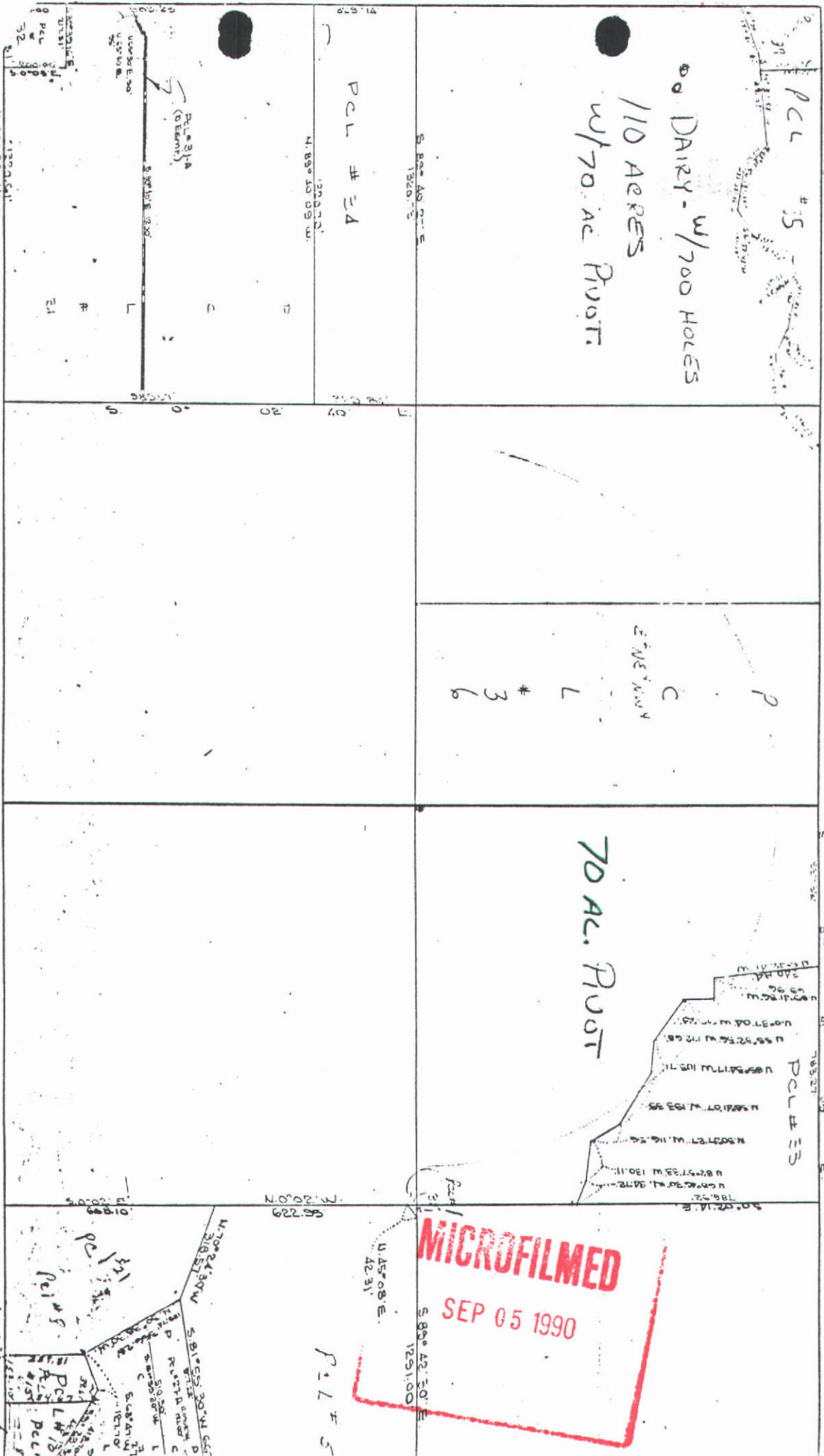


HALE



36-08538

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 19 1990

Department of Water Resources
Southern Region Office

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

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

of said advertisement was on the 6th day of June, 1990, and the date of the last publication was on the 13th day of June, 1990.

Subscribed and sworn to before me this 15th day of June, 1990.
(SEAL)

Patty Nance

Vincent Jandrigan
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

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

_____	Lines tabular at _____	6¢/Pica	a
<u>365.6</u>	Lines straight at <u>18.28</u>	5¢/Pica	a
_____	Subsequent lines at <u>14.43</u>	4¢/Pica	a
TOTAL COST <u>32.91</u>			

COPY OF NOTICE

(Paste Here)

Appl. for Wat. Rt.
TITLE OF NOTICE
M. V. Dairy Supply
36-08538
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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

**NOTICE OF APPLICATION
FOR WATER RIGHTS**
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
36-08538
MAGIC VALLEY DAIRY SUPPLY INC.
304 SOUTH 230 WEST
JEROME, ID 83338
Source: GROUNDWATER
Diversion Pt: NWNW
Sec 28 T 08S R 16E
Use: STOCKWATER (.400 CFS)
COMMERCIAL (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 4/13/1990
In: T08S R16E S28 NWNW
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 Street East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.
R. KEITH HIGGINSON,
Director
N14407
Pub: 6-6, 13

(Idaho Code, Rev. Statutes 1987)
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

MICROFILMED

N^o 3803

SEP 05 1990

14407

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08538	)	
	)	ORDER OF
IN THE NAME OF MAGIC VALLEY DAIRY SUPPLY INC	)	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 on or before September 1, 1992; and,

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

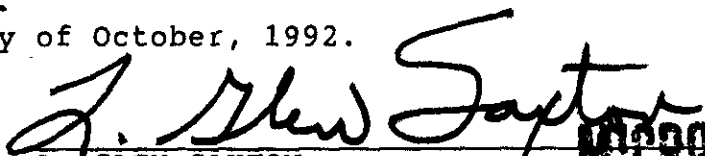
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause 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 October 20, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08538 be REINSTATED with an advance in priority to June 1, 1990.

Dated this 22nd day of October, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

REPROFILMED

OCT 26 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08538

Proposed Priority: April 13, 1990 Maximum Diversion Rate: 0.40 CFS
This is to certify, that **MAGIC VALLEY DAIRY SUPPLY INC.**
304 S. 230 W.
JEROME, ID 83338

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>
STOCKWATER	01/01 to 12/31	0.40 CFS
COMMERCIAL	01/01 to 12/31	0.40 CFS
	Totals	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW Sec. 28, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 28 NWNW

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 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. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. Two points of diversion located in NWNW, S28, T8S, R16E.
6. Stockwater use is for 700 dairy and 800 range cattle.
7. Commercial use is for a dairy barn.

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

13th day of August, 1990.

RECEIVED

SEP 05 1990

for *R. Keith Higginson*
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-08538
RECEIVED

APR 13 1990

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

1. Name of applicant Magic Valley Dairy Supply Inc. Phone 324-4381
Post office address 304 S. 230 W., Jerome ID, 83338
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is 2 points $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 28 Township 8S. Range 16E. B.M. Jerome County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.40 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.40 for Stockwater 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) 0.40 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2 existing wells & pumps operating together
 - 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.
2 existing
 - c. ~~Proposed well~~ diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year).

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SEP 05 1990

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. 700 Dairy, 800 Range
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. C/ Use in dairy barn, etc.

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	
8S	16E	28						C/											

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- 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: Wayne Hawkins - President

302 S. 230 W.

Jerome ID 83338

Dezn Hawkins - V.P./sec.

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SEP 15 1990

A full-page view of a sheet of graph paper. The page is covered by a uniform grid of small squares. In the lower-left quadrant, there is a rectangular stamp. The top part of the stamp contains the word "MICROFILMED" in a bold, sans-serif font. Below it, the date "SEP 05 1990" is printed in a smaller, similar font. The stamp appears to be a library or archival marking.

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.

Wanda Smith PRES.
(Applicant)

Received by ADN Date 4/13/90 Time Noon Preliminary check by A.J.
Fee \$ 45⁰⁰ Receipted by ADN # 5012052 Date 4/13/90
Publication prepared by MS Date 5/11/90 Published in North Side News
Publication approved M. Baldwin Date 6/19/90

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:

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SEP 05 1990

4 mile w^{est} 1-1/8 south

RECEIVED

Exhibit A

APR 13 1990

Department of Water Resources
Region Office

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 28: NW¹/₄;

NW¹/₄NE¹/₄, EXCEPTING THEREFROM the following
described parcel of land:

Commencing at the North quarter corner of said
Section 28;

Thence South 89°41'38" East, 537.32 feet along
the Northerly boundary of the NW¹/₄NE¹/₄ to THE
TRUE POINT OF BEGINNING;

Thence continuing South 89°41'38" East along
the Northerly boundary of said NW¹/₄NE¹/₄, 783.27
feet to the Northeast corner of said NW¹/₄NE¹/₄;

Thence South 0°02'14" East, 786.92 feet along
the Easterly boundary of said NW¹/₄NE¹/₄;

Thence North 68°46'30" West, 84.72 feet;

Thence North 82°57'33" West, 130.11 feet;

Thence North 30°47'27" West, 116.56 feet;

Thence North 58°41'07" West, 193.39 feet;

Thence North 85°54'17" West, 103.71 feet;

Thence North 55°32'56" West, 172.68 feet;

Thence North 0°37'04" West, 99.23 feet;

Thence North 89°41'36" West, 69.96 feet;

Thence North 5°42'41" West, 340.84 feet to THE
TRUE POINT OF BEGINNING.

Double 10 Automated Dairy

1 - 3000 gallon Milk Tank

1 - 4000 gallon Milk Tank

20 - 2100 Detachers

20 - Back-flush Units

700+ Lock-ups

Commodity Barn

Calving Barn with pens

70 acre pivot

2 - Silage Pits

Manure Separator with Floating Pump

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SEP 05 1990

36-08538

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,
County of Jerome

SS.

JUN 19 1990

Department of Water Resources
Southern Region Office

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

each week for 2X consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of June, 1990, and the date of the last publication was on the 13th day of June, 1990.

Patty Nance

Subscribed and sworn to before me this 15

day of June, 1990.
(SEAL)

Vincent Jandragai
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

_____	Lines tabular at _____	6¢/Pica	a
<u>365.6</u>	Lines straight at <u>18.28</u>	5¢/Pica	a
_____	Subsequent lines at <u>14.63</u>	4¢/Pica	a
TOTAL COST <u>32.91</u>			

COPY OF NOTICE

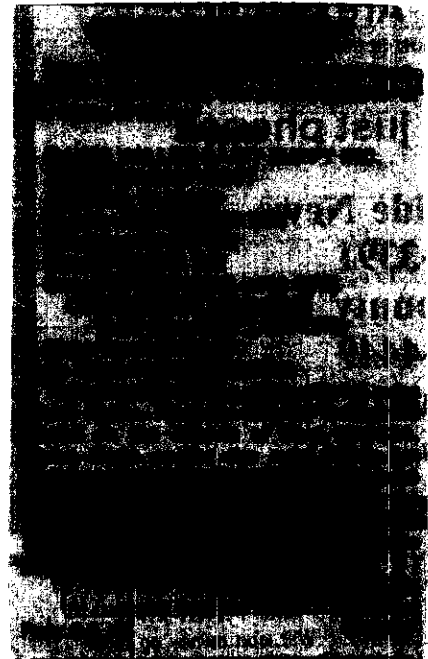
(Paste Here)

Appl. to Wat. Rt.
TITLE OF NOTICE
M. V. Dairy Supply
36-08538
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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



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

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No 3803

SEP 05 1990

14407

October 23, 1992

MAGIC VALLEY DAIRY SUPPLY INC.
304 S. 230 W.
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08538

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

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OCT 26 1992

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08538 Telephone No. 208-324-4381

2. Name(s) of Permit Holder(s): MAGIC VALLEY DAIRY SUPPLY INC

3. Mailing Address: 304 So 230 W. JEROME IDAHO

4. Source of Water: GROUNDWATER (2 WELLS)

If GROUNDWATER, Well Driller's Name: SMITH DRILLING Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater 700 DAIRY (No. and type of stock)

Irrigation _____ (No. of acres) Other 900 RANGE CATTLE
COMMERCIAL

6. Total rate and/or volume for which proof is submitted .40 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

OR

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

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

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

WAYNE HAWKINS 324-4381
Name Telephone No.

SAME -
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.

8/16/92 Wayne Hawkins
Date Signature (and title if on behalf of a company or organization)

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OCT 26 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08538

Reviewed by Klg

Date 10/21/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? Stock - 700/800
yes Address same as permit? commercial
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source

per G. Jundberg NA Drilling permit required?
Before permit / Copy in the file? Drilling Permit No.
Requirement / Amount paid for permit Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 10/20/92 293
Date proof due 9/1/92 - 244
No. of days late = 49
Priority Date 4/13/90 + 103
New Priority Date 6/1/90 152

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs an order

DATA ENTRY

New Address

Proof Made 10/20/92
10/23/92 Klg

September 4, 1992

MAGIC VALLEY DAIRY SUPPLY INC.
304 S. 230 W.
JEROME ID 83338

LAPSE NOTICE

RE: PERMIT NO. 36-08538

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 June 30, 1992. 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 fifteen dollar (\$15) 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

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9/8/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

MICROFILMED

OCT 26 1992

June 30, 1992

MAGIC VALLEY DAIRY SUPPLY INC.
304 S. 230 W.
JEROME ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08538

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 September 1, 1992. (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.

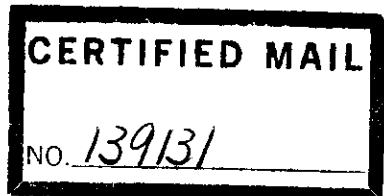
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECORDED
OCT 26 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 13, 1990

MAGIC VALLEY DAIRY SUPPLY INC.
304 S. 230 W.
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08538

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.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

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SEP 15 1990

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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SEP 05 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AS DATE 4-27-90 APPLICATION NUMBER 36-08538

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 4-13-90

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
JUL 17 1990

Department of Water Resources

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

SEND COPIES TO ☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ 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~~ & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6/25/90
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ 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. _____

26A

See below for additional information

Date of priority recommended 4/13/90
By J. Allen D. Halen Date 7/10/90

STATE OFFICE REVIEW

P23

P17

46 26

See below for additional information

By kw Date 8/2/90

ADDITIONAL INFORMATION

App. in Trust Area - DCM I
Allow 2 yrs. to complete
development -

15-May-1990

Idaho Dept. of Health & Welfare
P.O. Box 1626
Twin Falls, ID 83303-1626

Re: Application(s) for Permit

Gentlemen:

Please find enclosed copy(ies) of an Application(s) for Permit for your information and files.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure(s)

MICROFILMED

SEP 05 1990

15-May-1990

MAGIC VALLEY DAIRY SUPPLY INC
304 SOUTH 230 WEST
JEROME ID 83338

Re: Application for Permit No. 36-08538

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 North Side News on 6/6 & 6/13/90. 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,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

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SEP 05 1990

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

MAY 11, 1990

NORTH SIDE NEWS
P.O. BOX 468
JEROME, ID 83338

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 25, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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36-08538

MAGIC VALLEY DAIRY SUPPLY INC.
304 SOUTH 230 WEST
JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: NWNW Sec 28 T 08S R 16E

Use: STOCKWATER (.400 CFS)
 COMMERCIAL (.400 CFS)
 Total Diversion: (.400 CFS)

Date Filed: 4/13/ 1990

In: T08S R16E S28 NWNW

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The permit(s) will be subject to all prior water rights. Protests may be submitted base 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 Stre East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.

R. Keith Higginson, Director

Published 6/ 6/1990 & 6/13/1990

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