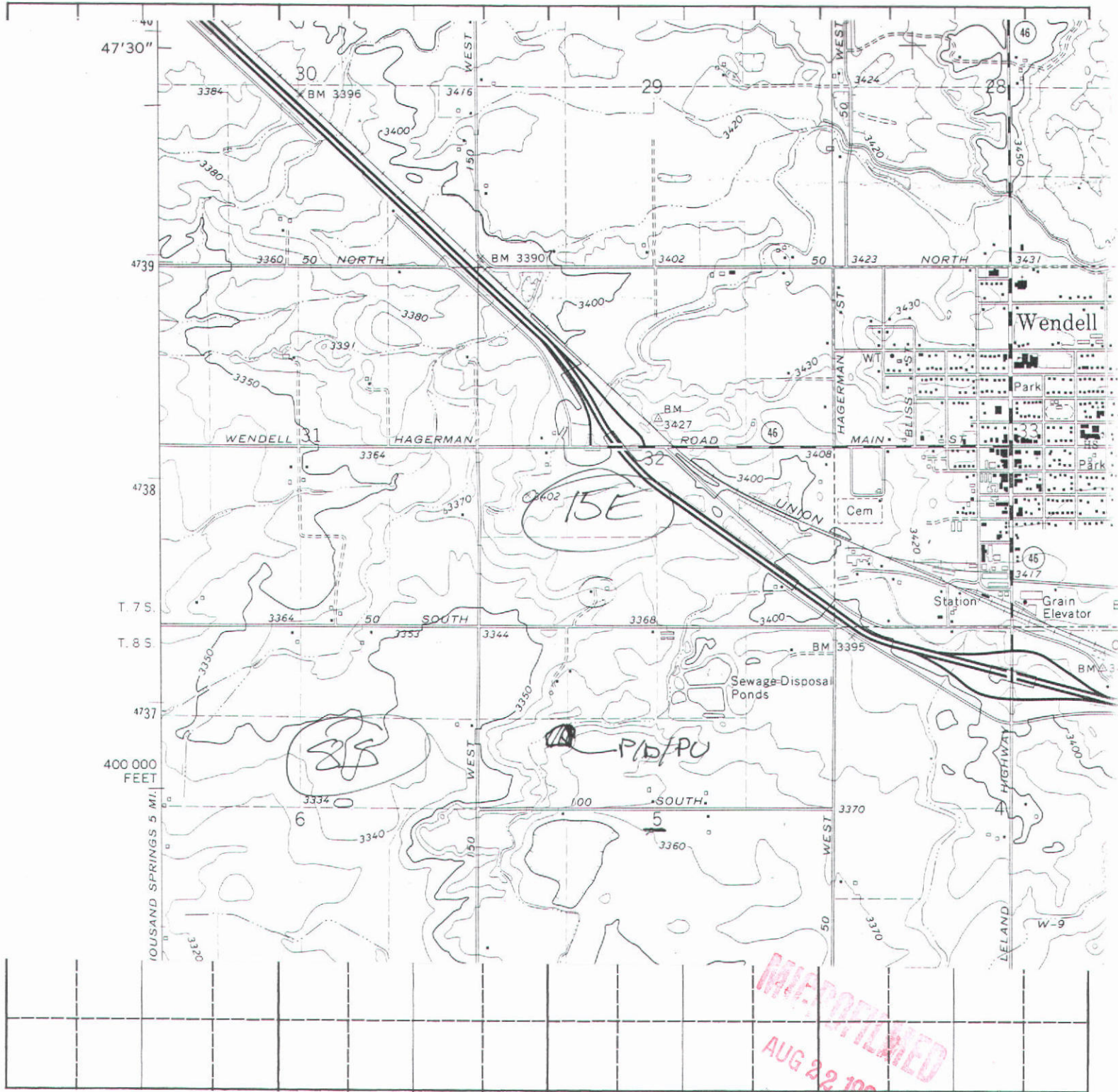


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Kara E. Schott
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

JUN 17 1991

Patty Nance Department of Water Resources, 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 5th day of June, 1991, and the date of the last publication was on the 12th day of June, 1991.

Patty Nance
Subscribed and sworn to before me this 13th day of June, 1991.
(SEAL)

Vivian Gandiaga
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

Lines tabular at _____ 6¢/Pica
351.5 Lines straight at 17.58 5¢/Pica
Subsequent lines at 14.06 4¢/Pica
TOTAL COST 31.64

COPY OF NOTICE

(Paste Here)

Net. Appl. Wat. Rts.
TITLE OF NOTICE
W. Schoth
36-08589
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO T.F.

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-08589
SCHOTH, WARREN E.
P.O. BOX 65
WENDELL, ID 83355
Source: GROUNDWATER
Diversion Pt: NESWNW Sec 5 T
08S R 15E
Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.130 CFS)
Date Filed: 5/9/1991
In: T08S R15E S05 SWNW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before JUNE 24, 1991.

-s- R. Keith Higginson, Director
G5675

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

AUG 22 1991

No 5051

5675

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08589

Proposed Priority: May 9, 1991 Maximum Diversion Rate: 0.13 CFS

This is to certify, that **WARREN E. SCHOETH**

P.O. BOX 65

WENDELL, ID 83355

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	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWNW Sec. 5, Township 08S, Range 15E
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>
08S	15E	5	SWNW	3		3

Total number of acres irrigated: 3

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 3, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
5. Domestic use is for 1 home.

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

2nd day of

August, 1991.

for *[Signature]*
R. Keith Higginson, Director

REGISTERED

AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-08589

MAY 10 1991

RECEIVED

To appropriate the public waters of the State of Idaho

1. Name of applicant WARREN E. Scholtz Phone 536-6545

Post office address BOX 65 Wendell, ID 83355

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

3. Location of point of diversion is NE ¼ of SW ¼ of NW ¼, Govt. Lot _____

Sec. 5 Township 8S Range 15E B.M. Gooding County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.09 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.13 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, line to house, separate line to solid sets

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~~ ^{Existing} well diameter is 6" inches; ~~proposed~~ depth of well is 200 feet.

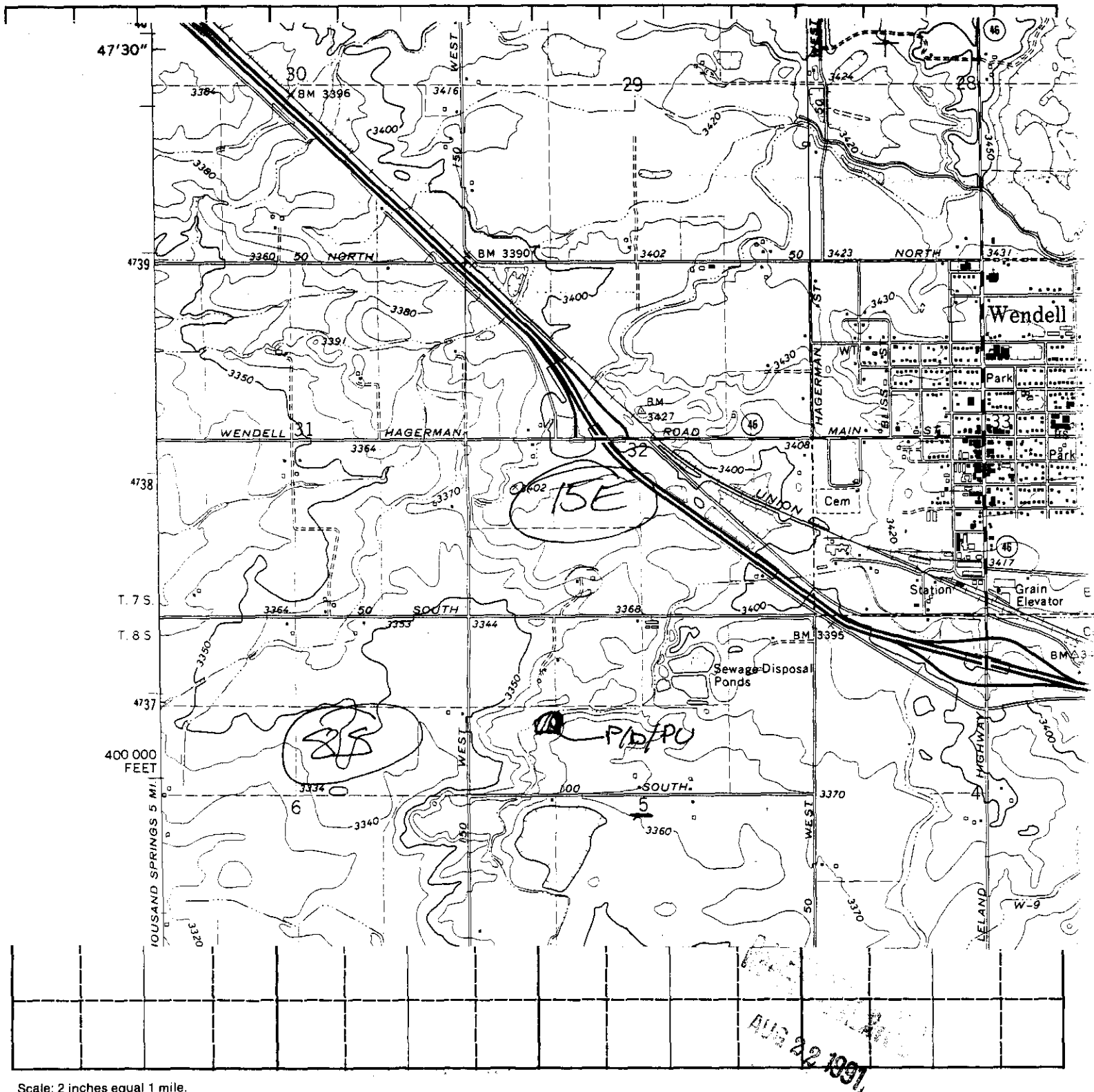
d. Is ground water with a temperature of greater than 90°F being sought? No

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

AUG 22 1991

~~AVG 22 1991~~

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.

Harold E. Schott
(Applicant)

Received by M. B. Date 5-9-91 Time 10:39am Preliminary check by J. F. Stanton
Fee \$ 30 Receipted by MB # 5013328 Date 5-9-91
Publication prepared by MB Date 5-21-91 Published in Landing Co. Leader
Publication approved M. Baldwin Date 6-24-91

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:

RECEIVED

AUG 22 1991

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

JUN 17 1991

Patty Spence, 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

5th day of June, 1991.

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

June, 1991.

Patty Spence

Subscribed and sworn to before me this 13th day of

June, 1991.

(SEAL)

Vivian G. Gaudin
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

Lines tabular at _____ 6¢/Pica

351.5 Lines straight at 17.58 5¢/Pica

Subsequent lines at 14.06 4¢/Pica

TOTAL COST 31.64

COPY OF NOTICE

(Paste Here)

Net. Appl. Wat. Rts.
TITLE OF NOTICE

W. Schoth

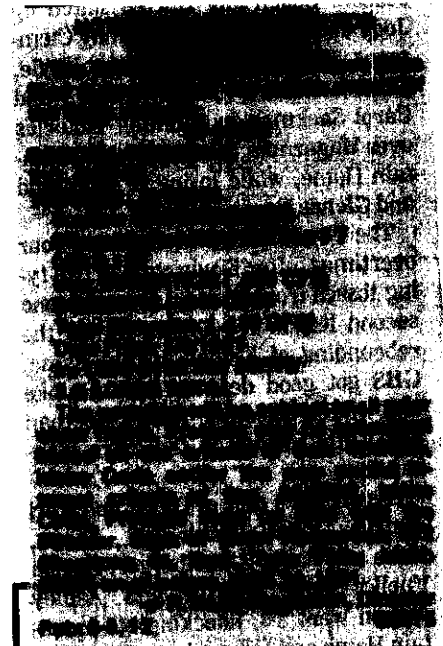
36-08589

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO T.F.



7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

AUG 22 1991
No 5051

5675

March 13, 1992

WARREN E. SCHOTH
P.O. BOX 65
WENDELL ID 83355

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08589

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
APR 08 1992

RECEIVED

STATE OF IDAHO

MAR 10 1992

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08589 Telephone No. 536-6545

2. Name(s) of Permit Holder(s): WARREN E. SCHOTH

3. Post Office Address: Box 65 WENDELL, IDAHO 83355

4. Source of Water: GROUND WATER - WELL

a. If ground water, well driller's name: EATON HARVEY WATER Date drilled: 8-1976

b. Pump horsepower: 5 Pressure (psi): 50# Dynamic pumping level (ft.):

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 3 (No. of acres)

Stockwater X (No. and type of stock) Other

2 HORSES, 200 CHICKENS

6. Total rate and/or volume for which proof is submitted 50 GAL PER MINUTE @ 50# OF PRESSURE
0.11 cfs acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes X No Installed? Yes X No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

WARREN / OR - PAMELA SCHOTH 536 6545
Name Telephone No.

Box 65 WENDELL, IDAHO 83355
Address

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

11-10-91
Date

Warren E. Schoth
Signature (and title if on behalf of a company or organization)

WENDELL MED
APR 08 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08589

Reviewed by Klg

Date 3/11/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigate - 3
domestic - 1 stockwater - domestic
Correct Uses? yes

SOURCE OF WATER

Surface water source
Ground water source

NA Drilling permit required?
8-76 Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ - _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 3/10/92
3/13/92 Klg



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 9, 1991

WARREN E. SCHOTH
P.O. BOX 65
WENDELL, ID 83355

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08589

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

RECEIVED
AUG 22 1991

APPLICATION FOR PERMIT REVIEW

Application #: 36-8589

Reviewer: Pam Skaggs

Date: 7-26-91

Existing:

✓ No - 26A-P17

✓ Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

✓ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

✓ LT. 0.2 cfs - N/A

Drilling Permit:

✓ Approved w/permit - P99

✓ Not included - 046-P23 (All GW, even existing wells)

Location:

Water Districts - WD No. _____

Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - C (1, Blank or Other)

✓ Trust - 051-052-053-P74(Consumptive Uses)

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

SNAKE (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

✓ Beneficial Use Due Date: - 08-03-1992

Other Conditions Recommended

AUG 22 1991

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET SCMOTH, WORMAN

INITIAL REVIEW BY J. E. Stenton DATE 5-10-91 APPLICATION NUMBER 36-08589

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 and/or volume)
☒ County
☒ Quantity (flow and/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 5-9-91

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☒ No Critical groundwater 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 trust water 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

SWAN FALLS HOLD? —

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
JUL 22 1991

Date Requested _____

Department of Water Resources

LOCAL PUBLIC INTEREST

Comments received from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation District
☐ County	☐ Idaho Health & Welfare	☐ Canal Company
☐ Reservations	☐ Division of Environment	☐ Other _____

Project impacts/implications report

COMMENTS

22-May-1991

WARREN E SCHOTH
PO BOX 65
WENDELL ID 83355

Re: Application for Permit No. 36-08589

Dear Applicant (s):

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 will be advertising the application in the Gooding County Leader on 6/5 & 6/12/91. 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 22 1991

36-08589

SCHOTH, WARREN E.
P.O. BOX 65
WENDELL, ID 83355

Source: GROUNDWATER

Diversion Pt: NESWNW Sec 5 T 08S R 15E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.130 CFS)

Date Filed: 5/ 9/ 1991

In: T08S R15E S05 SWNW

3.0 ACRES TOTAL

AUG 22 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before JUNE 24, 1991.

R. Keith Higginson, Director

Published 6/ 5/1991 & 6/12/1991

RECEIVED
WATER RESOURCES
DIVISION

AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208) 734-3578

MAY 21, 1991

GOODING COUNTY LEADER
BOX 56
GOODING, ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JUNE 24, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

AUG 22 1991