolger
Co./Dept.		Co.	
Phone #		Phone #	8376402
Fax #		Fax #	8376402

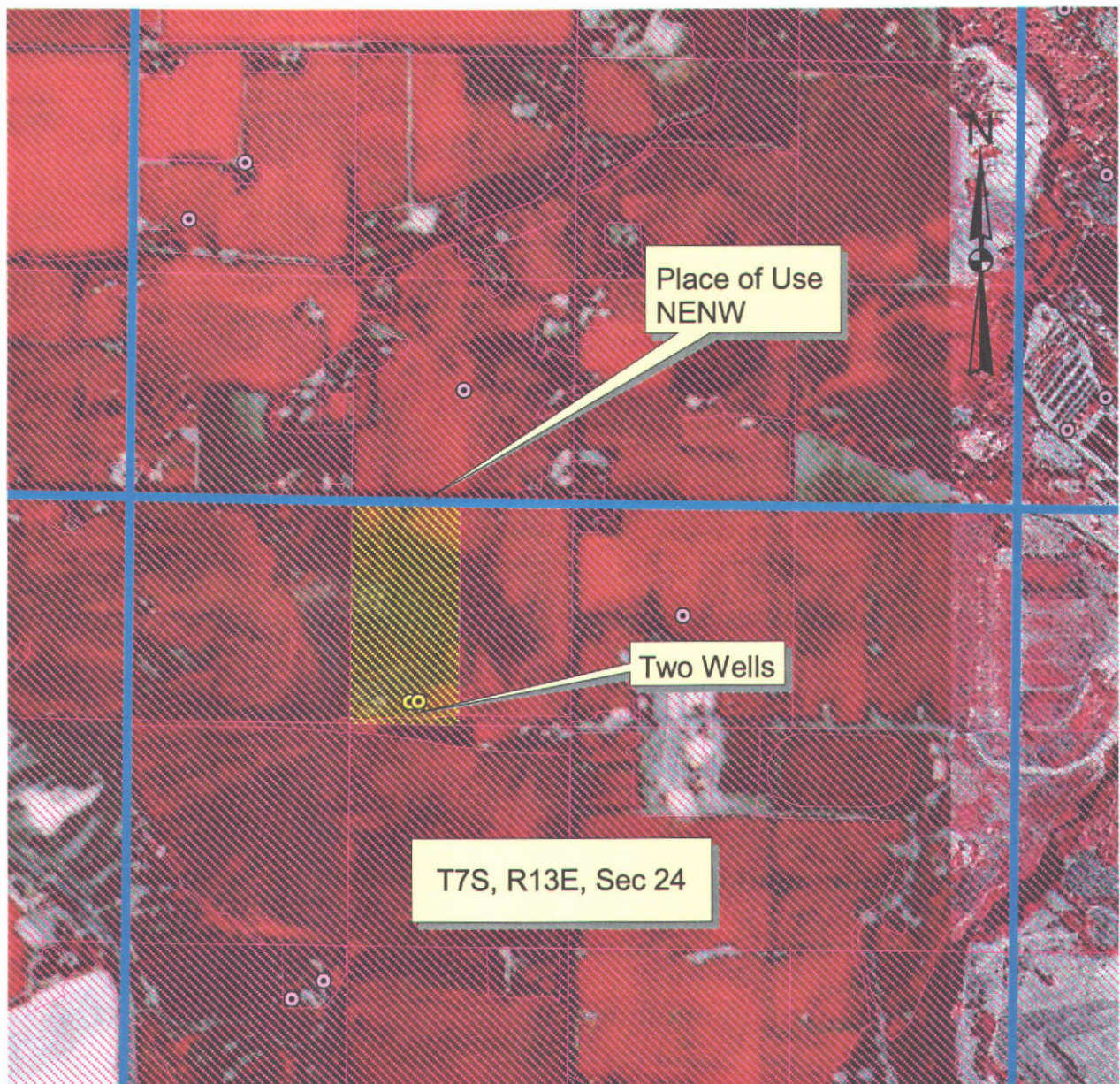
Engineers, Inc.
SURVEYORS/PLANNERS

NORTHMEY SUBDIVISION
 A PORTION OF
 N 1/2 NW 1/4 SECTION 34,
 TOWNSHIP 27 SOUTH, RANGE 75 EAST,
 SIOUX COUNTY, IOWA

DESIGN DATA

[illegible][illegible]

Field Exam for 36-8747

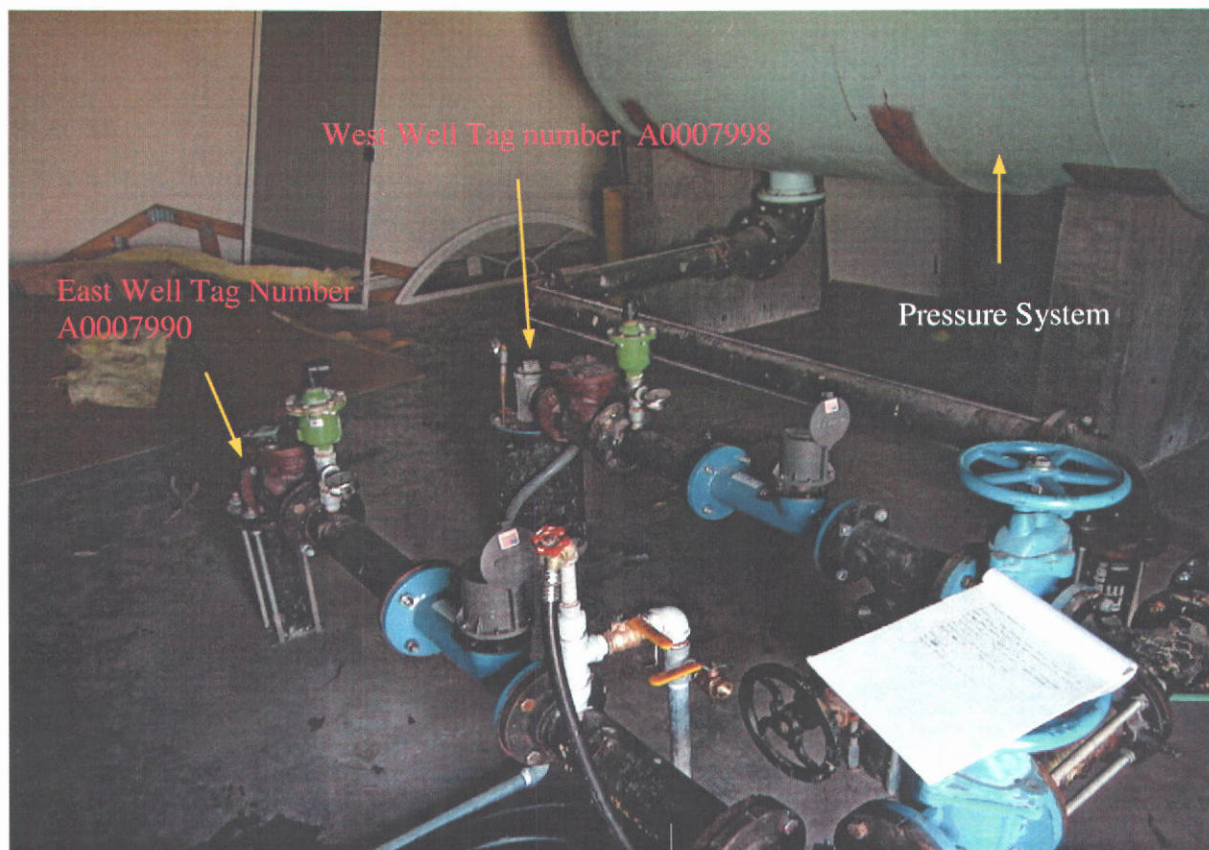


600 0 600 1200 Feet

- POD-Water RightRight POD
- PLSS Section LinesGcdb_sections.shp
- ▨ POU-Water RightRight POU

MICROFILMED

JUN 02 2004



North View Subdivision Well House. West well is inside well house. Two 25 HP Submersible pumps. Pumps into a pressure tank and is chlorinated and distributed from there.

MICROFILMED

JUN 02 2004

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Gooding } ss.

MAR 18 1996

Department of Water Resources
Southern Region

Patty Nance, being first duly sworn, deposes and says that she 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

6 day of March, 1996

and the date of the last publication was on the 13 day of

March, 1996

Patty Nance

Subscribed and sworn to before me this 15th day of March, 1996

(SEAL)

Dorman De Voe
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

Affidavit fee \$2.25

Lines tabular at 371.25 6¢/Pica

Lines straight at 18.54 5¢/Pica

Subsequent lines at 371.25 4¢/Pica

TOTAL COST 35.44

COPY OF NOTICE

(Paste Here)

Water Permit - Bothwell
TITLE OF NOTICE 36-08747

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Ap. 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:

BOTHWELL CONSTRUCTION INC.

PO BOX 444

HAGERMAN ID 83332

36-08747

Source: groundwater

Diversion Pt: SW1/4NE1/4NW1/4, S24, T7S, R13E; Gooding County.

Use:

Irrigation (0.16 cfs) 3/15-11/15

domestic (0.31 cfs) 1/01-12/31

Total Diversion: 0.47 cfs

Date Filed: 12/22/1995

In: Domestic use and irrigation of 8 acres (34 homes with 1/4 acre per lot).

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 25, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Gooding County Leader on 3/6 & 3/13/96.

insertions.....4¢/Pica

No 6154

2468

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08747

Priority: February 2, 1996

Maximum Diversion Rate: 0.35 CFS
Maximum Diversion Volume: 52.4 AF

It is hereby certified that NORTHVIEW WATER ASSN INC
PO BOX 466
HAGERMAN ID 83332 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 22, 1995; and has
submitted Proof of Beneficial Use on August 8, 1999. An examination indicates that the works have a
diversion capacity of 0.35 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.31 CFS	20.4 AF
IRRIGATION	02/15 to 11/30	0.16 CFS	32.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp 07S, Rge 13E, B.M. GOODING County
GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp 07S, Rge 13E, B.M. GOODING County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 13E 24					X												

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 13E 24					8.0												8.0

Total Acres: 8

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

MICROFILMED
JUN 02 2004

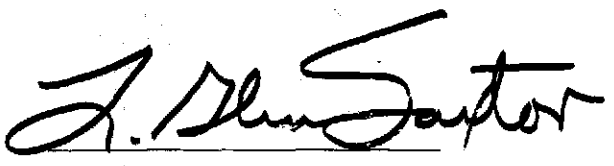
State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 36-08747

CONDITIONS OF APPROVAL CONTINUED

3. Points of diversion are located within Lot 10, Blk. 1, Northview Subdivision.
4. Place of use is located within Lots 1-9, Blk. 1; Lots 11-19, Blk. 1; and Lots 1-16, Blk. 2; Northview Subdivision.
5. Domestic use is for 34 homes. Irrigation of lawn, garden and landscaping associated with the homes is authorized under the irrigation component of this right.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. The irrigation occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
8. Irrigation under this right shall not exceed a total 8 acres within the subdivision lots listed above as the place of use for this right.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 23 day of April, 2004.

for 
KARL J. DREHER
Director

MICROFILMED

JUN 8 2 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-8747)
IN THE NAME OF NORTHVIEW WATER)
ASSOCIATION, INC.)
_____)

**ORDER REMOVING
CONDITION OF APPROVAL**

This matter having come before the Department of Water Resources (Department) as a petition to remove a measuring device requirement and lockable controlling works, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On April 22, 1996, the Department issued Permit 36-8747 (permit) to Bothwell Construction, Inc., with the following condition of approval:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

2. The place of use authorized by the permit is within the area where Big Springs Water Users' Association provides surface water for irrigation purposes.

3. On March 14, 2001, Bothwell Construction, Inc., assigned the permit to Northview Water Association, Inc. (permit holder).

4. On February 9, 2004, the Department received the permit holder's petition to remove the requirement that surface water be used in conjunction with the ground water diverted under the permit (petition). The permit holder explained that "surface water rights were sold and not available to the homeowners."

5. In connection with the petition, the permit holder submitted a photocopy of a sales agreement dated May 30, 1996, in which Bothwell Construction, Inc., assigned all of its right, title, and interest in 80 shares of water from Big Springs Water Users' Association to George H. Lemmon and Irene Lemmon.

MICROFILMED

JUN 02 2004

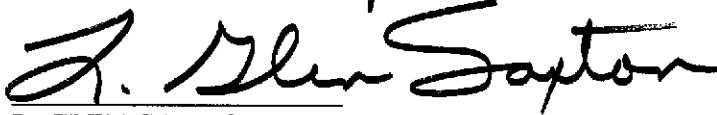
CONCLUSIONS OF LAW

1. Water delivered by Big Springs Water Users' Association is not available for use by the permit holders to irrigate the permitted place of use.
2. The permit does not carry a condition banning the use of water under the permit for irrigation purposes if the surface water formerly used as the primary supply of irrigation water for the permitted place of use is sold and used at another location.
3. The Department should remove the requirement that surface water be used in conjunction with the ground water diverted under the permit.

ORDER

The condition of approval requiring that surface water be used in conjunction with the ground water diverted under the Permit 36-8747 is **REMOVED**.

Dated this 23rd day of April, 2004.



L. GLEN SAXTON, P. E.

Administrator, Water Management Division

RECORDED

JUN 02 2004

RECEIVED

11/99

MAR 15 2001

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$25 filing fee
Receipt # 5013667
Date 3/15/2001

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Bethwell Const. Inc.
Bruce Bethwell, hereby assign to NORTHVIEW WATER ASSOCIATION
of, P.O. Box 466 HOGAN ID 83332 208 837 4780
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 36-08747 to
appropriate the public waters of the State of Idaho.

RECEIVED

OR (for partial assignments)

MAR 20 2001

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

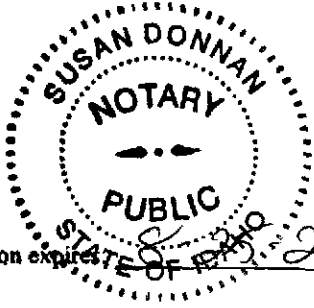
Made this _____ day of _____, 20____

[Signature]
Permit Holder(s)

State of Idaho)
County of Gooding)ss

On this 14th day of March, 2001, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

SEAL



Susan Donnan
Notary Public residing at
Gooding, Idaho

My commission expires SEP 2006

MICROFILMED
MAR 29 2001

36-08747

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08747)
)
IN THE NAME OF BOTHWELL)
CONSTRUCTION, INC.)
_____)

**ORDER OF
REINSTATEMENT**

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 April 1, 1999; and,

WHEREAS, the Department notified the permit holder on January 31, 1999, 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 or an extension of time request; and,

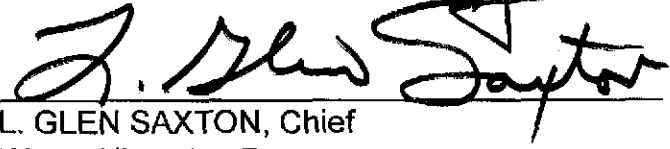
WHEREAS, the Department sent the permit holder a lapse notice on May 6, 1999, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

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 proof of beneficial use on May 13, 1999;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08747 is **REINSTATED** with an advance in priority to **February 2, 1996**.

DATED this 6th day of January, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JAN 27 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF PERMIT
PERMIT NO. 36-08747

This is to certify, that BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 83332-0444

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: 12/22/1995

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.16 CFS	
DOMESTIC	01/01 to 12/31	0.31 CFS	
	Totals	0.47 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 24, Township 07S, Range 13E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	13E	24	NENW	8		8

Total number of acres irrigated: 8

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

RECEIVED

SEP 12 1996

AMENDMENT OF PERMIT
PERMIT NO. 36-08747

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
9. Points of diversion are located within Lot 10, Blk. 1, Northview Subdivision.
10. Places of use are located within Lots 1-9, 11-19, Blk. 1, and Lots 1-16, Blk. 2, Northview Subdivision.
11. Domestic use is for 34 homes.
12. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
13. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
14. The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
15. Two points of diversion located in NENW, S24, T7S, R13E.

Witness my hand this

6th day of

September, 1996.

J. Glen Saylor
Chief, Water Alloc. Bureau

SEP 12 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR AMENDMENT OF A PERMIT**JUL 19 1996
Department of Water ResourcesApplicant Bothwell Construction Inc. Phone 837-6402
Address P.O. Box 444, Hagerman, ID 83332I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08747, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: Change point of diversion ☒ Add point of diversion
Change place of use Change nature of use Change period of use ☒ Other1. Point of diversion: 1/4 NE 1/4 NW 1/4, Section 24, Township 7S, Range 13E., B.M.,County of Gooding. Other points of diversion Production well in sametract exists. This amendment is being made to clarify second
backup well was intended and should be allowed.2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No ChangeAmount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)3. Place of use or land to be irrigated: No Change

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated = 4. a. Who owns the property at the point of diversion? Applicantb. Who owns the land to be irrigated at the place of use? Individual lot ownersc. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Developer (Applicant) owns the water permit but eventually 2 water users or homeowners association will own the water right.

SEP 12 1996

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Scale: 2 inches equal 1 mile

Signed this 17 day of July, 19 96

Ed. Constable, Jr.
Permit Holder

Preliminary check by AK Publication prepared by _____ Date _____

[illegible]

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____

SIGNATURE

JOHN H. MANN

M.E.S. VENTURE

CITY OF HAGERMAN

HAGERMAN AVE 185'±

581.51'

KEVIN & SHERRI BROOKS

LEAH F. NOBLE

TERI WARDEN

GEORGE H. LEMMON

SEP 12 1996

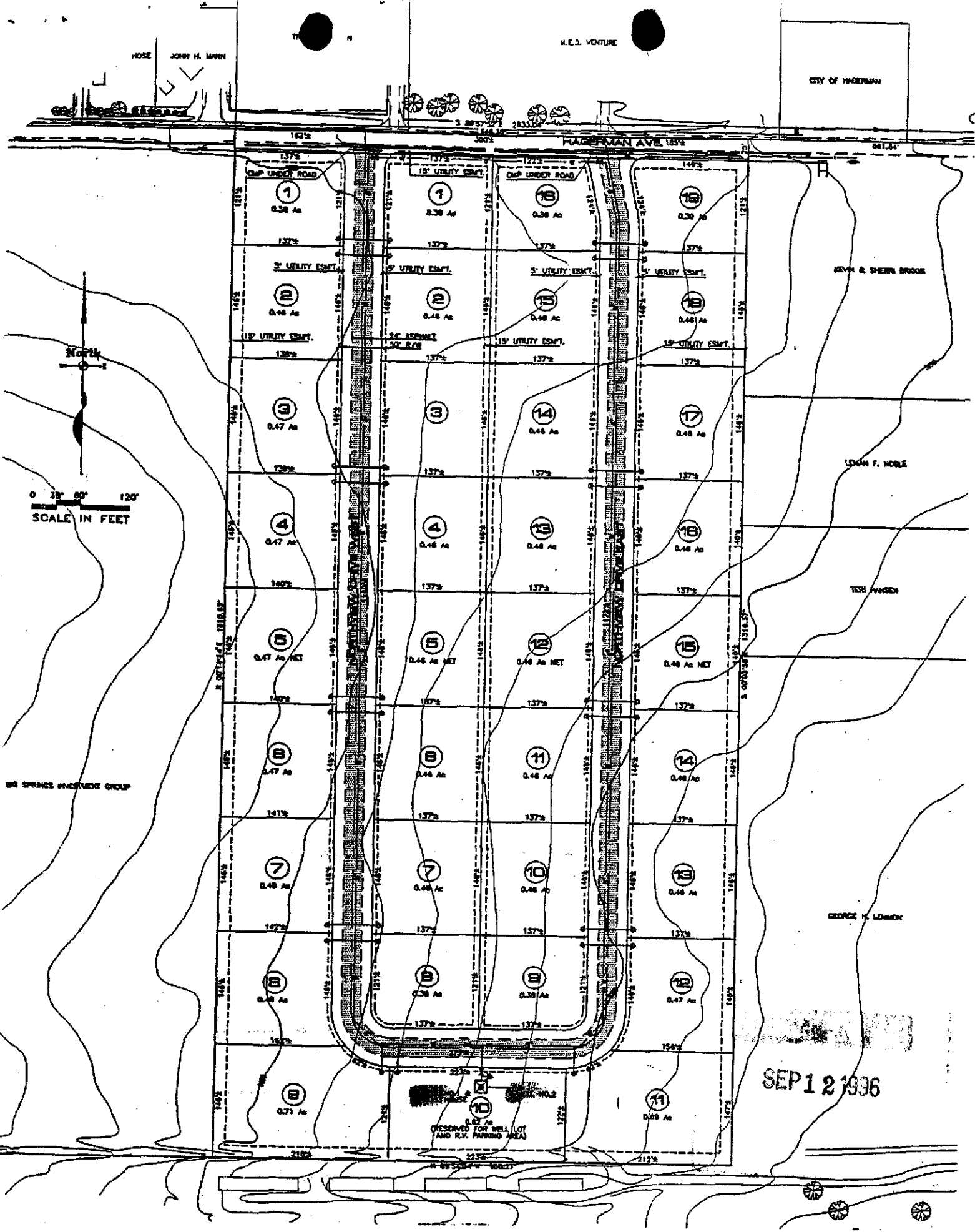
RESERVED FOR WELL LOT
AND R.V. PARKING AREA

N 88° 52' 42" W 108.21'

North

0 30' 60' 120'
SCALE IN FEET

BIG SPRINGS INVESTMENT GROUP



State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 36-08747

Proposed Priority: December 22, 1995 Maximum Diversion Rate: 0.47 CFS

This is to certify, that **BOTHWELL CONSTRUCTION INC**
PO BOX 444
HAGERMAN ID 83332-0444

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.16 CFS
DOMESTIC	01/01 to 12/31	0.31 CFS
	Totals	0.47 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 24, Township 07S, Range 13E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	13E	24	NENW	8.0		8.0

Total number of acres irrigated: 8.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.

APPROVED

APR 29 1996

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

NO. 36-08747

CONDITIONS OF APPROVAL AND REMARKS

8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
10. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
11. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
12. Point of diversion is located within Lot 10, Blk. 1; Northview Subdivision.
13. Places of use are located within Lots 1-9, 11-19, Blk. 1; and Lots 1-16, Blk. 2; Northview Subdivision.
14. Domestic use is for 34 homes.
15. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
16. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
17. The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

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

22nd day of April, 1996.

J. Glen Saylor

APR 28 1996

RECEIVED

Form 20
10/92

DEC 22 1995

STATE OF IDAHO

Ident. No. 36-08747

Department of Water Resources
Southern Region

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Bothwell Construction Inc. Phone 837-6402
Post office address PO Box 444, Hagerman, ID 83332
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 24 Township 7S Range 13E B.M. Gooding County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.31 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.16 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.47 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well pump, buried lines to
subdivision lots
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 350 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
Three years (minimum 1 year).

MINOR CHANGES
APR 29 1996

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. 34 homes with about 1/4 acre of irrigation per lot
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
75	13E	24					8												8
							D												

Total number of acres to be irrigated 8

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

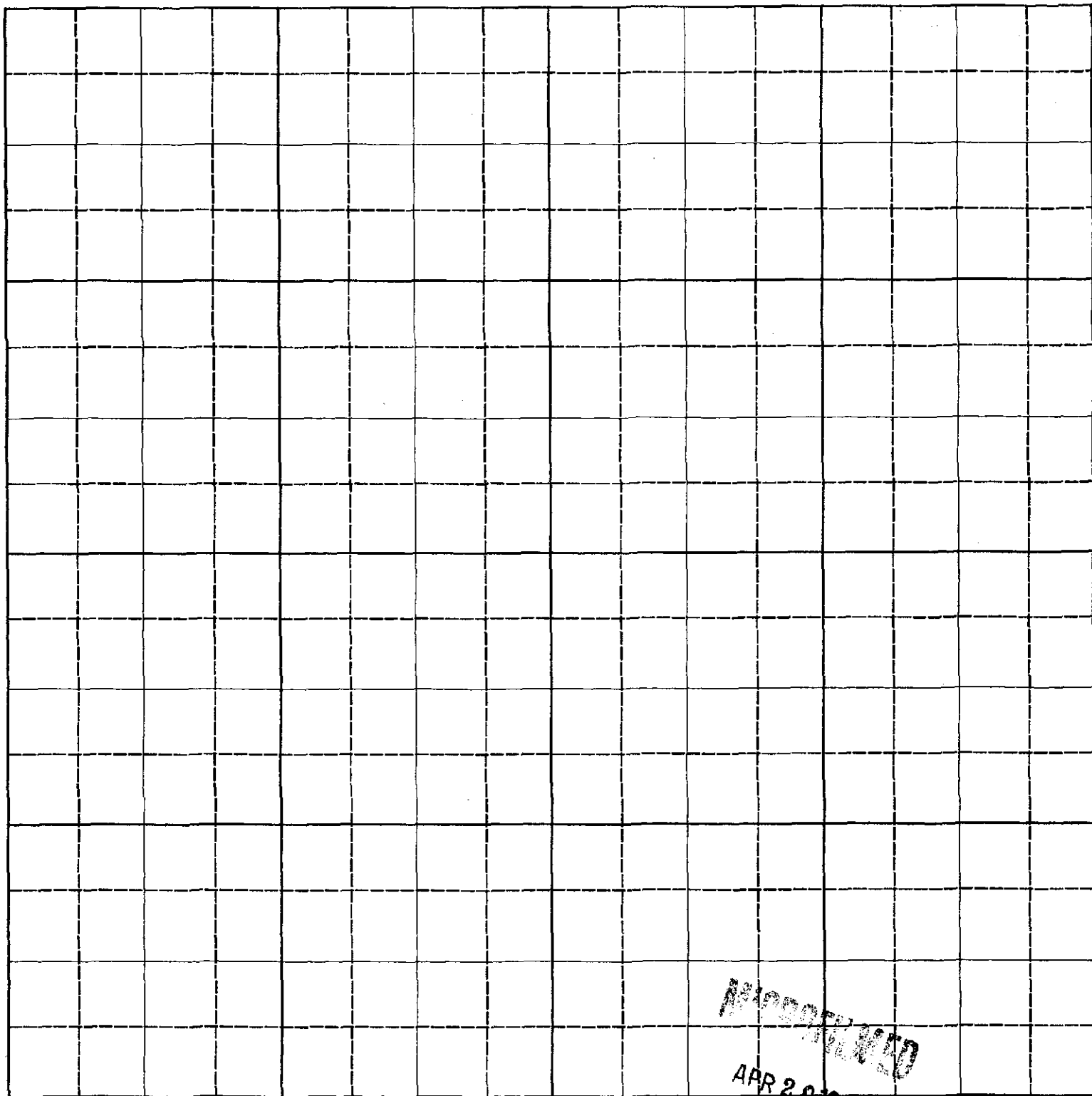
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The city of Hagerman may provide water for this subdivision in the future, but a private well will be needed until then. President is Bruce Bothwell.

RECEIVED

APR 29 1996

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



APPROVED
APR 29 1936

Scale: 2 inches equal 1 mile.

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

David B. Smith, Prop.
(Applicant)
David B. Smith, Sec.

Received by J. F. Stauton Date 12-22-95 Time 12:15 pm Preliminary check by GLS
Fee \$ 100.00 Received by JF # 5018739 Date 12-22-95
Publication prepared by MB Date 2/14/96 Published in Gooding Co. Leader
Publication approved MBaldwin Date 3/18/96

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

e. Other:

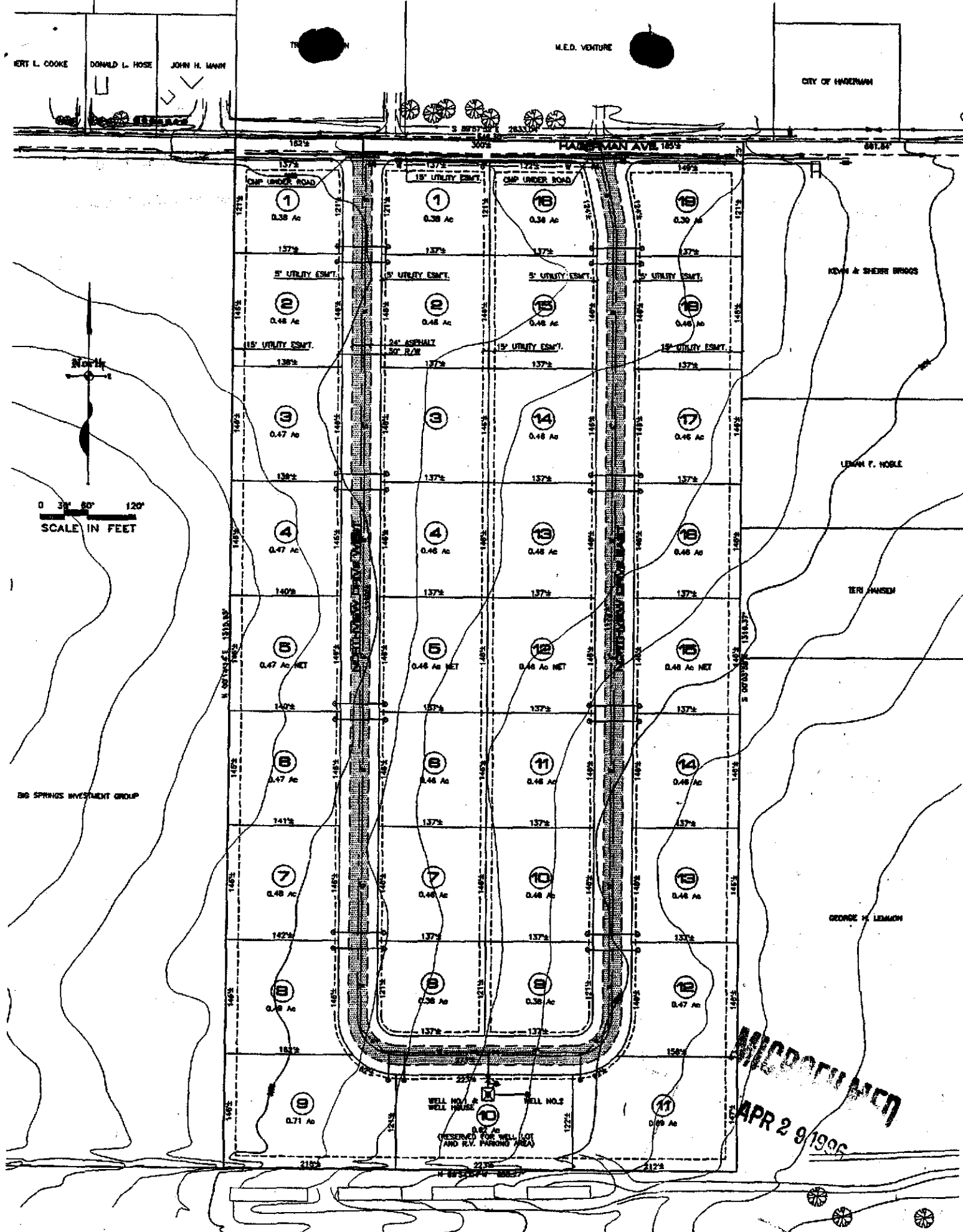
RECORDED

APR 29 1996

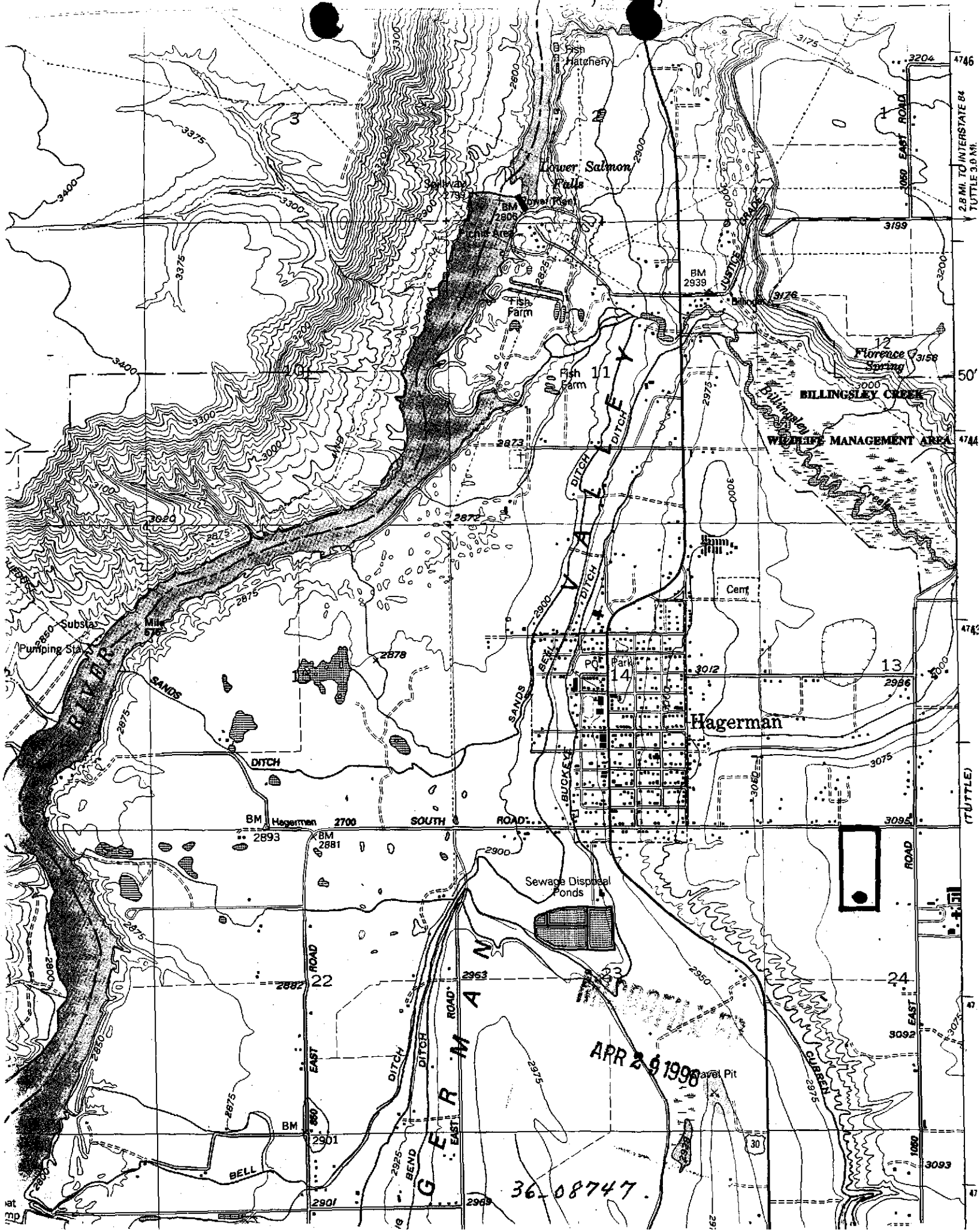
JOHN H. MANN

M.E.D. VENTURE

CITY OF HENDERMAN



SEC 24, 7S, 13E



APR 26 1998

36-08747

Post-It® Fax Note

7671

Date	# of pages
From	To
Co.	Co./Dept.
Phone #	Phone #
Fax #	Fax #

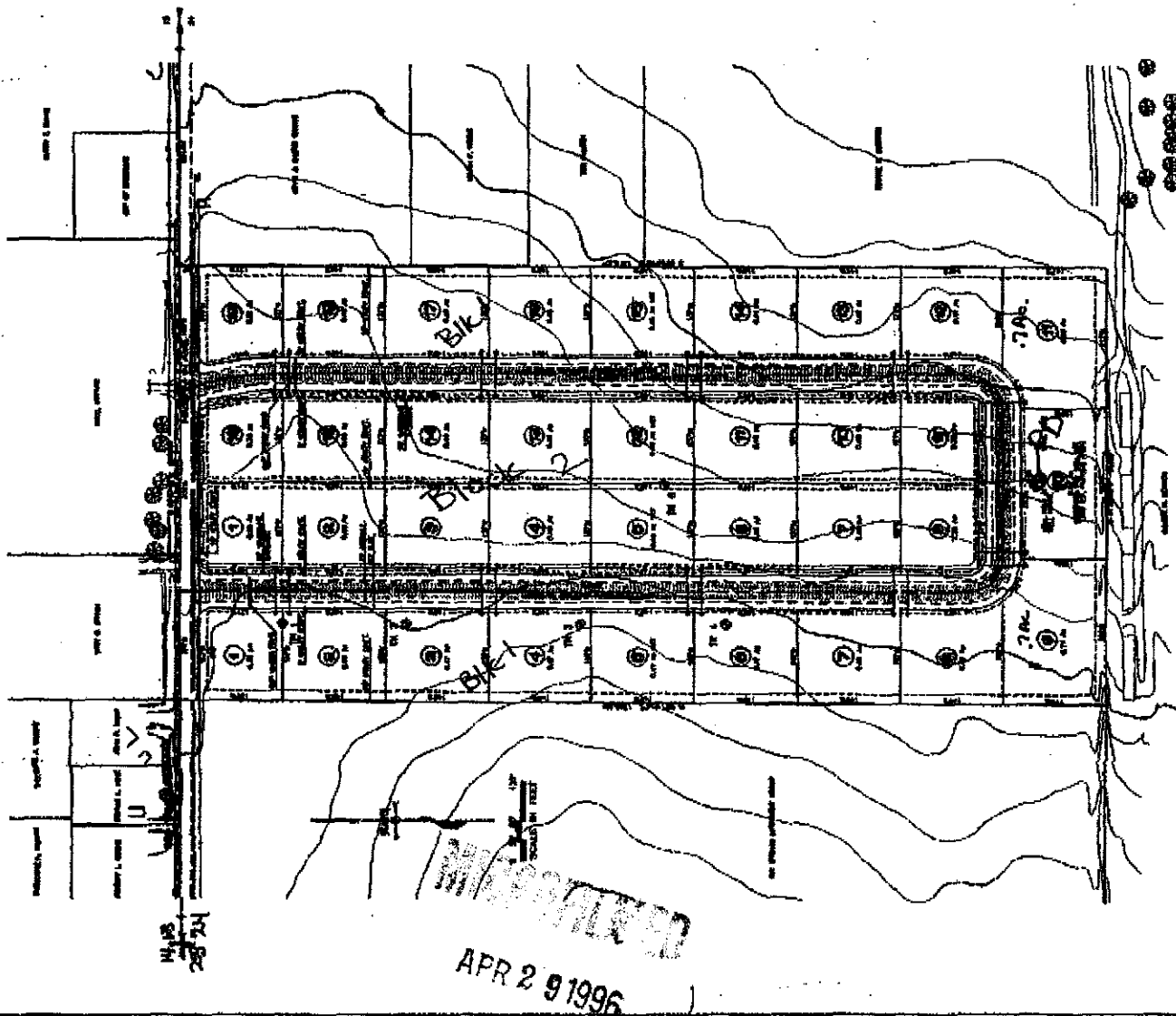
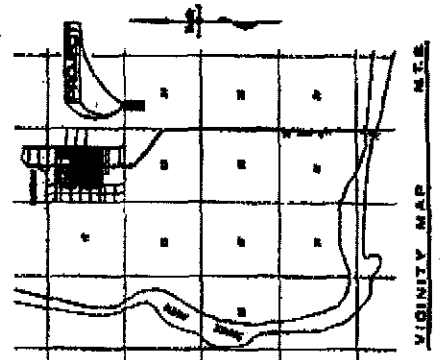
BUZZNUTS/BUZZNUTS
'001 '0000100

NOTES: SUBMISSION
A PORTION OF
N 1/4 SEC 14, T4N, R10E, S12E
TOWNSHIP 7 NORTH, RANGE 10 EAST,
SECTION 14, COUNTY OF SHERIDAN,
STATE OF MONTANA

DATA

SECTION
14

LEGEND



APR 29 1996

327-7866



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 27, 2004

NORTHVIEW WATER ASSN INC
PO BOX 466
HAGERMAN ID 83332

RE: License No. 36-8747 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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

Also enclosed is an Order Removing Condition of Approval.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JUN 02 2004

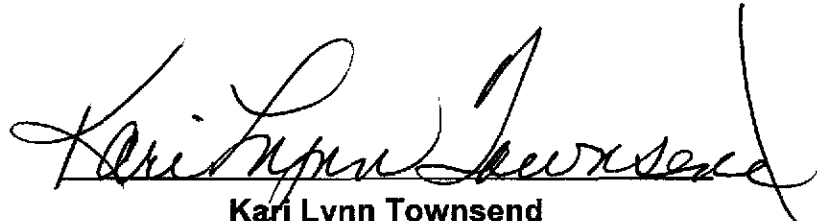
CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

36-8747

**NORTHVIEW WATER ASSN INC
PO BOX 466
HAGERMAN ID 83332**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 02 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED

APR 21 2004

Permit No: 36-8747

Page 1
Department of Water ResourcesSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 36-8747

Exam Date: 5-15-03

1. Current Owner: NORTHVIEW WATER ASSN INC
PO BOX 466
HAGERMAN ID 83332
(208) 837-4780
2. Accompanied by: Don Van Laanen
Phone No: 837-6549
Address: 2736 North View Dr. Hagerman ID. 83332
Relationship to Permit Holder: Vice President of Association

3. SOURCE TRIBUTARY
GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use:
2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW1/4NE1/4NW1/4	Sec. 24,	Twp 07S,	Rge 13E, B.M.
GOODING County				
GROUND WATER	SW1/4NE1/4NW1/4	Sec. 24,	Twp 07S,	Rge 13E, B.M.
GOODING County				

Method of Determination: GPS

2.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	13E	24					X												

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	13E	24					8.0												8.0

Total Acres: 8

MICROFILMED
JUN 02 2004

Permit No: 36-8747

Page 2

MICROFILMED
JUN 02 2004

Method of Determination: ARC VIEW

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- N/A ☐ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☐ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
A0007990		25		submersible	
A0007998		25		submersible	

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

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
Fuji	ultra sonic	porta-flow		7K0085TB		4-15-03

2. Measurements:

Two Measurements were done during a calibration performed by the West Water Measurement District. System capacity was the higher of the two measurements being .35 cfs 155 GPM.

E. FLOW CALCULATIONS

Measured Method:

☐ Additional Computation Sheets Attached

MICROFILMED
JUN 02 2004

F. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:**

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 32 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 93.3 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 32 \text{ AF}$$

2. Volume Calculations for Other Uses:

$$34 \text{ Homes} \times .6 \text{ AF} = 20.4 \text{ AF/Ann.}$$

$$8 \text{ Acres of Irrigation} \times 4 \text{ AF per Acre} = 32 \text{ AF/Ann.}$$

$$20.4 \text{ AF} + 32 \text{ AF} = 52.4 \text{ AF/Ann.}$$

G. NARRATIVE/REMARKS/COMMENTS

Permit # 36-8747 is being recommended for in house use (Domestic) at .6 Acre Feet per house and the irrigation component is being figured at 4-acre feet/acre/year. In my findings I was able to identify that North View Water users association did not have Surface water from Big Springs water users at the time the permit was issued. (see file) Bothwell construction owned the ground in question and when filing for a permit asked for half the irrigation required from the well (.25 acres per lot). The condition which stated that surface water be utilized before any well water for irrigation be used should be removed per request by current water right holder. At the time of licensing there were 27 homes built and one well house. The Well house lot which is approximately .82 acres in size was being irrigated at the time of the exam.

A Fuji ultrasonic meter was used to determine flow at the time the West Measurement district was conducting a calibration on the owners installed flow meter. Peak flow was done by isolating each well. The wells do not run together but alternate in use. Each well is metered with a mechanical flow meter that at the time of the exam was determined to be within guidelines for the measurement program.

To avoid priority disputes I am recommending licensing be done on all lots for the irrigation portion not to exceed 8 acres of irrigation. With schematic of subdivision it was determined that an additional 8 acres lies within the subdivision.

Current water use is around 45-50 acre-feet per year.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.310 CFS	20.40 AF
IRRIGATION	02/15 to 11/30	0.160 CFS	32.00 AF
<u>Totals:</u>		0.350 CFS	52.40 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

MICROFILMED

JUN 9 2 2004

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

MICROFILMED
JUN 02 2004

Permit No: 36-8747

Page 5

Field Examiner's Name

C. R. Kel

Date

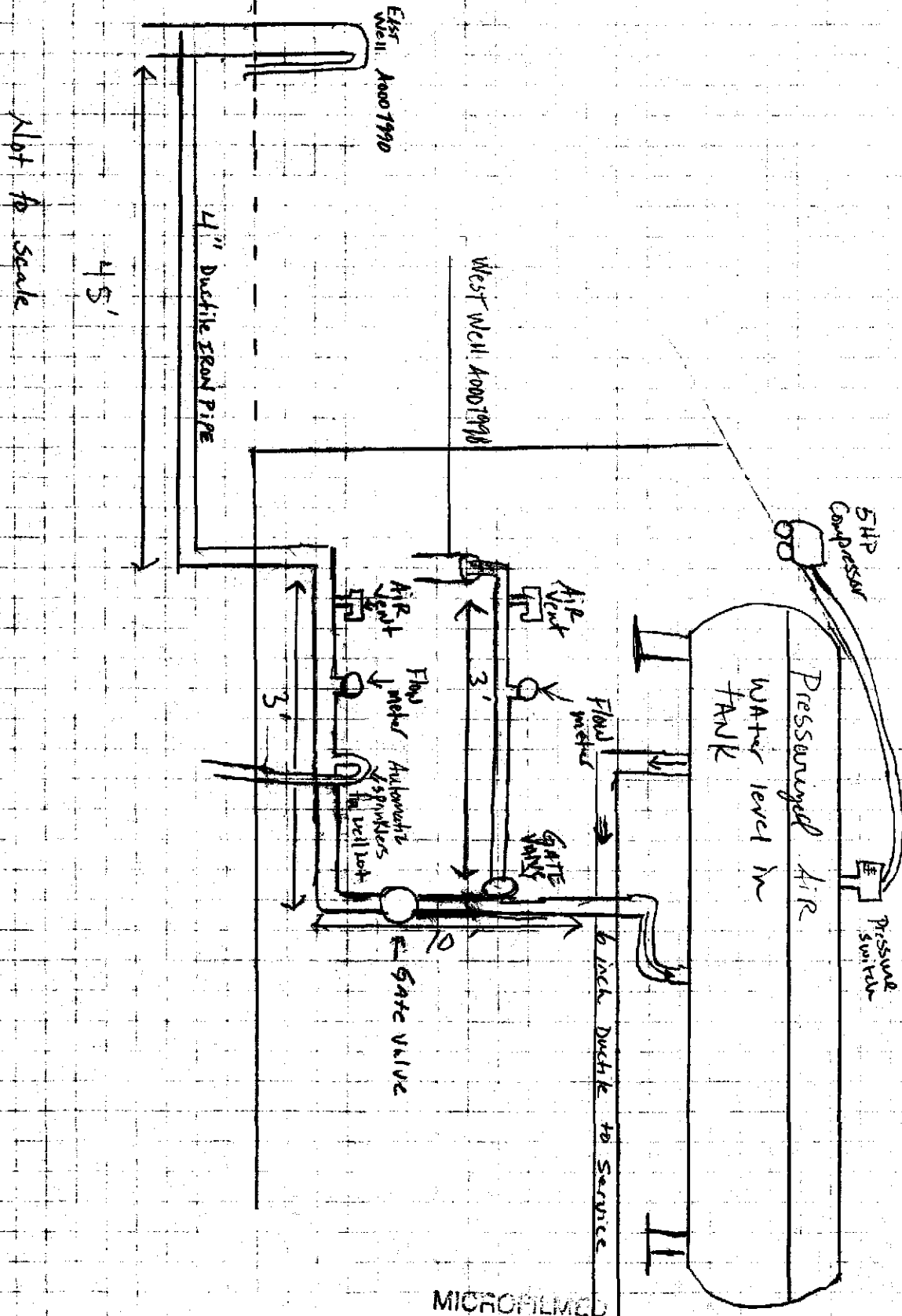
4-15-04

Reviewer

Date

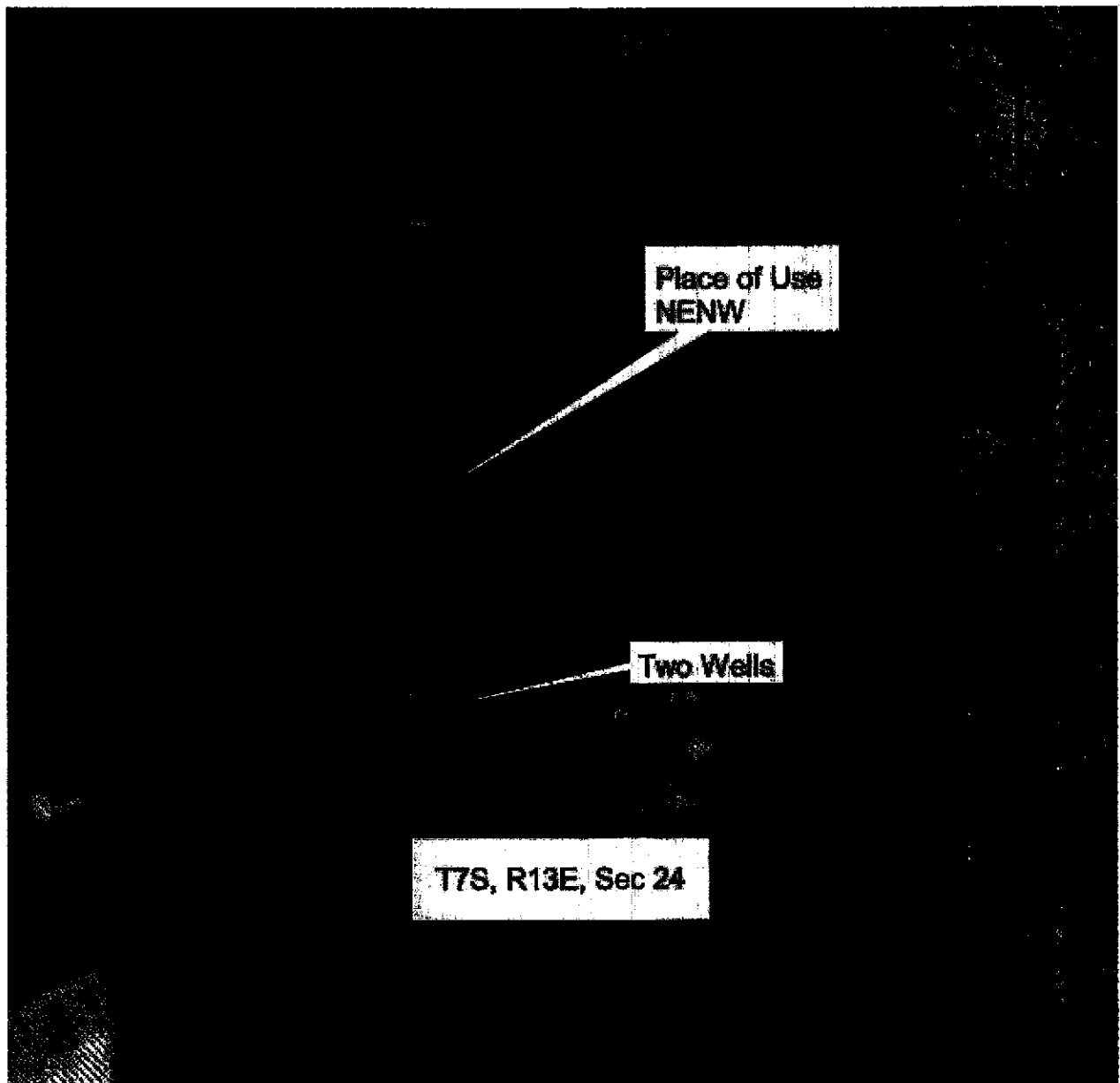
MICROFILMED

JUN 02 2004



MICROFILMED
JUN 02 2004

Field Exam for 36-8747



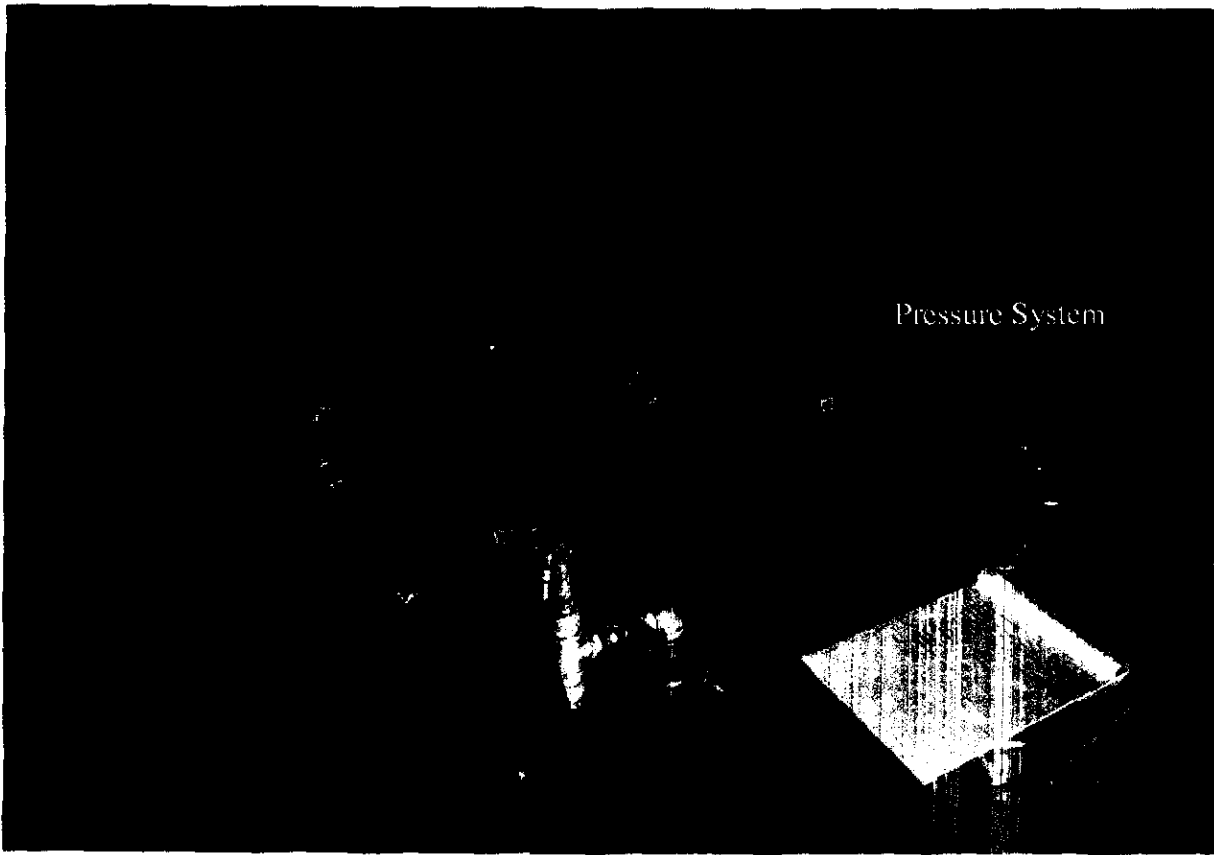
600 0 600 1200 Feet



- POD-Water RightRight POD
- PLSS Section LinesGodb_sections.shp
- ▨ POU-Water RightRight POU

MICROFILMED

JUN 02 2004



Pressure System

North View Subdivision Well House. West well is inside well house. Two 25 HP Submersible pumps. Pumps into a pressure tank and is chlorinated and distributed from there.

MICROFILMED

JUN 9 2 2004

CONVERSATION MEMORANDUM

DATE 2-1-04FILE 36-8747 (Permit)NAME OF PARTY GARY LemmonEMPLOYEE C. Knowles

RE: 2-1-04 Spoke w/ GARY Lemmon about Bis Springs
Shares that ~~are~~ were associated with the Now
Verhivren Subdivision. Shares were sold prior to
application being filed for permit - (5-30, 1986)
Permit app was taken in July of 1986.

MICROFILMED

JUN 02 2004

		rate	vol
122	6 ac	.12 cfs	24 af
DOM	34	.31 cfs	20.4
		.33 cfs	44.4 ←

Sys. .33 cfs ~~23.9 a-f~~

Domestic use = 20.4 AF/Ann. $34 \times .6 = 20.4$ AF
 B across use = 4.8 AF/Ann. 25.2 AF/Ann. $8 \times .6 = 4.8$ AF

.33 cfs based on 2 flow meas. done by WWD $155.1 + 136.3 \div 2 = 145.7$

Total ac — house footprints

448.82
~~2.35 cfs~~

Lots —

.38 x 6 = 2.28

.46 x 19 = 8.74 + .49 x .48 = 5.71

.48 x 1 .49 x 1 = 16.69 AC. total

.47 x 5 = 2.35

.71 x 1 16.69 AC

.82 x 1

1400 sqft home Avg. = 47600 sqft

.69 x 1

x 34 homes

43,560

1.09 AC

110 AC

83 Springs
 drop inc. use from existing permit

8 Eight Acres w/ subdivision

~~2000~~ All lot on license

MICRO

JUN 02 2004

1/28/61

- Spoke w/ Gary Korman about Big Spring Shores that were associated w/ 20 ac. - He is going to look for dates when the transfer of "stock" took place.

Have then submit Request to have Cabin
Removed & move forward w/ New Permit.

- MARVIN ALRED - 832-4156

$$34 \text{ acres} \times .6 \text{ AF} = 20.4 \text{ AF/Ann}$$

$$8 \text{ acres} \times .6 \text{ AF} = 4.8 \text{ AF/Ann}$$

$$\text{Total} = 25.2 \text{ AF/Ann}$$

DNHed to 48.57 AF in 2003

MICROFILMED

JUN 02 2004

Northview Water Association, Inc.
P. O. Box 466
Hagerman, Idaho 83332

February 6, 2004

Ref: Water Right NO. 36-8747

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

To Whom It May Concern:

In reference to Water Right No. 36-8747 for the Northview Water Association, Inc., we wish to request that the condition 1. #065 to use surface water as well as ground water for domestic and irrigation for this subdivision of homes be removed since the surface water rights were sold and not available to the homeowners. (See attachment).

Upon removal of the surface water condition, we would like to request that the ground water license be granted to accommodate both domestic and irrigation water for our homes in the Northview Water Association, Inc. subdivision (per condition 7. #053). Thank you for your consideration.

Sincerely,

Helen Tappero
Helen Tappero
Secretary - Treasurer

Cc: Ed Bailey, President
Don Van Laanen, Vice President
Ms. Junia Kruse, Board of Directors
Mr. Jack Qualman, Board of Directors
Mr. Marvin Allred
✓ Mr. Corbin Knowles

RECEIVED
FEB 09 2004
Department of Water Resources
Southern Region

MICROFILMED
JUN 02 2004

RECEIVED
FEB 10 2004
Department of Water Resources

RECEIVED
FEB 13 2004
Department of Water Resources
Southern Region

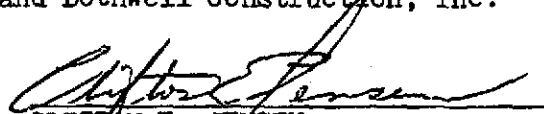
May 30, 1996

Big Springs Water Users' Association
% George Lemmon
2727 South 1050 East
Hagerman, Idaho 83332

Dear Mr. Lemmon:

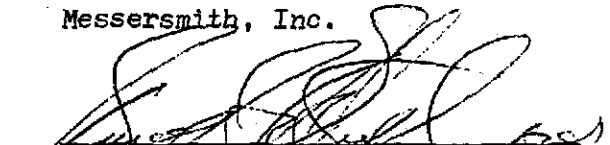
Please be advised that water certificate number 222 from Big Springs Water Users' Association in the amount of 80 shares has been lost. A copy of the certificate is attached and was issued in the name of Clifton E. Jensen.

I, Clifton E. Jensen, hereby assign all of my right, title and interest in said 80 shares of water from Big Springs Water Users' Association to Messersmith, Inc. and Bothwell Construction, Inc.


CLIFTON E. JENSEN

We, Deaun Messersmith, President of Messersmith, Inc., and Bruce R. Bothwell, President of Bothwell Construction, Inc., hereby assign all of our right, title and interest in said 80 shares of water from Big Springs Water Users' Association to George H. Lemmon and Irene Lemmon.


DEAUN MESSERSMITH-President of
Messersmith, Inc.


BRUCE R. BOTHWELL-President of
Bothwell Construction, Inc.

172993

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of George H. Lemmon

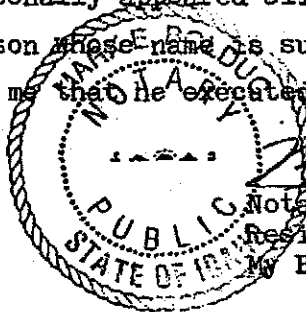
4 min. past 2 o'clock P.m. this week
of November, 1997 6.00

By Sat Bollinger Deputy
MICHAEL

JUN 8 2 2004

STATE OF IDAHO }
County of Gooding } SS.

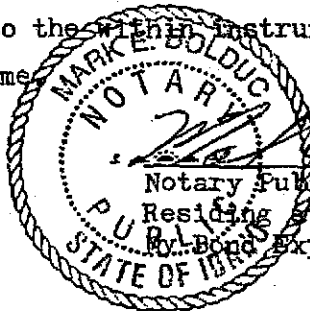
On this 30th day of May, 1996, before me, a Notary Public in and for said State, personally appeared Clifton E. Jensen known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



[Signature]
Notary Public for State of Idaho
Residing at Hagerman, Idaho
My Bond Expires: 6-8-2000

STATE OF IDAHO }
County of Gooding } SS.

On this 30th day of May, 1996, before me, a Notary Public in and for said State, personally appeared Bruce R. Bothwell, President of Bothwell Construction, Inc., known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



[Signature]
Notary Public for State of Idaho
Residing at Hagerman, Idaho
My Bond Expires: 6-8-2000

STATE OF IDAHO }
County of } SS.

On this 16 day of July, 1996, before me, a Notary Public in and for said State, personally appeared Deaun Messersmith, President of Messersmith, Inc., known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



MICHAEL
JUN 02 2004

[Signature]
Notary Public for State of Idaho
Residing at Twin Falls, ID
My Bond Expires: 10-7-2002

Keen, Shelley

From: Knowles, Corbin
Sent: Monday, April 19, 2004 10:37 AM
To: Keen, Shelley
Subject: North view permit 36-8747

Shelley-

After attending the homeowners association meeting on Sat. I found that I had made a small mistake in the number of lots available for home construction. I initially thought there were 34 lots for building, but spaced it when making the recommendation. Two of the lots are for the common area for the well house. A total of 32 homes is the capacity for the subdivision.

Another side note about the common area is that George Lemmon has given the subdivision back enough surface water from Big Springs to irrigate the well lot. Don't ask me how or what on that deal, but I told them I needed some kind of documentation showing the exchange of water? We will be checking up on this through the water district I am sure of in the near future.

Allen sent that permit off to you guys on Friday, I would have made the corrections. Let me know if you want me to make the changes in AdHoc on my end.

Thanks,
Corbin

4/23/04

This morning I spoke with Corbin about his report that there are 32 homes, not 34. He said he learned that a couple homeowners bought 2 lots and built one home. We decided to recommend issuing the license for 34 lots because that is how many were established in and because there is still the potential for two more homes to be added in the future.

S. Keen

MICROFILMED
JUN 02 2004

RECEIVED
FEB 10 2004

Northview Water Association, Inc.
P. O. Box 466
Hagerman, Idaho 83332

February 6, 2004

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

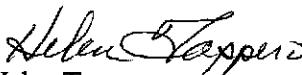
Ref: Water Right NO. 36-8747

To Whom It May Concern:

In reference to Water Right No. 36-8747 for the Northview Water Association, Inc., we wish to request that the condition 1. #065 to use surface water as well as ground water for domestic and irrigation for this subdivision of homes be removed since the surface water rights were sold and not available to the homeowners. (See attachment).

Upon removal of the surface water condition, we would like to request that the ground water license be granted to accommodate both domestic and irrigation water for our homes in the Northview Water Association, Inc. subdivision (per condition 7. #053). Thank you for your consideration.

Sincerely,


Helen Tappero
Secretary - Treasurer

Cc: Ed Bailey, President
Don Van Laanen, Vice President
Ms. Junia Kruse, Board of Directors
Mr. Jack Qualman, Board of Directors
Mr. Marvin Allred
✓ Mr. Corbin Knowles

RECEIVED
FEB 09 2004
Department of Water Resources
Southern Region

MICROFILMED
JUN 02 2004

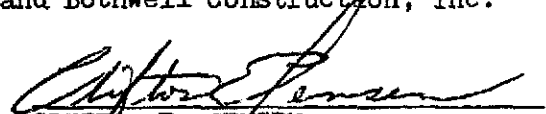
May 30, 1996

Big Springs Water Users' Association
% George Lemmon
2727 South 1050 East
Hagerman, Idaho 83332

Dear Mr. Lemmon:

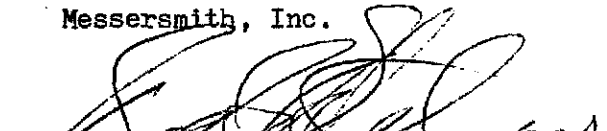
Please be advised that water certificate number 222 from Big Springs Water Users' Association in the amount of 80 shares has been lost. A copy of the certificate is attached and was issued in the name of Clifton E. Jensen.

I, Clifton E. Jensen, hereby assign all of my right, title and interest in said 80 shares of water from Big Springs Water Users' Association to Messersmith, Inc. and Bothwell Construction, Inc.


CLIFTON E. JENSEN

We, Deaun Messersmith, President of Messersmith, Inc., and Bruce R. Bothwell, President of Bothwell Construction, Inc., hereby assign all of our right, title and interest in said 80 shares of water from Big Springs Water Users' Association to George H. Lemmon and Irene Lemmon.


DEAUN MESSERSMITH-President of
Messersmith, Inc.


BRUCE R. BOTHWELL-President of
Bothwell Construction, Inc.

172993

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of George H. Lemmon

4 min. past 2 o'clock P.m. this week

of November, 1997 6.00

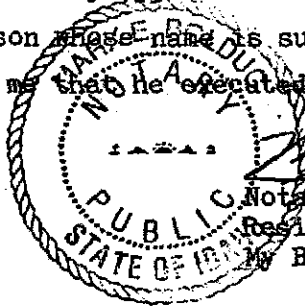
By Pat Bollinger Deputy

MICROFILMED

JUN 02 2004

STATE OF IDAHO }
County of Gooding } SS.

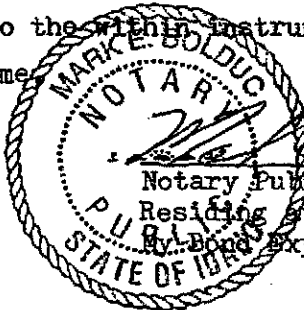
On this 30th day of May, 1996, before me, a Notary Public in and for said State, personally appeared Clifton E. Jensen known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



[Signature]
Notary Public for State of Idaho
Residing at Hagerman, Idaho
My Bond Expires: 6-8-2000

STATE OF IDAHO }
County of Gooding } SS.

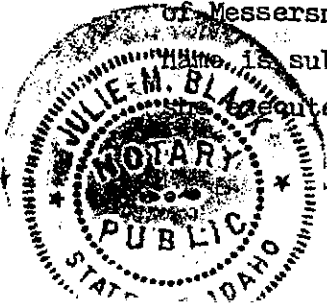
On this 30th day of May, 1996, before me, a Notary Public in and for said State, personally appeared Bruce R. Bothwell, President of Bothwell Construction, Inc., known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



[Signature]
Notary Public for State of Idaho
Residing at Hagerman, Idaho
My Bond Expires: 6-8-2000

STATE OF IDAHO }
County of } SS.

On this 16 day of July, 1996, before me, a Notary Public in and for said State, personally appeared Deaun Messersmith, President of Messersmith, Inc., known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



[Signature]
Notary Public for State of Idaho
Residing at Twin Falls, ID
My Bond Expires: 10-7-2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 22, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NORTHVIEW WATER ASSN INC
PO BOX 466
HAGERMAN ID 83332

RE: Assignment of Permit for Water Right 36-8747

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

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 of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAR 29 2001



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

January 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BOTHELL CONSTRUCTION INC
PO BOX 444
HAGERMAN, ID 83332-0444

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08747

Dear Permit Holder:

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

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Please note that the priority date has been advanced to February 2, 1996, pursuant to Section 42-218a, Idaho Code.

Please 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, please contact the **SOUTHERN** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

JAN 27 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08747 Reviewed by KY Date 01-05

GENERAL CONSIDERATIONS

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

TYPES OF USE

D & I
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

yes Copy in the file?

200 Amount paid for permit

yes Well log in the file?

Drilling Permit No. 36-96-S-0045-000
36-96-S-0119-000

yes Correct?

LICENSE EXAMINATION FEE

yes Required?

50.00 Amount Submitted

no Correct?

add 50.00
rec'd 9-08-99

MEASURING DEVICE

NO Required?

yes Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received 5-13-99 133

Date proof due 4-1-99 91

No. of days late = 42

Priority Date 12-22-95 + 356

New Priority Date 2-02-96

398
- 365
33

DEFICIENCIES OR ACTION ITEMS

Reinstated advance priority

DATA ENTRY

New Address

Proof Made 5-13-99

RECEIVED

SEP 08 1999

Department of Water Resources

FOR OFFICE USE ONLY
Amt. of Fee \$: 50-
Receipt No. 005438
Receipt By: HULLADAMP
Date Received: 8/10/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or 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. 36-08747 Telephone No. 208 837 6402
2. Name(s) of Permit Holder(s): Bothwell Construction Inc.
3. Mailing Address: P.O. Box 444 Hagerman Id. 83332
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 7/16 yr. 96
a. Well Driller: EATON DRILLING Drilling Permit Number: 36-96-5-0045-000
b. OPTIONAL: 36-96-5-0119-000
Pump Horsepower: 25/25 Pressure (psi): 50 Dynamic pumping level (ft): 308

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 34 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): 8 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.47 cfs OR _____ acre feet

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

Measuring Device:	Is a measuring device required?	Yes _____	or	No ☒
	Has the measuring device been installed?	Yes ☒	or	No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No ☒
	Has the measurement port been installed?	Yes ☒	or	No _____

Fee Enclosed: \$ 50.00 (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: Bruce Bothwell Telephone Number: 208-837-6402

Address: P.O. Box 444 Hagerman Id. 83332

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: [Signature] (include your title, if on behalf of company or organization)

MICROFILMED

Date: 5/19/99

JAN 27 2000



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 17, 1999

Bothwell Construction Inc
PO Box 444
Hagerman ID 83332

RE: Permit No. 36-08747

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. Before the department can accept the proof, it must be accompanied by the appropriate license examination fee. The license examination fee for a rate of diversion of 0.47 is \$100.00. I have enclosed a copy of the license examination fee schedule for your reference.

Please return the copy of the proof statement along with the additional \$50.00 license examination fee within 30 days of receipt of this letter. **Please address your correspondence to my attention.**

If you have any questions regarding this matter, please contact me directly at (208)327-7953 and I will be happy to assist you.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR- Region

MICROFILMED
JAN 27 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C045438

Date: 5/14/1999
Time: 13:35:52

Received From: BOTHWELL CONSTRUCTION INC

Type of Payment	Program Acct	Amount
BENEFICIAL USE #36-08747	56104 229 21 1155	50.00
CHECK 4891		
	Total	\$ 50.00

Region: STATE

Signature: W. Wilcomb

MICROFILMED
JAN 27 2000

Amt. of Fee \$: 50
Receipt No. COU5438
Receipt By: H. W. CAMP
Date Received: 5/19/99

RECEIVED

MAY 13 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or 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. 36-08747 Telephone No. 208 837 6402
2. Name(s) of Permit Holder(s): Bothwell Construction Inc
3. Mailing Address: P.O. Box 444 Hagerman Id. 83332
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 7/16 yr. 96
a. Well Driller: EATON DRILLING Drilling Permit Number: 36-96-5-0015-000
b. OPTIONAL: 36-96-5-0119-000
Pump Horsepower: 25/25 Pressure (psi): 50 Dynamic pumping level (ft): 308

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 34 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): 8 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.47 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ☐	or	No ☒
	Has the measuring device been installed?	Yes ☒	or	No ☐
Flow Measurement Port:	Is a flow measurement port required?	Yes ☐	or	No ☒
	Has the measurement port been installed?	Yes ☒	or	No ☐

8. Fee Enclosed: \$ 50.00 (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: Bruce Bothwell Telephone Number: 208-837-6402

Address: P.O. Box 444 Hagerman Id. 83332

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: [Signature]
(include your title, if on behalf of company or organization)

Date: 5/19/99

JAN 27 2000

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 6, 1999

BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 833320444

LAPSE NOTICE

RE: PERMIT NO. 36-08747

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1999. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

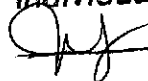
Enclosures

MICROFILMED

JAN 27 2000

CERTIFICATION OF MAILING

I hereby certify that on 5/6/99
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



January 31, 1999

BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 833320444

PROOF DUE NOTICE

RE: PERMIT NO. 36-08747

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 April 1, 1999.

(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.

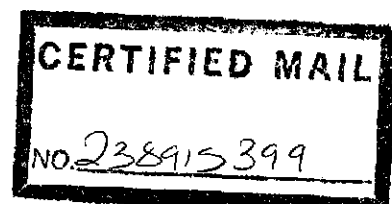
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 27 2000





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 6, 1996

BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 83332-0444

RE: Permit No. 36-08747

Dear Water Right Holder(s):

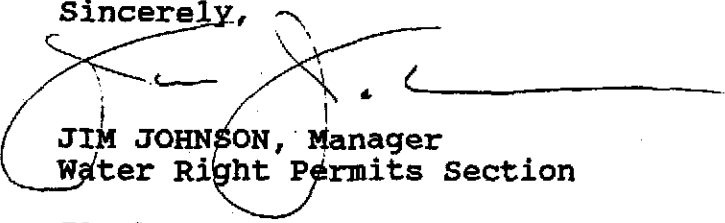
Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please contact me at (208) 327-7946.

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.

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,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

APPROVED

SEP 12 1996

AMENDMENT OF PERMIT REVIEW

Review Date September 5, 1996

PERMIT NO. 36-08747 NAME Bothwell Construction Inc.

TYPE: A = AMENDED E = CHANGE N/U I = CHANGE P/D & P/U
B = CHANGE P/D F = CHANGE Per/U J = ADD P/D & CHANGE P/U
C = ADD P/D G = OTHER
D = CHANGE P/U H = CHANGE P/D & + P/D

AREA OF CONCERN: ESPA Mor GWMA Trust/Non-trust cond. lmt orig use
to 1/2 ac. each lot

PROOF OF B/U RECEIVED? Yes No Due < 6 months? Yes No falls into domestic
purpose - moratorium
exempt

GROUNDWATER:

Drilling Permit No. 36-96-S-119-000
Drilled

Swan Falls Flag 7

Conditions of Approval: DIM^(edit) 065, 046, 46B, 03A, 051, 052, 053

Remarks/Comments 2 pld in NENW, S24, T5, R13E, Lot 10, Blk 1,
Northview Subd. D/34 homes; orig not included. D use
lmt to 13,000 gpd/dwelling. ltr. 1/2 ac. each lot w/ a home.

9/9/96
Sint approved amendment
pak

WR0749NP
No. 836-08747

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/05/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOTHWELL CONSTRUCTION INC PO BOX 444 HAGERMAN ID 83332-0444 (208) 837-6402	12/22/1995	IRRIGATION DOMESTIC	03/15 11/15 01/01 12/31	0.160 CFS 0.310 CFS	
TOTAL DIVERSION:					0.470 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T07S R13E S24 NEW GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	13E	24	:																	8.0
																			TOTAL ACRES	8.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: GOODING

Other Water Rights with Same Point(s) of Diversion and Source:
36-08747

Other Water Rights Listing Overlapping Place(s) of use:
36-00153 36-00162 36-08747

Conditions of Approval:

- 065 - The right holder shall use the full allotment of appurtenant
- surface water rights in conjunction with groundwater diverted
- under this right and shall only divert groundwater under this
- right when water from the appurtenant surface water rights cannot
- be delivered to the right holder.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 468 - The right holder shall comply with Idaho well construction
- standards when constructing a well pursuant to this right.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.
- 051 - Any license issued by IDWR pursuant to the right or portion
- thereof for the use of trust water is subject to a term review
- of 20 years after the date of this approval to determine
- availability of water for the use and to re-evaluate the public
- interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which

Conditions of Approval:

- provide for the submittal of the fee.
- 053 - The Director retains jurisdiction over this right and may
 - change, add, or remove any requirement as determined to be
 - appropriate.

Remarks:

Points of diversion are located within Lot 10, Blk. 1, Northview Subdivision.

Places of use are located within Lots 1-9, 11-19, Blk. 1, and Lots 1-16, Blk. 2, Northview Subdivision.

Domestic use is for 34 homes.

Domestic use does not include lawn, garden, landscape, or other types of irrigation.

The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.

The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

Two points of diversion located in NENW, S24, T7S, R13E.

The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

Dates:	App. Received:	12/22/1995	Priority Date:	12/22/1995
	Proof Due Date:	04/01/1999	Proof Made Date:	01/01/1900
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/05/1996 User-ID: SCURTIS Subject: AMENDMENT OF PERMIT
The amendment filed on July 17, 1996 reflects the addition of a second well for backup.

Audit: 09/05/96 SCURTIS

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____	_____	Long: _____	_____

1. DRILLING PERMIT NO. 36-96-S-0045-000
Other IDWR No. 36-08747

2. OWNER:

Name Bruce Bathwell
Address 260 E. South Ave.
City Hagerman State Id Zip 83332

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N W E S		Twp. <u>7</u> North ☐ or South ☒
		Rge. <u>13</u> East ☒ or West ☐
		Sec. <u>24</u> 1/4 <u>NE</u> 1/4 <u>NE</u> 1/4
		Gov't Lot _____ County <u>Gooding</u> 10 acres 40 acres 160 acres
Lat: _____ Long: _____		

Address of Well Site _____

City Hagerman

(Give at least name of road + Distance to Road or Landmark)

Lt. 10 Blk. 1 Sub. Name Northview

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
<u>Bentonite</u>	<u>0</u>	<u>50</u>	<u>2000 lb</u>	

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>10</u>	<u>1</u>	<u>145</u>	<u>38</u>	<u>Steel</u>	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 2' Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

288 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or

control devices: Well Seal

11. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. -85° Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>12</u>	<u>0</u>	<u>145</u>	<u>Br Clay</u>		
<u>8</u>	<u>145</u>	<u>154</u>	<u>bl LAVA</u>		
	<u>154</u>	<u>191</u>	<u>Hard Rylite</u>		
	<u>191</u>	<u>197</u>	<u>Broken</u>		
	<u>197</u>	<u>229</u>	<u>Hard Gray Rylite</u>		
	<u>229</u>	<u>236</u>	<u>Med Hard bl LAVA</u>		
	<u>236</u>	<u>260</u>	<u>bl LAVA</u>		
	<u>260</u>	<u>264</u>	<u>Broken</u>		
	<u>264</u>	<u>289</u>	<u>bl LAVA</u>		
	<u>289</u>	<u>292</u>	<u>bl Cinders</u>	☒	
	<u>292</u>	<u>299</u>	<u>bl LAVA</u>		
	<u>299</u>	<u>304</u>	<u>bl Cinders</u>	☒	
	<u>304</u>	<u>306</u>	<u>bl LAVA</u>		
	<u>306</u>	<u>310</u>	<u>Cinders + br Sand</u>	☒	
	<u>310</u>	<u>311</u>	<u>bl LAVA</u>		
	<u>311</u>	<u>314</u>	<u>Broken bl LAVA</u>		
	<u>314</u>	<u>358</u>	<u>Hard bl Rylite</u>		
	<u>358</u>	<u>362</u>	<u>Med Hard + breaks</u>	☒	
	<u>362</u>	<u>365</u>	<u>Soft broken Cinders + br Sand</u>	☒	

RECEIVED
SEP 13 1996
AUG 27 1996
Department of Water Resources
Southern Region

Completed Depth 365 (Measurable)
Date: Started 7-11-96 Completed 7-16-96

13. DRILLER'S CERTIFICATION

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

Firm Name Eaton Drilling Firm No. 26
Firm Official Loy Mullin Date 8-6-96
and Dave Cook
Supervisor or Operator Date 7-25-96
(Sign once if Firm Official & Operator)

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: _____ Long: _____

1. DRILLING PERMIT NO. 36-96-S-0119-000
Other IDWR No. 36-08747

2. OWNER:
Name Bothwell Construction Inc.
Address P.O. Box 444
City Hagerman State Id Zip 83332

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W E S
Twp. 7 North ☐ or South ☒
Rge. 13 East ☒ or West ☐
Sec. 24 1/4 NE 1/4 NW 1/4
Gov't Lot _____ County Gooding
Lat: _____ Long: _____
Address of Well Site _____
City _____
(Give at least name of road + Distance to Road or Landmark)

Lt. 10 Blk. 1 Sub. Name Northview

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Backup

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks	Pounds	
<u>Bentonite</u>	<u>0</u>	<u>50</u>	<u>2000</u>	<u>lb</u>	

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>10</u>	<u>2</u>	<u>144</u>	<u>1.38</u>	<u>Steel</u>	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 2' Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

287 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: Well Seal

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. -85° Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>12</u>	<u>0</u>	<u>144</u>	<u>Br Clay</u>		
<u>8</u>	<u>144</u>	<u>194</u>	<u>Bl Lava</u>		
	<u>194</u>	<u>231</u>	<u>Hard Gray Rhyolite</u>		
	<u>231</u>	<u>244</u>	<u>Bl Lava</u>		
	<u>244</u>	<u>245</u>	<u>Broken bl Lava</u>		
	<u>245</u>	<u>266</u>	<u>Bl Lava</u>		
	<u>266</u>	<u>268</u>	<u>Broken bl Lava</u>		
	<u>268</u>	<u>278</u>	<u>Bl Lava</u>		
	<u>278</u>	<u>281</u>	<u>Broken bl Lava</u>		
	<u>281</u>	<u>287</u>	<u>Bl Lava</u>		
	<u>287</u>	<u>291</u>	<u>broken + Cinders</u>		
	<u>291</u>	<u>296</u>	<u>Bl Lava</u>		
	<u>296</u>	<u>301</u>	<u>Broken + Br Sand</u>	x	
	<u>301</u>	<u>309</u>	<u>Bl Lava</u>		
	<u>309</u>	<u>314</u>	<u>Bl Cinders</u>		x
	<u>314</u>	<u>354</u>	<u>Bl Rhyolite</u>		
	<u>354</u>	<u>360</u>	<u>Cinders Some Br Sand</u>	x	

RECEIVED

AUG 27 1996

Department of Water Resources
Southern Region

Completed Depth 360 (Measurable)
Date: Started 7-17-96 Completed 7-18-96

13. DRILLER'S CERTIFICATION

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

Firm Name Eaton Drilling Firm No. 26
Firm Official Long Mullen Date 8-6-96
and
Supervisor or Operator Dave Cook Date 7-23-96
(Sign once if Firm Official & Operator)

FROM: Allen Merritt *AD*

DATE: July 17, 1996

TO: Amendment of Application No. 36-08747
In the Name of: Bothwell Construction Inc.

SUBJECT: Review and Recommendation

On this day Mr. Bothwell came into the office desiring a drilling permit for his backup well. He indicated that the driller was finishing up the first well being constructed under Drilling Permit 36-96-S-0045-000 and would not drill the second well without another drilling permit. Before issuing the drilling permit for the second (backup well) I reviewed the water right permit 36-08747 and found conflicting information in the file. I found a map attached which showed two wells but the application seems to only mention 1 well and the approval does not clearly show that two wells were to be drilled.

I called the State office and since Norm and Glen were out of town I discussed the matter with Jim Johnson. Jim indicated that if the right was to be licensed and there were two wells we would require an amendment. It appeared to me that we may have made a mistake in not clarifying the number of wells so to expedite the situation I had Mr. Bothwell file the attached amendment to clarify that there are two wells. I issued drilling permit 36-96-S-0119-000 with the same conditions as the first well.

I recommend that the amendment be approved without advertising since all the elements of the use have been advertised under the original processing and the intended use of the well is for backup purposes as required by DEQ for public water supply systems. The amendment is for clarification purposes.

APPROVED

SEP 12 1996



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1996

BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 83332-0444

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08747

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Also enclosed are two copies of your drilling permit since the right to drill a well is not a part of this permit to appropriate water. One is for your records and the other one for your driller.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

RECORDED

APR 29 1996

SK:rl
Enclosures

Ident. No. 36-96-S-0045-000
Water Right No. 36-08747

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: BRUCE BOTHWELL O 208-837-6402
Address: 260 E. SOUTH AVE.
HAGERMAN ID 83332

2. Proposed Well Location: Township 07S, Range 13E, Sec. 24, NENW
GOODING County

Street Address of Well Site: LOT 10 NORTHVIEW SUB
HAGERMAN ID

Lot, Block, and Subdivision: Lt 10
Blk
NORTHVEIW SUB.

3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. Well Construction Information:

- A. NEW WELL
 - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 372 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 4/21/1996

6. Anticipated Well Driller: EATON DRILLING & PUMP SERVICE INC (No. 0026)
NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 200.00 Received by _____ No. S018956 Date 3/25/1996

APPROVED

APR 29 1996

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: / / 0

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. The uppermost unconfined aquifer shall be thoroughly sealed. All seals will be placed from the bottom up.
10. The screened, perforated, filterpacked or otherwise open and commingled strata shall not exceed 25% of the total well depth as measured from the bottom of the open interval to the top of the open interval (s). If however through geophysical logging of the well, (or other means) it can be demonstrated the aquifers to be produced from are under similiar hydraulic head, quality and not subject to waste or contamination this may be waived and a greater open (screened or filterpacked section) may be approved.
11. If an annular slurry seal of bentonite is to be utilized, a high (>30%) solids bentonite shall be pumped from the bottom up to land surface. The bentonite shall not contain chemical polymers which effect long term stability of the seal and are often found in drilling fluid grade bentonite but rather will be specifically recommended by the manufacturer for use as a seal material in water wells.

(Continued)

APR 29 1996

CONDITIONS OF APPROVAL:

12. If an annular space of at least 4 inches greater than the outside diameter of the casing is provided a granular bentonite or bentonite chips may be poured at the manufacturers recommended rate or no greater than 50 pounds in five minutes. The pour shall also be sifted through 1/4 inch mesh screen to reduce the introduction of fines unless the annular space is free of water ie. (above the water table and there is no cascading water). The top of the seal shall be tagged at regular intervals ie. (30' intervals) during placement with a sinker bar or other appropriate device to ensure the seal is reaching the intended depth. If bridging occurs the seal shall be tampered to its intended position or the Department will be contacted for evaluation.
13. A 50% excess of seal material shall be on hand in the event of lost circulation. If the seal material does not make it back to the surface, tremieing or perforation and squeezing is to commence at the top of the tagged seal position and will continue until returns reach the surface or the department is satisfied aquifers are sufficiently isolated and/or protected from waste and contamination.
14. The project engineer or geologist will be on site during seal placement should any peculiarities arise which require further evaluation. Any alteration of the proposed or herein modified well construction procedure shall be approved by the department before they are undertaken.
15. Another means of seal placement or seal material may be approved after the Department has had an opportunity to review said changes. A 24 hour review period will be provided for department personnel should said changes become necessary.
16. Each casing string shall be sealed into an aquitard (confining layer). Prior to the commencement of drilling through the aquitard in which the casing string was set, the integrity of the seal shall be tested. The means of testing shall be through a baildown test or other acceptable method with a maximum leakage rate considered.
17. If a neat cement grout is to be utilized as a seal material, additives such as the following shall be added to reduce dehydration and shrinkage. Mix water quantity shall strictly follow manufacturers specifications paying close attention to cement grind and water ratios, (generally between 5 and 6 gallons per sack) eliminating free water. Water quality of the mix water should meet drinking water standards
18. The use of bentonite added to cement grout to reduce hydraulic conductivity shall not exceed 4% and shall be prehydrated prior to mixing with the neat cement. The bentonite shall not contain chemical polymers which effect long term stability, and are often found in drilling fluid grade bentonites, but will be specifically recommended by the manufacturer for use as a seal material.
19. Drilling fluids shall be developed with water which meets or exceeds drinking water standards.
20. The screened, perforated, filterpacked or otherwise open and commingled strata which are to be produced from, shall be of similar hydraulic head, temperature and quality. If there are notable variations encountered as the well is drilled and/or developed the Department will be notified for evaluation.

(Continued)

APR 29 1996

CONDITIONS OF APPROVAL:

21. A silica flour or 200 mesh silica sand shall be utilized in a ratio of 30-50% to reduce permeability and increase the stability of the cement grout.
22. If an annular seal of bentonite is to be utilized, it shall be a high solids (>30) bentonite. The bentonite shall not contain chemical polymers which effect long term stability of the seal and are often found in drilling fluid grade bentonites, but rather will be specifically recommended by the manufacturer for use as a seal in the construction or abandonment of water wells.
23. The use of NACL should be used to help reduce shrinkage. A 2% by wt. solution may be added at the well site with the anticipation of the resulting acceleration or reduction of set time for this low concentration. Higher concentrations are not recommended without further approval as a reduction of compressive strength will result.
24. THIS PERMIT IS GRANTED UPON CONDITIONS AS STATED IN THE WATER RIGHT PERMIT ALSO.



Signature of Authorized Dept. Representative



Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____



APR 29 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 36-8747 Name: Botkwell Const Inc Date: 4/9/96 ^{4/11/96} Ad OK? ✓
Correct Fee? ✓ Receipt #: 5018739 Priority: 12/22/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District (dem) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 01J (meas dev) - P08
=/- 0.2 cfs - 01H (lock dev) - P01 or No MD
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

SNAKE R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-t Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R + Star Bridge); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E - P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs - P18; 17G (FERC) or 17M (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

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 - 7 <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

PD in LT 10, Bk 1, Northview Subd.
① PD - LT 1-19, Bk 1; LT 1-16, Bk 2, Northview Subd.
② W05/34 ③ W064 ④ W05
4-1-1999



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

April 9, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 83332-0444

RE: Application for Permit No. 36-08747

Dear Sirs;

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

The application lists a domestic use for 34 homes, but a subdivision plat identifying the location of these homes was not included with the application. I need the subdivision plat to clarify where water will be diverted. Please provide a subdivision plat identifying the location of the point of diversion, the location of any common or non-domestic areas, as well as the size of each lot.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

RECEIVED

plat received 4/11/96 czj

APR 29 1996

Bottrill Construction, Inc

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Georgia L. Satterlee DATE 29 DEC, 1995
APPLICATION NO. 36-508747

REQUIRED INFORMATION

- ☐ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners. *SEE * BELOW*)
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/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, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt
- ++++PROPOSED PRIORITY DATE
22 December 1995

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. *SEE MEMO ATTACHED*)
- ☒ Overlapping point of diversion.
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by SEE MEMO ATTACHED
- ☐ Yes ☒ No Field report attached *SEE MEMO 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: _____

** THE APPLICANT NEEDS TO SUBMIT A LIST OF CORPORATE OR PARTNERSHIP OFFICERS, DIRECTORS & PARTNERS Date Requested _____, 19____*
PLUS CORRESPONDING ADDRESSES.

*Rec'd
2/20/96*

PROCESSING Yes No In form for Advertising
Yes ☒ 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
N/A 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 below for additional information (See memo 4/1/96)
Date of priority recommended 12/22/1995
By [Signature] Date 4/1/1996

STATE OFFICE REVIEW

See below for additional information
By Date ,19

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST

Comments recieved from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation Dist.
☐ County	☐ Idaho Health & welfare	☐ Canal Company
☐ Reservations	☐ Div. of Enviromental Quality	☐ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

FROM: Allen Merritt *Am*

DATE: April 1, 1996

TO: File: Application for Permit 36-08747

SUBJECT: Review & Recommendation

The application proposes to develop a new well for domestic and irrigation use for a subdivision near the city of Hagerman. The well is to be located in an area presently covered by the "Eastern Snake Plain Moratorium". Pursuant to the moratorium and the management order such subdivision wells have been allowed for "domestic, irrigation & fire protection" purposes as long as the individual units or lots in the subdivision satisfies the definition of 42-111. Review of existing rights at the site of the subdivision finds that the land is presently irrigated from water from the Big Spring Water Users Assn. as recommended under 36-00022 in the Basin 36 Director' Report. There are other claims for irrigation rights on these lands but have been recommended for disallowal. Note these rights have objections filed.

The application was advertised with no protests.

Recommendation:

I recommend that the application be approved subject to the following conditions:

1. A measuring device with totalizing meter be installed at the new well and water use reported annually. It is recommended that the well when drilled have an air line installed as part of the construction to report water levels.
2. Use of water for domestic purposes under this right shall be limited to in-house use and watering of household stock.
3. Use of water for irrigation purposes under this right shall be in connection with a developed household only. Irrigation use authorized under this permit must for lots in the subdivision where the uses individually at each lot meet the definition for domestic use provided in 42-111, Idaho Code.
4. Use of this right for irrigation when combined with other water rights shall be limited to a rate of no more than 0.02 cfs per acre irrigated.
5. The new well authorized under this permit must comply with the drilling permit requirement and meet IDWR well construction standards and DEQ health requirements.

MICROFILMED
APR 29 1996

Page 2

4/9/96 Memo 36-08747

6. Subject to all county, state & federal permits that may be required.

RECEIVED

APR 29 1996

RECEIVED

MAR 18 1996

**Department of Water Resources
Southern Region**

J.H.S.

RECEIVED

FEB 20 1996

Department of Water Resources
Southern Region

Feb 16/1996

Georgia Satterlee

Re: Application for permit no. 36-08747

Dear Ms. Satterlee:

The names and addresses of the
officers of Bothwell Construction Inc.
are as follows:

Bruce Richard Bothwell President
P.O. Box 444 Hagerman ID. 83332

Mary Louise Bothwell vice-president
P.O. Box 444 Hagerman ID. 83332

Mary Louise Bothwell secretary/treasurer
P.O. Box 444 Hagerman ID. 83332

Thank you

Bruce Bothwell
(208) 837 6402

APR 29 1996

Bothwell Construction Inc.
Sunridge Homes
P.O. Box 444
Hagerman, ID 83332-0444

**NOTICE OF APPLICATION FOR
WATER PERMIT**

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

BOTHWELL CONSTRUCTION INC.

PO BOX 444

HAGERMAN ID 83332

36-08747

Source: groundwater

**Diversion Pt: SW1/4NE1/4NW1/4, S24,
T7S, R13E; Gooding County.**

Use:

Irrigation (0.16 cfs) 3/15-11/15

domestic (0.31 cfs) 1/01-12/31

Total Diversion: 0.47 cfs

Date Filed: 12/22/1995

**In: Domestic use and irrigation of 8
acres (34 homes with 1/4 acre per lot).**

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before March 25, 1996.
The protestant must also send a copy of
the protest to the applicant.

Karl J. Dreher, Director

**Published in Gooding County Leader on
3/6 & 3/13/96.**

MICROFILMED

APR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

February 15, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MAGIC VALLEY PUBLISHING CO
ATTN Gooding County Leader
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. If time allows, please submit a galley proof for review before publication.

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.

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED

APR 29 1996

NOTICE OF APPLICATION FOR WATER PERMIT

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

BOTHWELL CONSTRUCTION INC.
PO BOX 444
HAGERMAN ID 83332

36-08747

Source: groundwater

Diversion Pt: SW1/4NE1/4NW1/4, S24, T7S, R13E; Gooding County.

Use: irrigation	(0.16 cfs)	3/15-11/15
domestic	(0.31 cfs)	1/01-12/31

Total Diversion: 0.47 cfs

Date Filed: 12/22/1995

In: Domestic use and irrigation of 8 acres (34 homes with 1/4 acre per lot).

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 25, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Gooding County Leader on 3/6 & 3/13/96.

RECEIVED

APR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

February 14, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

BRUCE BOTHWELL PRESIDENT
BOTHWELL CONSTRUCTION INC
PO BOX 444
HAGERMAN ID 83332

Re: Application for Permit No. 36-08747

Dear Mr. Bothwell:

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 has scheduled advertising the application in the Gooding County Leader for 3/6 & 3/13/96. 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 unopposed application is about eight weeks. Please see attached list for additional information requirement.

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

Very truly yours,

Georgia Satterlee L.S.I.T.
Water Resource Agent

GS:mb
Enclosure

APR 29 1996

S. Region
5/89

Application No. 36-08747

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

RECEIVED

APR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Gary Burkett
EHM Engineers
621 N College
Twin Falls, ID
83301

February 27, 1996

Dear Gary;

Per our discussion, we are returning the application for a water permit that you recently filed in the name of Bruce Bothwell. Also enclosed is your check #12038 for \$100. Mr. Bothwell filed Application for Permit #36-08747 on 12-22-95.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

RECEIVED

APR 29 1996

12 February 1996

MEMO FOR THE FILE

RE: Application for Permit for Bothwell Construction, Inc.

Water Rights Related to Proposed

Project: 36-00022, 36-00023*, 36-15166*

*Disallowed

From: Georgia Satterlee
Corey Skinner

After reviewing the application for permit, there needs to be a list of corporate or partnership officers and/or directors plus corresponding addresses submitted.

Also, on 08 February 1996, the area the applicant desires to put the well for a subdivision was viewed from the roads north and east of said property. The land is currently irrigated by a pivot. A search of Water Right and Adjudication records show 36-00022, 36-00023 and 36-15166 are appurtenant to the land. As of this date, Water Right 36-00022 is the only recommended right appurtenant to the site of the proposed subdivision. The recommended diversion rate has been completely covered under 36-00022. Water Rights 36-00023 and 36-15166 have been recommended to be "Disallowed".

APR 29 1996