

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



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.

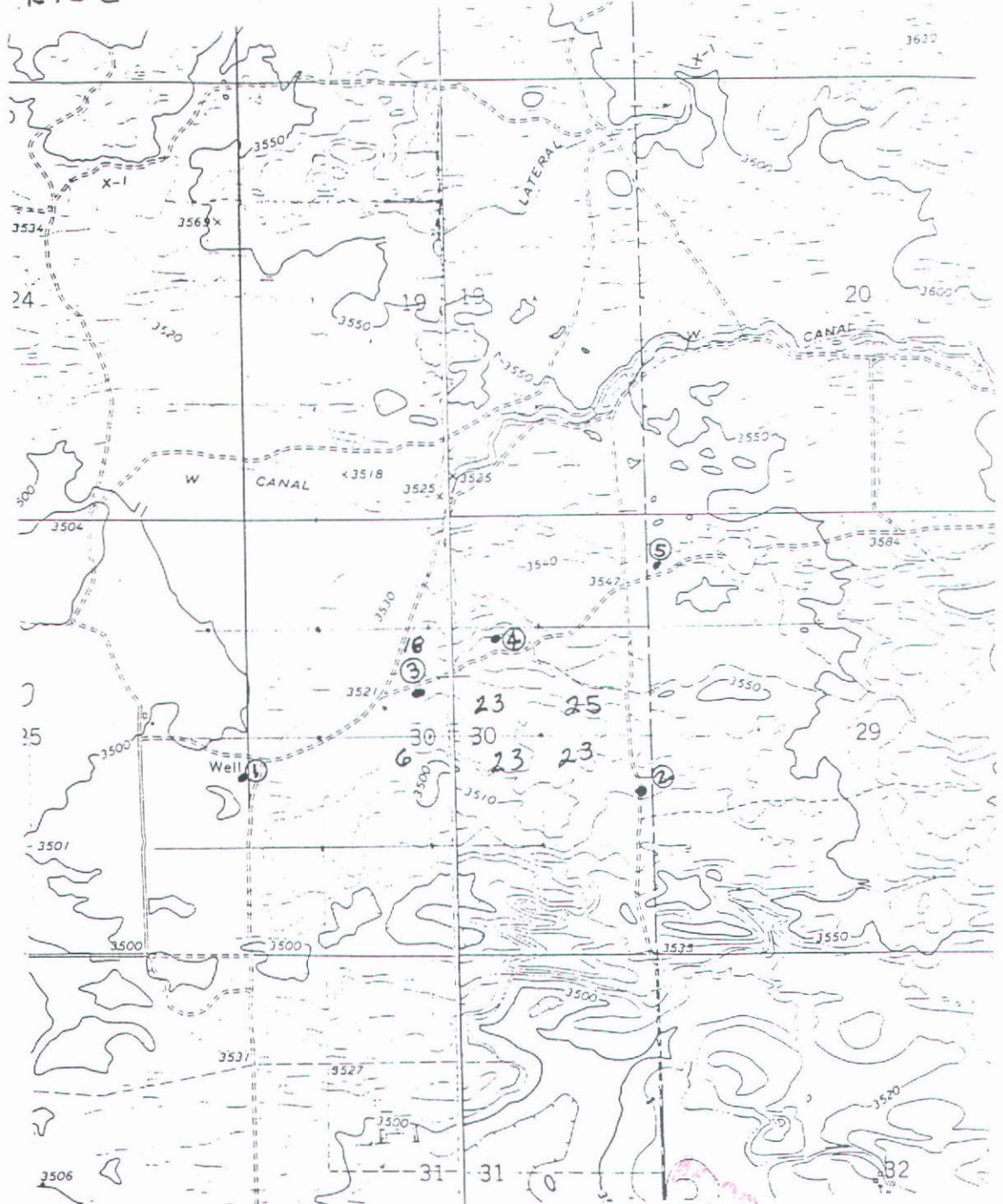
Application for permit to appropriate the public waters of
Arkosh Produce, Inc.
by [Signature]
President (Applicant)

ARKOOSH
36-7811

RISE

R I G E

T
7
S



RECEIVED
AUG 25 1995

36-7809
36-7811

36-7811
KOOS



RECORDED
JAN 5 1995

RECEIVED

OCT 12 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 13 1995

Department of Water Resources
Southern Region

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. 36-08739 Telephone No. 934-84642. Name(s) of Permit Holder(s): Arkoosh Produce3. Mailing Address: PO Box 93 Gooding ID, 833304. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 1 yr. 1970'sa. Well Driller: _____ Drilling Permit Number: N/A

b. OPTIONAL:

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 118.0 Other: _____6. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR _____ acre fee

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 X

Flow Measurement Port: Is a flow measurement port required?

Yes ? or No _____

Has the measurement port been installed?

Yes X or No _____8. Fee Enclosed: \$ 100.00 (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: Craig Moore Telephone Number: 208-733-0874Address: 1418 Blue Lakes Blvd N. Twin Falls ID 83301

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: _____ Date: 10/13/95

(include your title, if on behalf of company or organization)

OCT 27 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08739

Proposed Priority: May 10, 1995

Maximum Diversion Rate:

1.00 CFS

This is to certify, that **ARKOOSH PRODUCE INC**

PO BOX 93

GOODING ID 83330-0093

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 10/31	1.00 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 30, Township 07S, Range 16E
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>ACRES</u>	<u>TOTAL</u>
07S	16E	30	SWNE 23.0	SENE 25.0	SENW 18.0		
			NESW 6.0	NESE 23.0	NWSE 23.0		118.0

Total number of acres irrigated: 118.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1995**.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. 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.
6. 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.
7. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. This permit does not authorize the development and irrigation of new land not previously irrigated.

APPROVED
AUG 25 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08739

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

14th day of August, 1995.

K. J. Dreher
for Karl J. Dreher, Director

RECEIVED
AUG 25 1995

RECEIVED

RECEIVED

AUG 01 1995

Form 202
10/92

MAY 10 1995

Department of Water Resources
STATE OF IDAHO

Ident. No. 36-08739

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 Arkoosh Produce, Inc. Phone 934-8464
Post office address P.O. Box 93; Gooding ID 83330
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 30 Township 7S Range 16E B.M. Gooding County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 6.0 for Irrigation purposes from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing well with 150 hp pump to a center pivot covering 94 acres and handlines covering pivot corners of 24 acres.
 - 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 Existing - 16" inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No.
 - e. If well is already drilled, when? 1974; Drilling firm _____;
Well was drilled for (well owner) FF. Dunning
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

RECEIVED

AUG 25 1995

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
7S	16E	30			23	25				18	6				23	23			118

Total number of acres to be irrigated 118

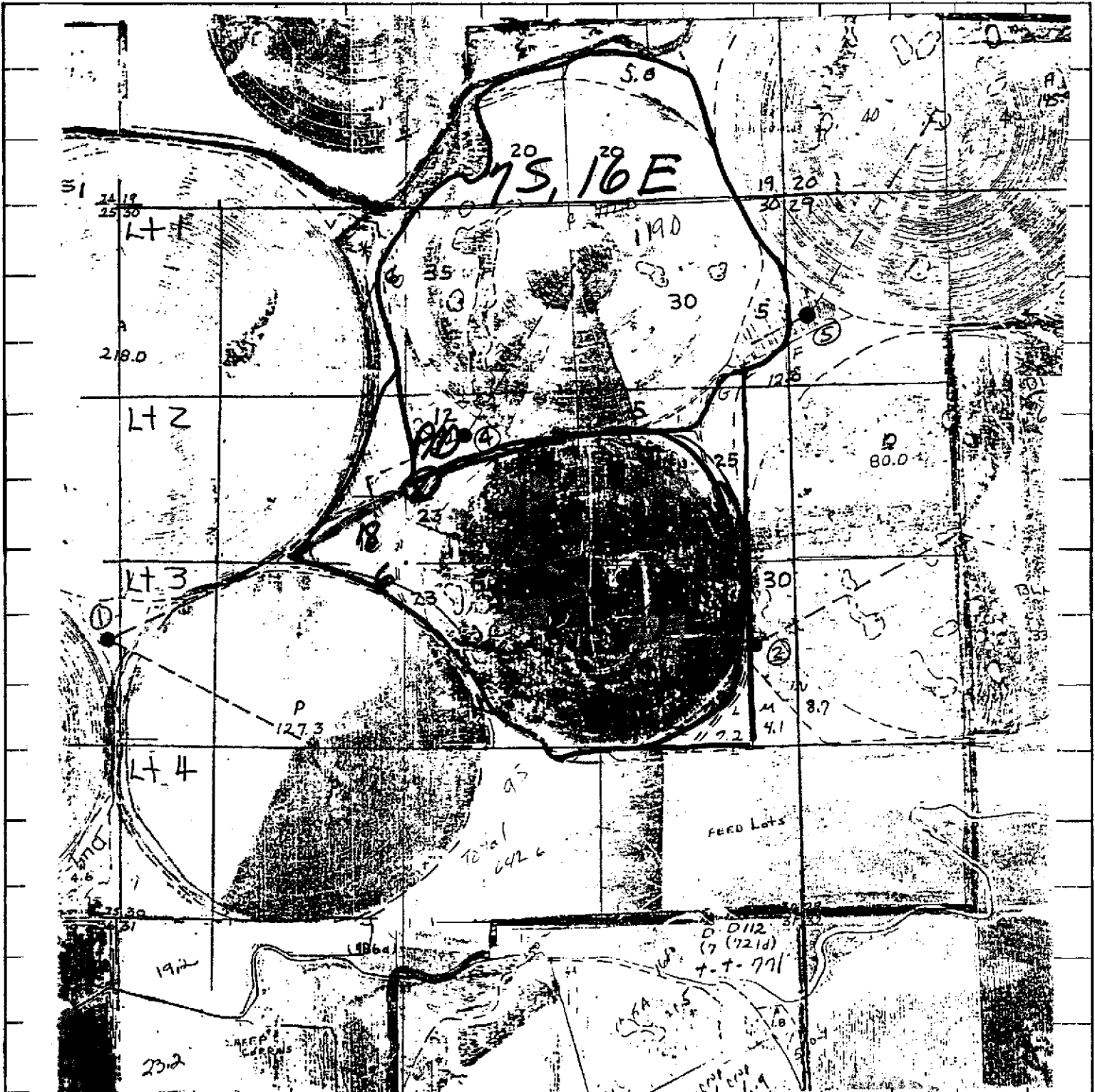
10. Describe any other water rights used for the same purposes as described above. 36-07811

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

12. Remarks: Use existed prior to November 1987 as confirmed by IDWR
B.U. field exam of 5-13-1987. For some unknown reason the
Application for Permit 36-07811 did not request a diversion
sufficient to operate the entire system. This application corrects
the diversion rate stated in 36-07811.
Jim Alboosh - Pres, Dave Ruby - Sec. Joe George Alboosh - directors
Corp. Officers:

AUG 25 1995

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



Scale: 2 inches equal 1 mile.

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

Artoosh Perdue, INC.
by *[Signature]*
President (Applicant)
AUG 25 1995

Received by MB Date 5/5/95 Time 1009 am Preliminary check by J. F. Stanton
70 CK # 100 Fee \$ 100 Receipted by MTS # 5018080 Date 5-10-95
Publication prepared by MB Date 6/9/95 Published in Shoshone Co. Leader
Publication approved MB Baldwin Date 7/21/95

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

AUG 25 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08739

Reviewed by [Signature]

Date 10-25-95

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Dr

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

no Drilling permit required?

/ Copy in the file? Drilling Permit No.

/ Amount paid for permit

/ Well log in the file?

 Correct?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

no Required?

100.00 Amount Submitted

yes Installed?

yes Correct?

 Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 10-12-95

October 26, 1995

ARKOOSH PRODUCE INC
PO BOX 93
GOODING ID 833300093

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08739

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
OCT 27 1995

September 30, 1995

ARKOOSH PRODUCE INC
PO BOX 93
GOODING ID 833300093

PROOF DUE NOTICE

RE: PERMIT NO. 36-08739

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1995.

(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.

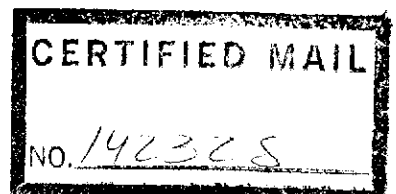
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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

August 15, 1995

ARKOOSH PRODUCE INC
PO BOX 93
GOODING ID 83330-0093

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 36-08739 and 36-08740

Dear Permit Holder(s):

Enclosed are copies of your approved applications for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed are forms entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits. Also enclosed are forms entitled "Proof of Beneficial Use". If your projects are already completed you should complete and submit this form immediately.

These permits authorize 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,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enclosures

RECEIVED

AUG 25 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: File 36-08739

FROM: Shelley W. Keen *swk*

RE: Proof Due Date

=====

This application is for water from the same system and on the same lands as licensed right 36-07811. The application is being processed despite the moratorium because the applicant demonstrated that additional rate beyond that authorized under 36-07810 was developed prior to Nov. 19, 1987.

Because 36-08739 covers existing development and no future development, proof of beneficial use should be due right away. I recommend ~~60~~ days from approval.

90*

* per Julie, minimum time for proof due program. Cj. 8/7/95

Handwritten: 36-08739-1

AUG 25 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

within ESRP Aquifer

No.: 36-8739 Name: Arkoosh Produce Inc Date: 8/3/95 ^{#8665} Ad OK? ✓
Correct Fee? ✓ Receipt #: 5018080 Priority: 5/10/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? pre 1987 - No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: use - 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. (POU cmp) - 01M, ~~01M~~ (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 in WD):

Water District (~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report) (POU cmp)
~~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) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R + L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr =/- 5 acres - 057 (0.03 cfs/A) <DO POU COMPARISON>
+ 5 acres - 03A (0.02 cfs/A) <DO POU COMPARISON>
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 CONDITION CODE CHART>
Trust - ~~051-052-053~~ (P74) (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

0 w06

BENEFICIAL USE DUE:

- 128-1-19965

COMMENTS:

- Corp off

MEMORANDUM

DATE: August 3, 1995
TO: File No. 36-08739
FROM: Cindy Zimmerman
SUBJECT: Trustwater Review

=====

This application proposes to divert 1.0 cfs of trustwater from groundwater to irrigate 118 acres located within S30, T07S, R16E. This application satisfies 42-203A & C requirements.

RECEIVED
AUG 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED
AUG 01 1995
Department of Water Resources

INITIAL REVIEW BY JG Stanton DATE 5-12, 1995
APPLICATION NO. 35-08739

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/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
5-10 19,95

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
☒ Overlapping point of diversion. Moratorium Exception -
☒ Yes ☒ No Field check required Process
☒ Yes ☒ No Field check by Neil Schulte 3-15-95
☒ Yes ☒ No Field report attached
☒ Yes ☒ No Critical Ground water area
☒ Yes ☒ No Groundwater management area
☒ Yes ☒ No Send Dam safety information
☒ Yes ☒ No Send power requirement letter
☒ Yes ☒ No Send fish farm requirement letter
☒ Yes ☒ No Power residency affidavit.
☒ Yes ☒ No Power efficiency form
☒ Yes ☒ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
☒ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19__

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

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

FINAL REGIONAL PROCESSING REVIEW

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

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

See below for additional information ☒
Date of priority recommended 5/10/, 19 95
By AD Date 7/31, 19 95

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

— New Device & Annual Reporting condition
— Once proof has been submitted (Proof should
be due upon approval of application) then Licensing
exam should be conducted and completed from
record.

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____

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 12 1995

State of Idaho }
County of Gooding } ss.

Department of Water Resources
Southern Region

Norma DeVoe

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

5 day of July, 1995.

and the date of the last publication was on the 12 day of

July, 1995.

Norma DeVoe

Subscribed and sworn to before me this 14 day of

July, 1995.

(SEAL) *Charles Vresek*
NOTARY PUBLIC

#10710/6060

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X's

affidavit fee
Lines tabular at 2.00 6¢/Pica

484 Lines straight at 24.20 5¢/Pica

Subsequent lines at 19.36 4¢/Pica

TOTAL COST \$45.56

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Idaho Department of Water Resources
BILL TO

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

ARKOOSH PRODUCE INC

PO BOX 93

GOODING, ID. 83330

36-08739

Source: groundwater

Diversions Pt: SW1/4NE1/4, S30, T7S

R16E; Gooding County.

Use: irrigation (1.0 cfs) 4/1-10/31

Date Filed: 5/10/95

In: 118 acres within S1/2NE1/4,

SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4,

S30, T7S, R16E.

ARKOOSH PRODUCE INC

PO BOX 93

GOODING ID 83330

36-08740

Source: groundwater

Diversions Pt: Lot 3 (NW1/4SW1/4), S30, T7S, R16E; Gooding County.

Use: irrigation (1.0cfs) 4/1-10/31

Date Filed: 5/10/95

In: 127 acres within SW1/4,

W1/2SE1/4, S30, T7S, R16E.

The permits 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 July 24, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. 7/5 & 7/12

G 10710

AUG 25 1995



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

June 20, 1995

JIM ARKOOSH PRESIDENT
ARKOOSH PRODUCE INC
PO BOX 93
GOODING ID 83330

Re: Applications for Permit Nos. 36-08739, 36-08740

Dear Mr. Arkoosh:

We regret to inform you that the legal advertising of your application in the Gooding County Leader was not published as anticipated due to an error by the newspaper.

Publication has been re-scheduled for July 5 & 12 with the last date for the timely submittal of protest on July 24, 1995.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

AUG 25 1995

MEMORANDUM

TO: Files 36-08739, 36-08740
FROM: Mary Baldwin
DATE: June 20, 1995
SUBJECT: Publication

Received a telephone call from Char Irish, Office Manager at Magic Valley Publishing, on this date revealing that the camera ready legal ads would not appear tomorrow in the Gooding County Leader as requested due to an oversight on the part of their clerical staff.

Publication was re-scheduled for 7/5 & 7/12/95 with the last date for protest on July 24, 1995.

200-100-1000
AUG 5 5 1995

**NOTICE OF APPLICATIONS FOR
WATER PERMIT**

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

ARKOOSH PRODUCE INC

PO BOX 93

GOODING ID 83330

36-08739

Source: groundwater

**Diversion Pt: SW1/4NE1/4, S30, T7S,
R16E; Gooding County.**

Use: irrigation (1.0 cfs) 4/1-10/31

Date Filed: 5/10/95

**In: 118 acres within S1/2NE1/4,
SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4,
S30, T7S, R16E.**

ARKOOSH PRODUCE INC

PO BOX 93

GOODING ID 83330

36-08740

Source: groundwater

**Diversion Pt: Lot 3 (NW1/4SW1/4),
S30, T7S, R16E; Gooding County.**

Use: irrigation (1.0 cfs) 4/1-10/31

Date Filed: 5/10/95

**In: 127 acres within SW1/4,
W1/2SE1/4, S30, T7S, R16E.**

The permits 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 July 10, 1995. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

**Published in Gooding County Leader on
6/21 & 6/28/95.**

July 24
7/5 & 7/12/95

NOTICE OF APPLICATION FOR WATER PERMIT

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

ARKOOSH PRODUCE INC
PO BOX 93
GOODING ID 83330

36-08739

Source: groundwater

Diversion Pt: SW1/4NE1/4, S30, T7S, R16E; Gooding County.

Use: irrigation (1.0 cfs) 4/1-10/31

Date Filed: 5/10/95

In: 118 acres within S1/2NE1/4, SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4, S30, T7S, R16E.

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 July 10, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Gooding County Leader on 6/21 & 6/28/95.



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

June 13, 1995

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

AUG 25 1995



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

June 9, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JIM ARKOOSH PRESIDENT
ARKOOSH PRODUCE INC
PO BOX 93
GOODING ID 83330

Re: Applications for Permit No. 36-08739 & 36-08740

Dear Mr. Arkoosh:

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

This office has scheduled advertising the applications in the Gooding County Leader for 6/21 & 6/28/95. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED

AUG 25 1995

RECEIVED

No ch. mb
MAY 05 1995

Department of Water Resources
Southern Region

Mel Schulte
State of Idaho
Department of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Dear Mel:

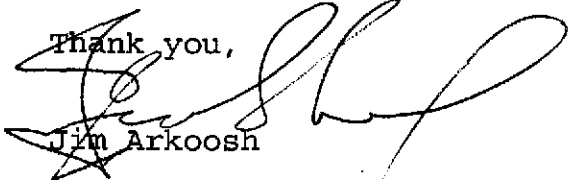
I would first like to thank the department and most especially you for being so cooperative in straightening out my water licensing mess. It would have been impossible without your assistance.

I have enclosed the signed applications for Permits that you sent to me. Also enclosed is a check for \$200.00 for the filing fee to cover the cost of advertising.

I am the president of Arkoosh Produce, Inc., Gari Ruby is the Secretary and my brothers Joe and George Arkoosh are directors.

If I can be of more assistance please don't hesitate to call.

Thank you,


Jim Arkoosh

Enclosure.

MAILED
AUG 25 1995

ARKOOSH PRODUCE, INC.

P.O. BOX 93, GOODING, IDAHO 83330 208-934-8464

36-08739

MEMORANDUM

To: Shelley Keen
Water Right Supervisor
State Office

From: Mel Schulte
Southern Region

MTL

Date: March 15, 1995

Re: Aarkoosh & Zidan Permits 36-07809, 36-07810, 36-07811,
36-07812 & 36-07813

On March 13, 1995 I met with Jim Aarkoosh, Harry LeMoyne and Craig Moore to re-examine in the field the well locations and which pivot each well serves. In the process we also attempted to determine which of the Annubar measurements dated 5-13-1987 would logically relate to each well.

Using a well probe, I determined the static level in three of the wells and compared those measurements with the original well logs. Two wells showed a decline of about 20' and the third a drop of about five feet. Since the irrigation season has not started, we believe the aquifer level is at a low level at this time of year. Therefore, we compromised to estimate the level in the wells to be down about ten feet. I used this information to perform a theoretical estimate of what each pumping system could produce to use as a comparison of the measurements performed on 5-13-1987. Below is a summary of information obtained for each permit.

36-07809

P/D: SWNE, S30, 7S, 16E (SAME AS SHOWN ON LICENSE DATED 2-11-1995)

P/U: SAME AS SHOWN ON LICENSE DATED 2-11-1995

Measurement: Theoretical on 3-13-1995 of 2.62 cfs supports the 2.45 cfs Annubar measurement and the 2.45 cfs on the License dated 2-11-1995.

36-07810

P/D: NWSW (LT3), S30, 7S, 16E (SAME AS LICENSE DATED 2-11-1995)

P/U: SAME AS SHOWN ON LICENSE DATED 2-11-1995

Measurement: It is not clear which Annubar measurement relates to this system. A theoretical estimate on 3-13-1995 supports the 1.54 cfs on the License dated 2-11-1995. It is a mystery as to why the applicant applied for 1.54 cfs for 127 acres. The current owner indicated a desire to apply for additional water. It appears an error was made in the first filing and a second application

RECEIVED
AUG 25 1995

36-08739

would be moratorium exempt based on documentation in file that shows usage prior to inception of the SRBA.

36-07811

P/D: SWNE, S30, 7S, 16E (SAME AS LICENSE DATED 2-11-1995)

P/U: The acres specified in the 2-11-1995 total 103.2 acres. The Beneficial Use Field Report dated 5-13-1987 recommends 118 acres. The ASCS estimates 117.4 acres under the pivot and a 9.2 acre corner that are serviced by the well and system for this permit. I think this right is entitled to a total of 118 acres.

Measurement: It is not clear which Annubar measurement relates to this system but all measurements support the 1.36 cfs on the 2-11-1995 License. The theoretical estimate on 3-13-1995 of 2.64 cfs also supports the 1.36 cfs rate.

The owner indicated a desire to apply for additional water for this system which is justified on the basis that the rate requested by the previous owner and approved is insufficient to operate the pivot that has been in place since the permit was developed.

36-07812

P/D: NESE, S30, 7S, 16E (SAME AS LICENSE DATED 2-11-1995)

P/U: SAME AS LICENSE DATED 2-11-1995

Measurement: It appears the Annubar measurement of 2.07 cfs dated 5-13-1987 associated with this system is not the correct one for this system. A theoretical estimate on 3-13-1995 predicts a capacity of 7.11 cfs. A 400 hp motor and pump serves this system. Even if the system was valved back the pivot requires more than 2.07 cfs (929 gpm) to operate. The original system design (see attached copy) estimated a gallonage of 1400 gpm (3.12 cfs). I think this right is entitled to a diversion rate of 3.80 cfs (.02 cfs/acre) because the system is capable of producing that rate.

36-07813

P/D: NWNW, S29, 7S, 16E (SAME AS LICENSE DATED 2-11-1995)

P/U: SAME AS LICENSE DATED 2-11-1995

Measurement: It appears the Annubar measurement of 2.03 cfs dated 5-13-1987 associated with this system is not the correct one for this system. A theoretical estimate on 3-13-1995 predicts a capacity of 3.46 cfs. A 200 hp motor and pump serves this system. Even if the system was valved back the pivot requires more than 2.03 cfs (911 gpm) to operate. The original system design for the

AUG 25 1995

pivot alone (see attached copy) estimated a gallonage of 1300 gpm (2.90 cfs). I think this right is entitled to more than 2.03 cfs. I think a rate of 3.46 cfs based on the theoretical calculation is defensible.

Enclosed are copies of several documents relating to the information above. If you have any questions or need additional assistance on my part please let me know.

MTS

RECEIVED
AUG 25 1995

FEB 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources **BENEFICIAL USE FIELD REPORT****A. GENERAL INFORMATION**Permit No. 36-78111. Owner: ARKOOSH & Zidan Inc.

Phone No. _____

Current Address: 714 3rd Ave E. Gooding Idaho 833302. Accompanied by: Mitch ARKOOSHEXAM. DATE: 5-13-1987

Address: _____

Phone No. 934-8464Relationship to Permit Holder: Son3. Source: groundwater tributary to L**B. OVERLAP REVIEW**1. Other water rights with same place of use: NO☐ Copies Attached2. Other water rights with same point of diversion: ~~NO~~ 36-7809, 36-7810, 36-781236-7813, 36-7811☐ Copies Attached☐ Copies of Field Exam's Attached**C. SYSTEM DESCRIPTION**1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Scale: 1" = _____

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

36-08739

AUG 25 1985

System Description (continued)

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

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1 ~~#~~	Highthrust	100	M-R-2954-00-170-H	Layne Bowler	44903
2	US Vertical	400	C9526-00-627	Layne Bowler	45254
3	Hollowshaft	150	C2690-01-272	Layne Bowler	44905
4	Hollowshaft	150	C2684-01-171-3	Layne Bowler	44904
5	High Thrust	200	C2691-01-362	Layne Bowler	45069

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1			NE	SE	25	7S	16E	Gooding	
2			NE	SE	30	7S	16E	"	
3			SE	NW	30	7S	16E	"	
4			SW	NE	30	7S	16E	"	
5			NW	NW	29	7S	16E	"	

6. **Place(s) of Use:**

Indicate Method of Determination

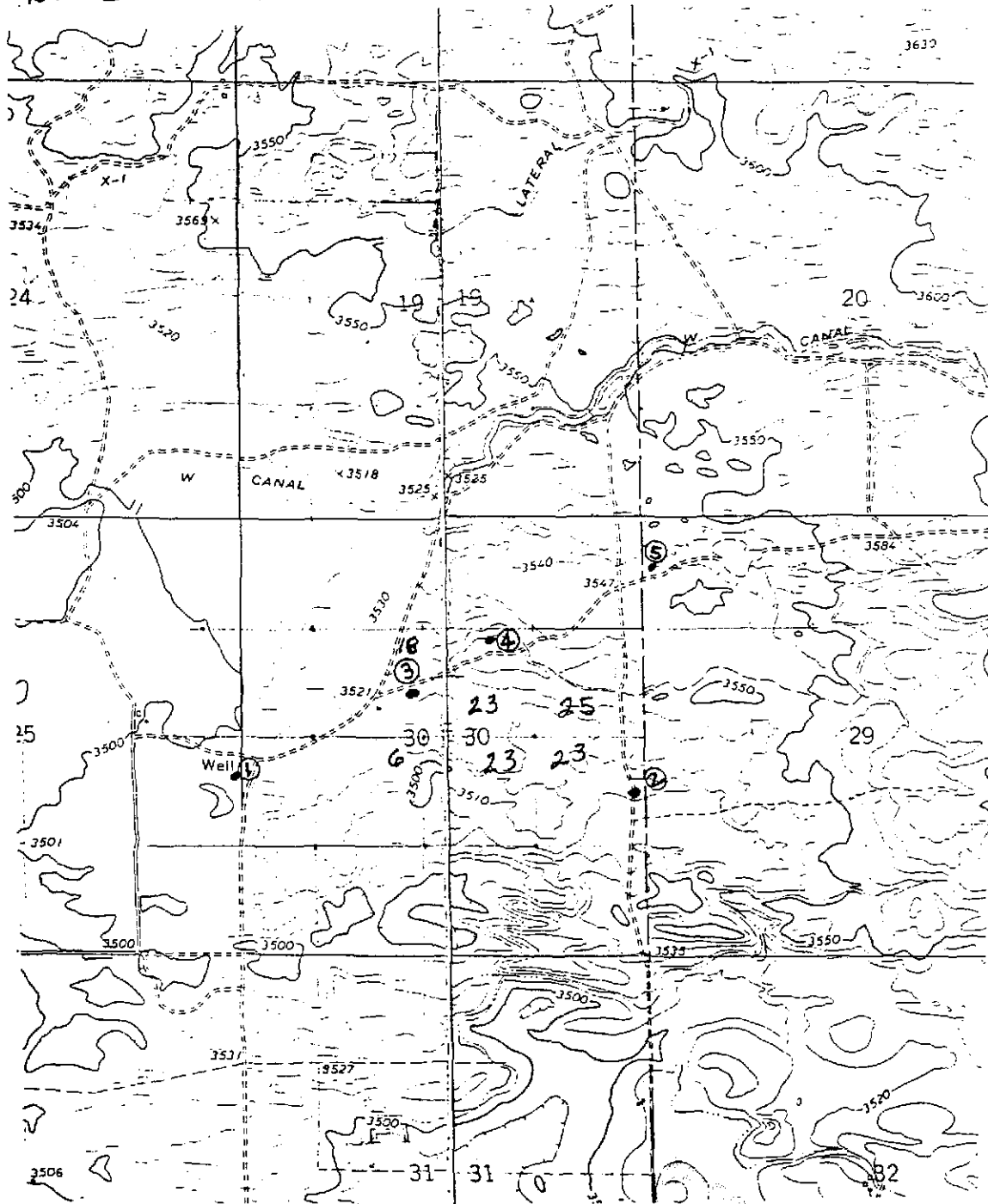
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	16E	30			23	25				18	6				23	23			118

RECORDED
AUG 25 1995

ARKOOSH
36-7811

RISE

R 16 E



T
7
S

14
AUG 25 1995

REFILED
5 1995

RECEIVED

State of Idaho
Department of Water Resources

APR 19 1995

Department of Water Resources
Southern Region

AMENDED **WATER RIGHT LICENSE** AMENDED

WATER RIGHT NO. 36-07811

Priority: June 9, 1979

Maximum Diversion Rate: 1.36 CFS
Maximum Diversion Volume: 472.0 AF

This is to certify, that ARKOOSH & ZIDAN INC
714 3RD AVE E
GOODING ID 83330

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 3, 1978; and has submitted Proof of Beneficial Use on March 10, 1982. An examination indicates that the works have a diversion capacity of 2.640 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.36 CFS	472.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 30, Township 07S, Range 16E
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	16E	30	SWNE 23	SENE 25	SENW 18	
			NESW 6	NESE 23	NWSE 23	118

Total number of acres irrigated: 118

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this day of APRIL, 1995.

Acting for

R. Keith Higginson
R. Keith Higginson, Director

RECEIVED
AUG 25 1995

36-07811