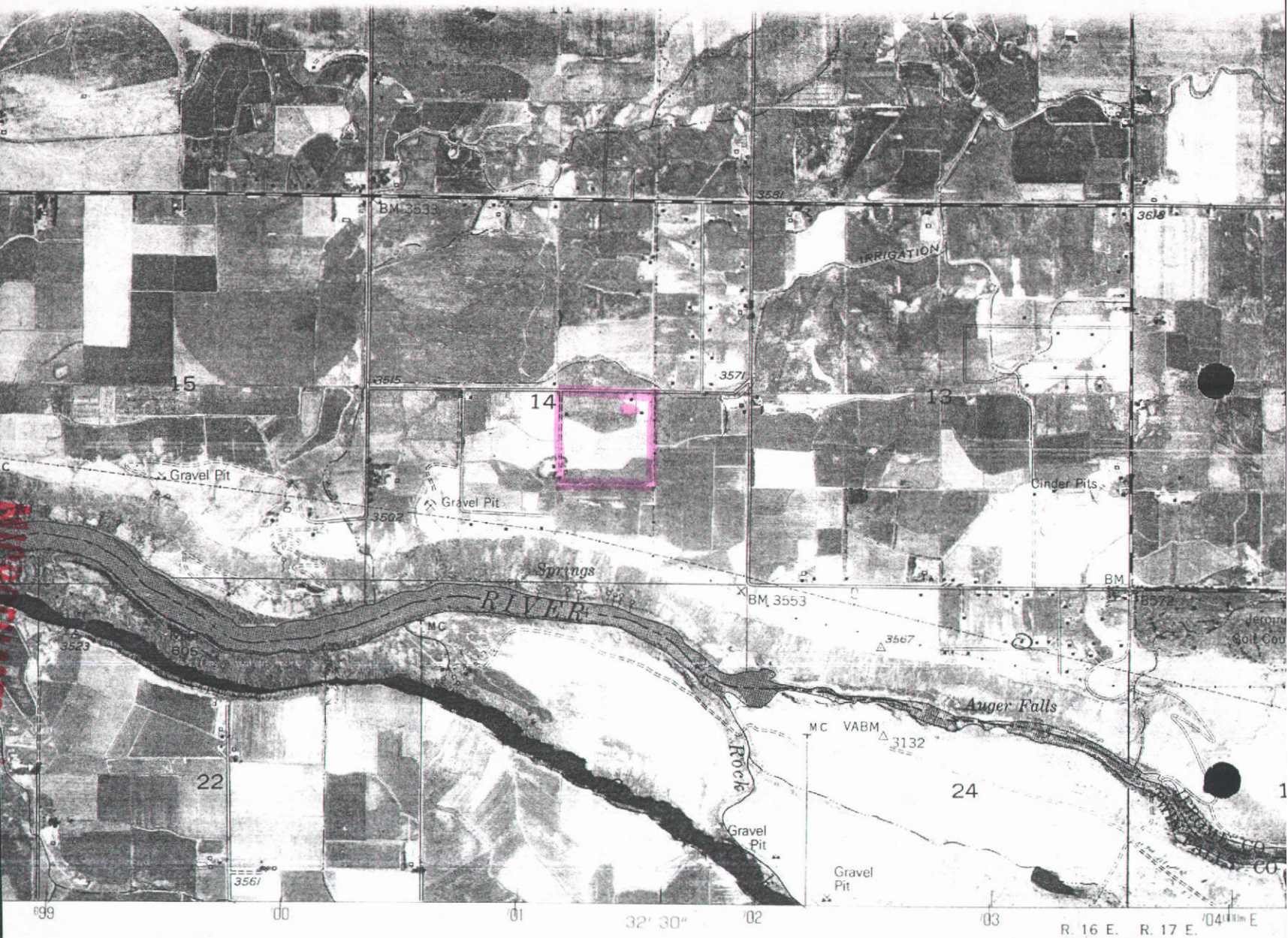




SCALE 1:24 000



R16E R17



QUADRANGLE LOCATION

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

2 SALE BY U.S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

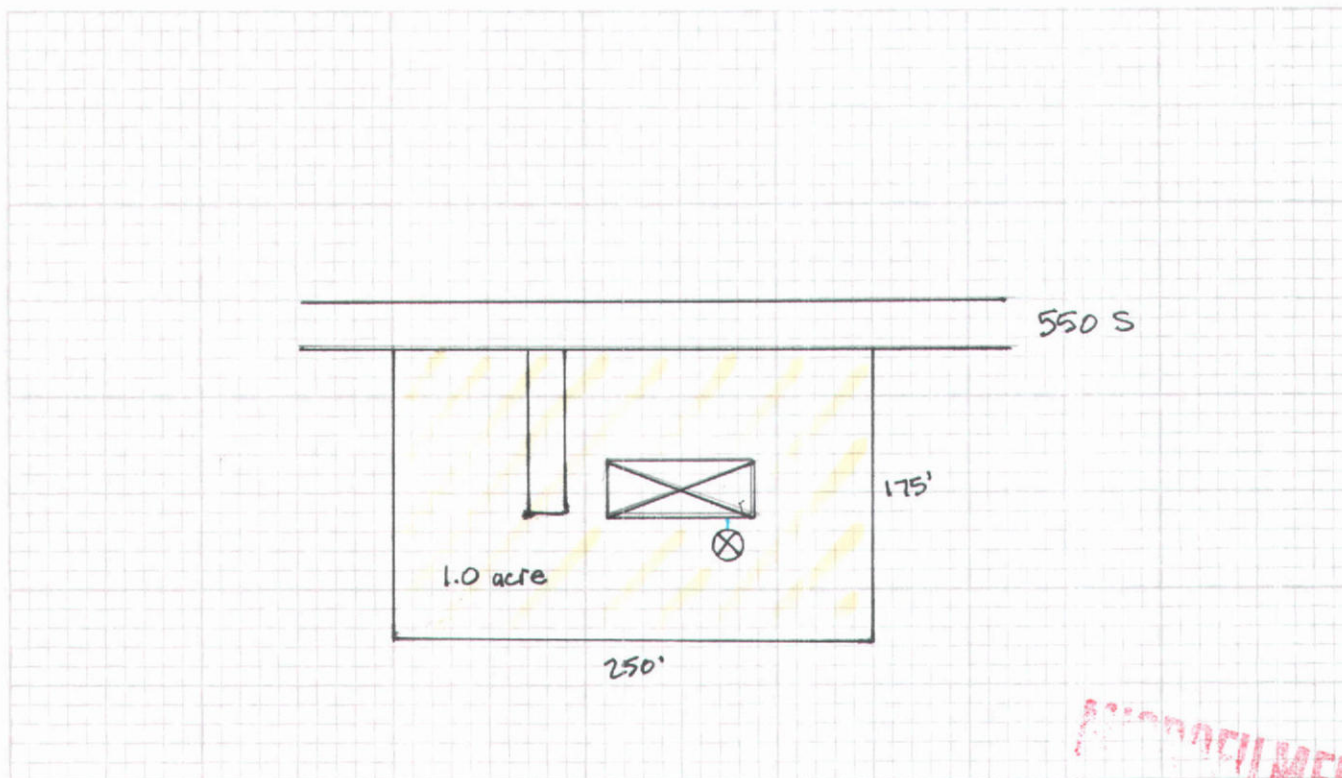
1. Owner: DIANNA K. NAPIER Permit No. 36-08521
Current Address: 131 W. 550 S. Jerome, ID 83338 Phone No. 324-3808
2. Accompanied by: FRED PARTRIDGE EXAM. DATE: 5-17-92
Address: same Phone No. _____
Relationship to Permit Holder: spouse
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ 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" = 100 ft.

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

RECORDED

NOV 22 1993



36-8521

Sonnicksen
VABM Δ 3741
Butte

Canyonside School

IRRIGATION

IRRIGATION

MICROFILMED

NOV 22 1993

Springs
RIVER

Auger Falls

JEROME
TWIN FALL

SCALE 1:24,000

36-08521

P.U.



POINT OF DIVERSION

NOV 22 1993

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 19 1990

Department of Water Resources
Southern Region Office

Patty Spance, 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 Spance

Subscribed and sworn to before me this 15th

day of June, 1990.
(SEAL)

Vince Jandaga
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

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

COPY OF NOTICE

(Paste Here)

Appl. for Wat. Rts.
TITLE OF NOTICE

D. Napier

36-08521

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Water 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:

36-08521

NAPIER, DIANNA K.
455 SOPHOMORE BLVD.
TWIN FALLS, ID 83301
Source: GROUNDWATER
DIVERSION Pt: NENWSE Sec 14 T09S R16E

Use: IRRIGATION (.020 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.060 CFS)

Date Filed: 2/23/90

In: T09S R16E S14 NWSE

1.0 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 Street East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.

R. KEITH HIGGINSON,

Director
N14405

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

SEP 05 1990

No 3801

14405

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08521

Priority: December 19, 1991

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.6 AF

This is to certify, that DIANNA K NAPIER

131 W 550 S

JEROME ID 83338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 23, 1990; and has submitted Proof of Beneficial Use on December 29, 1991. An examination indicates that the works have a diversion capacity of .030 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	0.02 CFS	4.0 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	0.6 AF
	Totals	0.03 CFS	4.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NENWSE , Sec. 14, Township 09S, Range 16E
JEROME 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>
09S	16E	14	NWSE	1		1

Total number of acres irrigated: 1

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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 limited to the amount that can actually be beneficially use 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. Irrigation use under this right is authorized only in connection with a domestic use.
6. 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.

RECORDED
NOV 22 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08521

CONDITIONS/REMARKS:

7. Domestic use is for 1 home.

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 15th
day of November, 1993.

Acting for

R. Keith Higginson, Director

RECORDED
11/22/1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08521)
IN THE NAME OF DIANNA K. NAPIER)

ORDER OF
REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On August 13, 1990, the Director of the Department of Water Resources issued Permit No. 36-08521 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1991.

2. On June 30, 1991, the Department sent a proof due notice to the permit holder.

3. On September 9, 1991, the Department sent a lapse notice to the permit holder since the permit holder did not submit either proof of beneficial use or a request for extension of time to the Department.

4. On December 19, 1991, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes an affidavit from Shirley Huck, who attests to the fact that the well was in operation prior to 1978.

7. The permit holder states, in correspondence to the Department, that during a telephone conversation to the Southern Regional Office, she was informed that she didn't need to do anything further.

CONCLUSIONS OF LAW

RECEIVED
FILMED

APR 08 1992

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 36-08521 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to December 19, 1991.

Dated this 6th day of March, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

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APR 08 1992

RECEIVED

DEC 19 1991

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

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. 36-08521 Telephone No. 734-0400
324-3808
2. Name(s) of Permit Holder(s): DIANNA K NAPIER
3. Post Office Address: 131 W. 550 S. JEROME ID 83338
4. Source of Water: Groundwater
- a. If ground water, well driller's name: unknown Date drilled: ~ 1974
- b. Pump horsepower: ~ 1 Pressure (psi): ~ 50 Dynamic pumping level (ft.): _____
5. Extent of Use:
- Domestic 1 (No. of households) Irrigation 0.51 (No. of acres)
- Stockwater none (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre/feet

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

Measuring device: Required? Yes XNo Installed? Yes YesNo
OR
Flow Measurement Port: Required? Yes XNo Installed? Yes YesNo

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

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

FRED PARTRIDGE
Name

324-3808 or 324-4359
Telephone No.

131 W 550 S JEROME ID
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.

Date

Dianna K. Napier

Signature (and title if on behalf of a company or organization)

RECEIVED
APR 08 1992

36-08521

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08521

Proposed Priority: February 23, 1990 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **DIANNA K. NAPIER**
455 SOPHOMORE BLVD.
TWIN FALLS, ID 83301

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	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: NENWSE Sec. 14, Township 09S, Range 16E
JEROME 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>
09S	16E	14	NWSE	1		1

Total number of acres irrigated: 1

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 **September 1, 1991**.
2. Subject to all prior water rights.
3. Irrigation use under this permit is authorized only in connection with a domestic use.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Domestic use is for one 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

13th day of August, 1990

MICROFILMED

SEP 05 1990

R. Keith Higginson
R. Keith Higginson, Director

for

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant DIANNA K. NAPIER Phone 324-3808
Post office address 455 SOPHOMORE BLVD. T.F. 83301
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 14 Township 9N Range 16E B.M. Jerome County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .02 for IRRIG purposes from 3/15 to 11/15 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)
Amount .04 for DOM 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) .06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
well, motor & pump.

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 _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? N
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).
WELL DRILLED AROUND 1974

MICROFILMED

SEP 05 1990

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. D/I HOUSE
- 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	
9e	16e	14														D			
																I			1

Total number of acres to be irrigated 1

10. Describe any other water rights used for the same purposes as described above. ripped into neighbor waste water

- Who owns the property at the point of diversion? CLAIMANT/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. _____

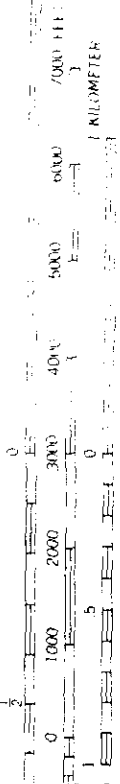
12. Remarks: _____

MICROFILMED

SEP 05 1990



SCALE 1:24,000

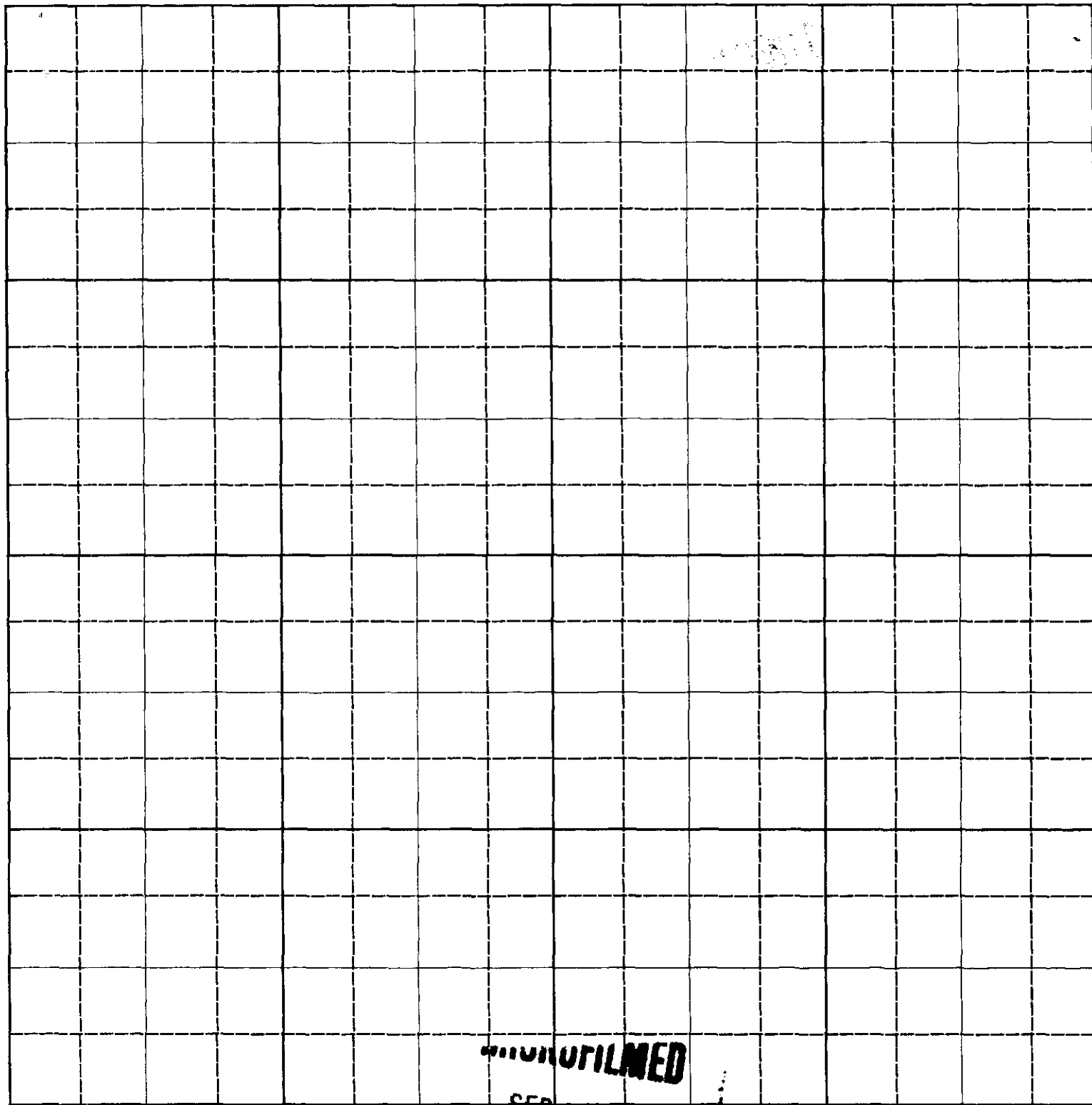


R16E R17

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

LEGEND

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.

UNFILMED

SEP 05 1990

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.


(Applicant)

Received by LW Date 2/23/90 Time 12:05 PM Preliminary check by JD
Fee \$ 30 Receipted by LW # 5011315 Date 2/23/90
Publication prepared by MB Date 5/11/90 Published in North Idaho 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:

MICROFILMED

SEP 05 1990



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 2, 1993

DIANNA K NAPIER
131 W 550 S
JEROME ID 83338

RE: WATER RIGHT NO. 36-08521

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

NOV 2 1993

NOV 2 1993

WR0749WP
No. L36-08521

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/05/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIANNA K NAPIER 131 W 550 S JEROME ID 83338 (208) 324-3808	12/19/1991	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	0.02 CFS 0.03 CFS	4.0 AFA 0.6 AFA
TOTAL DIVERSION:					0.03 CFS	4.6 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.03 CFS

Point(s) of Diversion: T09S R16E S14 NE NW SE

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM			
09S	16E	14	:								:										:			
TOTAL ACRES																					1.0			

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

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion and Source:
36-08521

Other Water Rights Listing Overlapping Place(s) of use:
36-08521

Conditions of Approval:

- 041 - Irrigation use under this right is authorized only in connection with a domestic use.
- R31 - 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.

Remarks: Domestic use is for 1 home.

Dates:	App. Received: 02/23/1990	Priority Date: 12/19/1991	(Priority Date Advanced.)
	Proof Due Date: 09/01/1991	Proof Made Date: 12/29/1991	(Proof Received Late.)
	Exam Made Date: 05/17/1992	Exam Sent to S.O.: 08/18/1993	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee: N (Not Required)

Comments: Date: 11/18/1991 User-ID: VAULT Subject: Lapse Notice Sent

WR0749NP
No. 136-08521

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/05/93
PAGE: 2

=====

Comments: Date: 11/18/1991 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 11/29/1991 User-ID: SKAGGS Subject: LAPSED REVIEW
CORRESPONDENCE SENT RE: PROOF/REVIEW 12-91

Date: 12/23/1991 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Date: 12/23/1991 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 10/05/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 36-8521 Date 10-5-93 Brenda Chapman

NAME	Yes	No	Or Address Change?
PRIORITY DATE	<u>Done</u>	<u>✓</u>	Advance? <u>Done</u> Memo to Advance TO: <u>12/19/91</u> Order to Reinstate Needed? <u>✓</u> Incorrect Fee for rate recommended? <u>FILED FOR .04 ONLY - NO FEE PAID</u>
SOURCE	<u>✓</u>	<u>✓</u>	Changes? Clarification of <u>Originally Intended</u> source <u>✓</u> Notice of Intent to Void - Source change.
P/D	<u>✓</u>	<u>✓</u>	Amendment Needed? _____ Overlap(s) _____
P/U	<u>✓</u>	<u>✓</u>	Amendment Needed? _____ Overlap(s) _____
TOTAL CFS	<u>✓</u>	<u>✓</u>	Disagree/Measurement <u>Examiner used the static water level for pumping level -</u> <u>DOM = .03 IRR = .02</u> <u>Theoretical (8.8 x .70 x 1 HP) / (105 + 2.31 x 40) = .03</u> <u>Capacity .03</u> Allowable Amount: <u>.03</u>
TOTAL VOLUME	<u>✓</u>	<u>✓</u>	Disagree with Examiner's Calculations? <u>1 x 4 = 4 AF (a little under 1 acre - house + driveway WASN'T subtracted)</u> <u>DOM = .6</u> <u>Flow limit: .02 x 214 x 1.9835 = 8.4</u> Season <u>C/4.0 4-1 to 10-31</u>
USES	<u>✓</u>	<u>✓</u>	Change(s) in Nature of Use? _____ Amendment Needed? _____
REMARKS	<u>✓</u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4? _____ Special Overlap _____ Other _____
CONDITIONS	<u>✓</u>	<u>✓</u>	Measuring/Locking Devices Misc/Dates W/Master Control Water Dist <u>R31</u> Irrigation Overlap <u>2-23-90</u> App Rec'd Water Quality <u>5-17-92</u> Exam Made
COMMENTS:	<u>REDUCE RATE TO CAPACITY</u>		

RECOMMENDED	CFS	DIV VOL
<u>Irrigation</u>	<u>.02</u>	<u>4.0</u>
<u>DOMESTIC</u>	<u>.03</u>	<u>.6</u>

LICENSE ✓
AMEND _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

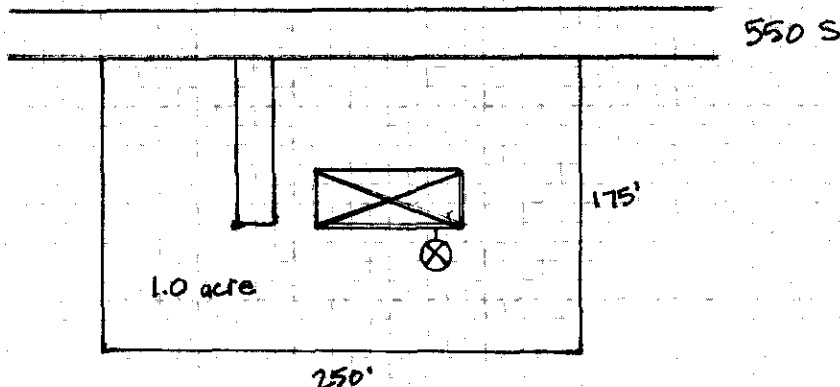
1. Owner: DIANNA K. NAPIER Permit No. 36-08521
Current Address: 131 W. 550 S. Jerome, ID 83338 Phone No. 324-3808
2. Accompanied by: FRED PARTRIDGE EXAM. DATE: 5-17-92
Address: same Phone No. _____
Relationship to Permit Holder: spouse
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ 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" = 100 ft.

NOV 22 1993

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).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Well water used for single domestic household and 1 acre lawn irrigation (watered with hose and sprinkler). 100 gal. pressure tank was installed. (30-60 psi.)

☐ 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
	Sta-Rite	1.0			

*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
		NE	NW	SE	14	9S	16E	Jerome	Inspection

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	
9S	16E	14														1.0			1.0

Do not use this space

NOV 22 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.0(4.0) = 4.0$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03(246)(1.98) = 14.6$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.0$

2. Volume Calculations for Other Uses:

Dam: 0.6 afa. - internal only

NOV 22 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

	Rate
Permit	0.06 cfs
theoretical	0.04 cfs
required	0.04 cfs (domestic)
	0.02 cfs (irrigation)

* total rate will be limited by capacity and fee limit.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
domestic	1/01	12/31	0.04 cfs	0.6 afa
irrigation	4-1 3/15	~~11/15~~ 10-31	0.02	4.0
Totals:			0.04 cfs	4.6 afa

2. Recommended Amendments

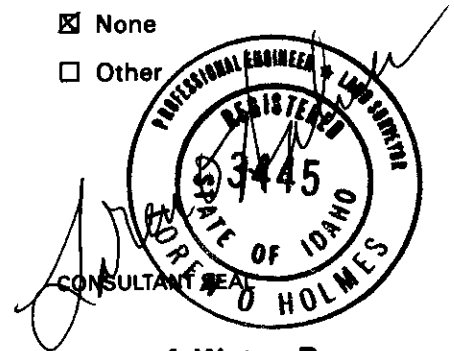
- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name BRIAN W. BLOCK
Signature Brian Block
Certification Date 3/31/93
Field Report Preparation Date 6-17-92



- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-68521
DATE: 6-17-92
BY: AB

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (1.0) \times (0.70)}{[(93) + (35 \times 2.31)]} = 0.04$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner (X)	
area estimate ()	estimate (X)	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		
REMARKS		

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

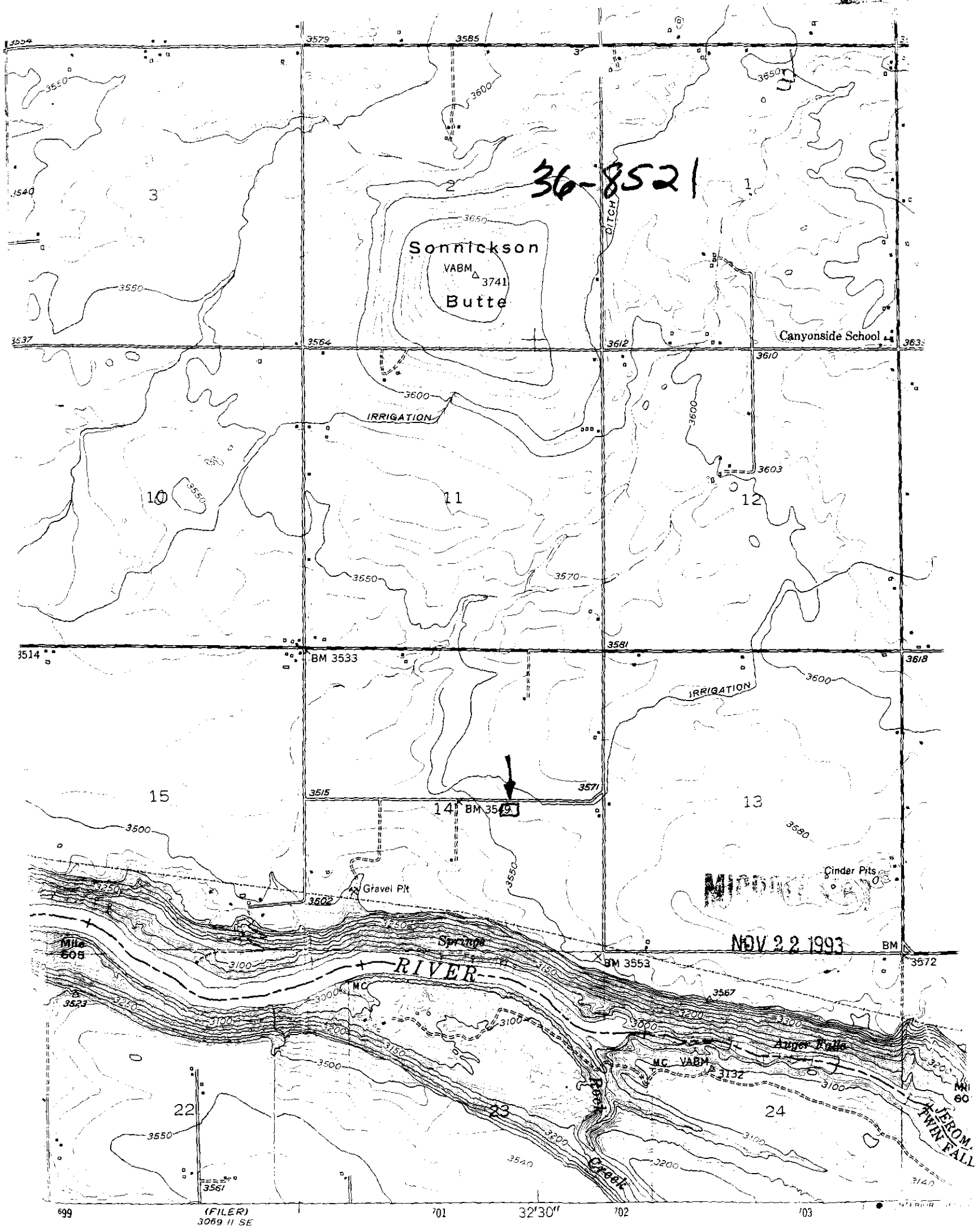
(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = $\frac{214 \times 1.98 \times 0.04}{1.0} = 16.9$

REQUIRED Acre Feet/Acre/Annum = 4.0
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (X)
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

NOV 22 1993

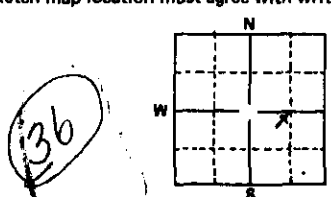


USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Dan Stone</u> Address <u>503 W. Ave C Jerome, Id. 83338</u> Owner's Permit No. <u>None Required</u>		7. WATER LEVEL Static water level <u>93</u> feet below land surface Flowing? ☒ Yes ☐ No G.P.M. flow <u>10</u> Temperature <u> </u> ° F. Quality <u> </u> Artesian closed-in pressure <u> </u> p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) 		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <u>Rotary R.R.</u> Discharge G.P.M. <u>10</u> Draw Down <u>None</u> Hours Pumped <u>1/2</u>																																																																																																																																																					
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8"</td><td>0</td><td>1</td><td>Top Soil</td><td></td><td>X</td></tr><tr><td></td><td>1</td><td>3</td><td>Clay-Lava-Rock</td><td></td><td>X</td></tr><tr><td></td><td>3</td><td>8</td><td>Gray Lave</td><td></td><td>X</td></tr><tr><td></td><td>8</td><td>9</td><td>Clay Broken Rock</td><td></td><td>X</td></tr><tr><td></td><td>9</td><td>16</td><td>Gray Med Hard</td><td></td><td>X</td></tr><tr><td></td><td>16</td><td>17 1/2</td><td>Broken Gray Pmk</td><td></td><td>X</td></tr><tr><td></td><td>17 1/2</td><td>19</td><td>Med Hard</td><td></td><td>X</td></tr><tr><td>6"</td><td>19</td><td>35</td><td>Med Hard</td><td></td><td>X</td></tr><tr><td></td><td>35</td><td>40</td><td>Pmk Pours</td><td></td><td>X</td></tr><tr><td></td><td>40</td><td>45</td><td>Broken Med Hard</td><td></td><td>X</td></tr><tr><td></td><td>45</td><td>60</td><td>Black Girders</td><td></td><td>X</td></tr><tr><td></td><td>60</td><td>73</td><td>Gray Med Hard</td><td></td><td>X</td></tr><tr><td></td><td>73</td><td>83</td><td>Girders Black</td><td></td><td>X</td></tr><tr><td></td><td>83</td><td>101</td><td>Girders Clay Gravel</td><td>X</td><td></td></tr><tr><td>5"</td><td>101</td><td>103</td><td>Gray Lave</td><td></td><td>X</td></tr><tr><td></td><td>103</td><td>104</td><td>Clay Gravel - Broken Rock</td><td>X</td><td></td></tr><tr><td></td><td>104</td><td>112</td><td>Med Hard Discovered</td><td>X</td><td></td></tr><tr><td></td><td>112</td><td>113</td><td>Broken</td><td>X</td><td></td></tr><tr><td></td><td>113</td><td>115</td><td>Med Hard</td><td>X</td><td></td></tr><tr><td></td><td>115</td><td>121</td><td>Gravel</td><td>X</td><td></td></tr><tr><td></td><td>121</td><td>125</td><td>Dark Gray to Black</td><td>X</td><td></td></tr><tr><td></td><td>125</td><td>135</td><td>Gravel</td><td>X</td><td></td></tr><tr><td></td><td>135</td><td>140</td><td>Gray Lave</td><td>X</td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	8"	0	1	Top Soil		X		1	3	Clay-Lava-Rock		X		3	8	Gray Lave		X		8	9	Clay Broken Rock		X		9	16	Gray Med Hard		X		16	17 1/2	Broken Gray Pmk		X		17 1/2	19	Med Hard		X	6"	19	35	Med Hard		X		35	40	Pmk Pours		X		40	45	Broken Med Hard		X		45	60	Black Girders		X		60	73	Gray Med Hard		X		73	83	Girders Black		X		83	101	Girders Clay Gravel	X		5"	101	103	Gray Lave		X		103	104	Clay Gravel - Broken Rock	X			104	112	Med Hard Discovered	X			112	113	Broken	X			113	115	Med Hard	X			115	121	Gravel	X			121	125	Dark Gray to Black	X			125	135	Gravel	X			135	140	Gray Lave	X	
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4. METHOD DRILLED ☐ Cable ☒ Rotary ☐ Dug ☐ Other																																																																																																																																																							
5. WELL CONSTRUCTION Diameter of hole <u>5</u> inches Total depth <u>140</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness Diameter From To <u>2 5/8</u> inches <u>6 3/8</u> inches + <u>0</u> feet <u>62</u> feet <u>2 5/8</u> inches <u>5 7/8</u> inches <u>62</u> feet <u>102</u> feet inches inches feet feet inches inches feet feet inches inches feet feet Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation inches by inches Number From To perforations feet feet feet feet perforations feet feet feet feet perforations feet feet feet feet Well screen installed? ☐ Yes ☒ No Manufacturer's name Type Model No. Diameter Slot size Set from feet to feet Diameter Slot size Set from feet to feet Gravel packed? ☐ Yes ☒ No Size of gravel Placed from feet to feet Surface seal? ☒ Yes ☐ No To what depth <u>19</u> feet Material used in seal ☐ Cement grout ☒ Puddling clay																																																																																																																																																							
6. LOCATION OF WELL Sketch map location must agree with written location.  County <u>Jerome County</u> <u>N 1/4 Sec 14 T. 9 N. R. 16 E. W.</u>		10. Work started <u>5-3-73</u> finished <u>5-5-73</u>																																																																																																																																																					
		11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>Smith Drilling & Pump Co. Inc.</u> 11 Driller's or Firm's Name Number <u>328 West Ave H Jerome, Idaho</u> Address <u>William Smith</u> 6-6-73 Signed By Date																																																																																																																																																					

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

36-08521

P.U. →



POINT OF DIVERSION

NOV 22 1993

March 13, 1992

DIANNA K. NAPIER
131 W 550 S
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08521

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

RECORDED
APR 08 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08521

Reviewed by Klg

Date 3/5/92

GENERAL CONSIDERATIONS

TYPES OF USE

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

domestic -1
irrigate -1
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

NA Drilling permit required?

1974 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

NA Required?
 Amount Submitted
 Correct?

MEASURING DEVICE

NA Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received received Beyond 60
Date proof due day lapse period -
No. of days late add one - to date
Priority Date proof was received
New Priority Date 12/19/92

DEFICIENCIES OR ACTION ITEMS

proof acceptable -
needs an extended order

DATA ENTRY

New Address 131 W 550 S Jerome, 83338
3/11/92 Klg

Proof Made 12/19/92
3/16/92 Klg

March 3, 1992

Karen,

I have enclosed a letter from previous landowners adjacent to the property. I do hope that this will serve as physical proof that the well was in use prior to September 1, 1991.

Thanking you,

D. Kathy Napier
131 W. 550 South
Jerome, Idaho
83338

RECEIVED
MAR 5 1992

Department of Water Resources

MICROFILMED

APR 08 1992

State of Idaho
Department of Water Resources

This is to verify that the well located on the property 131 West 550 South, Jerome. (Homeowner D.K. Napier) was in existence prior to 1978.

I lived on the property located adjacent to this property from approximately 1975 to 1978. The well on that property was in existence during that time.

Sincerely,

Shirley Huck 3/4/92

Shirley Huck

RECEIVED
APR 08 1992



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 25, 1992

Ms. Dianna K. Partridge
131 West 550 South
Jerome, ID 83338

Re: Permit No. 36-08521

Dear Ms. Partridge:

There seems to be considerable confusion over the type of water right you have filed and the proper steps needed in order to complete the process. I hope to clear up some of that confusion and answer any questions you may have in this correspondence.

First of all, you were notified through our adjudication process that you needed to file a claim to your water right. You can only file an adjudication claim if your use is domestic and you irrigate one half acre or less. Since you irrigate one entire acre, you are required, by law, to file an application for permit to appropriate the public waters of the State of Idaho. You did abide by the law and file for your permit in June of 1990. (See Attachment 1) Please understand, that you did not file an adjudication claim. I can only assume, from your correspondence, that the other people you refer to, did file an adjudication claim, and therefore, were not required to complete any other paperwork. Their process was complete at the time of the filing. Because you properly filed for a permit to appropriate water, your process was not complete.

You state in your last correspondence, that "Since this was a standard domestic well, it should not have been filed for more than 0.5 acre". First of all, Section 42-111, Idaho Code defines domestic as "The use of water . . . for any purpose in connection therewith, including irrigation of up to one half acre". (See Attachment 2) Therefore, your well is not considered a "standard domestic well". Secondly, you must file for the entire amount of ground you plan to irrigate.

I apologize for the misinformation you received from our Southern Regional office in Twin Falls concerning the completion of the proof of beneficial use notice. As you are now aware, it was incorrect. Your husband is correct in that you should have responded, in some form, to this office by the proof due date. In your particular case, the proof due date was September 1, 1991. (See Attachment 1)

APR 08 1992

Section 42-218a.1, Idaho Code allows for an additional 60 day period for you to reply to our requests for proof of beneficial use. (See Attachment 3) You were notified of this 60 day period in our lapse notice to you dated September 5, 1991. (See Attachment 4) Your additional 60 days ended November 9, 1991. We did not receive your completed proof of beneficial use until December 19, 1991. (See Attachment 5) The proof was not lost, as you suggest. It was simply received well beyond the allowable time frame.

Because you did not file your proof of beneficial use in a timely manner, additional information is required. Section 42-218a.2, Idaho Code, requires that you supply us with sufficient evidence that the well was in use prior to September 1, 1991, and that you show reasonable cause why the proof of beneficial use was not submitted before that date. (See Attachment 3) You have fulfilled the second half of this requirement by fully explaining the situation in your last correspondence. However, because of the above mentioned law, the Department is now required to obtain physical proof that the well was in use. This was also explained to you in our letter of December 27, 1991. (See Attachment 6)

As of this date, we do not have any such evidence. In order for us to complete the licensing process, you are still required to supply this information. Some examples of proof might be a well driller's log showing the date it was drilled, affidavits from neighbors who can attest to the fact that the well was in use prior to September 1, 1991, or dated receipts from the purchase of pump equipment or other related materials for the well.

I would again like to apologize for the misinformation you received when you called our Regional Office. However, I do feel that the Department has responded in an efficient and timely manner to all of your requests. The Department will allow you an additional 30 days to supply the proof requested above. Since your permit has already lapsed and is of no further force nor effect, if we have not received sufficient information by March 25, 1992, your water right will be filmed and destroyed.

I hope I have clarified any misunderstandings and answered any questions that you had. If, however, I have not, please feel free to contact me.

Sincerely,


Karen L. Gustafson
Secretary/Records Manager

Enclosures


APR 08 1992

2-21-92

Atten. Karen Gustafson
Dept. of Water Resources
1301 N. Orchard
Boise, Idaho 83720

RECEIVED
FEB 24 1992

Department of Water Resources

Regarding: Water right application 36-8521

This letter is both notice of beneficial use and an explanation of previously missed filing dates. This well has been in use since 1976.

The problem started when I was either misinformed or misunderstood the type of filing under the adjudication notice. This should have been a simple domestic well application, but since I own a acre (plus) of land, I was informed that I needed a larger amount of water on the license. I did not realize that I was doing anything different from anyone else on standard domestic well.

Since this was a standard domestic well it should not have been filed for more than 0.5 acre. I did not understand the difference and therefore did not realize that I needed to do anything additional at the end of the year, since no one else who filed for these domestic wells applications were required to do anything.

After I received one of your letters, I talked to Allen at the Twin Falls office, I was informed that I didn't need to do anything further.

APR 08 1992

After I was married, my husband was looking at the letters and

felt that I should have done something.
We checked with the Twin Falls office and managed to determine what had been filed instead of the simple domestic 0.5 acre well filing, he was told that it would cost additional money to file a late adjudication notice or that we could simply leave it like it was and supply proof of use, which he did. This apparently was not enough or it was lost. (at this time he returned the proof of use form). Your latest letter states that we still hadn't supplied you with sufficient proof in the proper time.

We talked to Tim Luke in Boise and he suggested we write this explanation.

We would appreciate some form of Clarification on this matter.

Thanking you,
Dianna K. Partridge
(Napier)

FILED

APR 08 1992

INTER-DEPARTMENT MEMO

TO: File
FROM: Karen

SUBJECT: Reinstatement
DATE: 2/18/92

Permit Holder called the office (department) on 2/14/92.
She will submit the necessary info ASAP. Will hold the
file for another 30 days Before film & destroy review.

FILED
APR 08 1992

- () For your information
() Response required

Karen Gustafson
signature



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 27, 1991

Dianna K. Napier
131 W. 550 S.
Jerome, ID 83338

RE: Permit #36-08521

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on December 19, 1991. The permit lapsed September 1, 1991 so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.

b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

Enclosure

RECEIVED
APR 08 1992



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 29, 1991

Ms. Dianna K. Napier
455 Sophomore Boulevard
Twin Falls, ID 83301

RE: Permit No. 36-8521

Dear Ms. Napier:

I am writing in response to your letter of October 1, 1991 requesting clarification of the Proof of Beneficial Use form mailed to you June 30, 1991 and again on September 5, 1991.

I have enclosed a copy of your Permit to Appropriate Water. Please note Item #1 under the Conditions/Remarks section of the Permit. As you can see from the permit, it is necessary for you to prove beneficial use in order to obtain the license to the water right. Obtaining the permit is only part of the process necessary to obtaining a licensed water right.

It is my understanding from your letter that you have indeed completed construction on the well. You should, therefore, complete the enclosed Proof of Beneficial Use form and return to me as soon as possible. If your rate of conversion is .04 cfs or less, as indicated on your permit, there is no fee necessary.

Please understand that it is imperative you return the proof of beneficial use as soon as possible. Since your proof due date was September 1, 1991, your permit has lapsed and is of no force or effect. If you desire to have the permit reinstated, you should reply no later than November 15, 1991.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosures

WATER RESOURCES

APR 08 1992

RECEIVED
OCT 01 1991

Department of Water Resources

Sirs ~

I feel that you may have
me filed under an incorrect status. I did
file at the time we were asked to. I

have 1.39 acres (Jerome County-) have only
domestic use for my well. The well was
put in some where in the early 1970s. I do
not plan any further expansion. I am not
understanding the form you have sent
me.

I talked to your office in
Twin Falls. Sounded like I did not need
to do anything else. Now, I received this
extention. Would you please clarify
this for me.

Thank you for your help

Dianna K. Napier

324-3808

or

733-0400

MIFF FILMED

APR 08 1992

September 5, 1991

DIANNA K. NAPIER
455 SOPHOMORE BLVD.
TWIN FALLS ID 83301

LAPSE NOTICE

RE: PERMIT NO. 36-08521

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, 1991. 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:rf

Enclosures

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FILMED**

APR 08 1992

CERTIFICATION OF MAILING

I hereby certify that on 9-9-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

138105
June 30, 1991

DIANNA K. NAPIER
455 SOPHOMORE BLVD.
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 36-08521

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, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

APR 08 1992

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

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

DIANNA K. NAPIER
455 SOPHOMORE BLVD.
TWIN FALLS, ID 83301

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 36-08521

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.

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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SEP 05 1990

15-May-1990

DIANA NAPIER
455 SOPHOMORE BLVD
TWIN FALLS ID 83301

Re: Application for Permit No. 36-08521

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

MICROFILMED

SEP 05 1990

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,
County of Jerome

SS.

JUN 19 1990

Department of Water Resources
Southern Region Office

Patty Spence, 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 Spence

Subscribed and sworn to before me this 15th

day of June, 1990.
(SEAL)

Timothy J. Gandaga
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line

Number of Lines in Notice

Number of Insertions 2X

Lines tabular at	6¢/Pica
<u>365.6</u> Lines straight at <u>18.25</u>	5¢/Pica
Subsequent lines at <u>14.43</u>	4¢/Pica
TOTAL COST <u>32.91</u>	

COPY OF NOTICE

(Paste Here)

Applying for Water Rt.
TITLE OF NOTICE
D. Napier

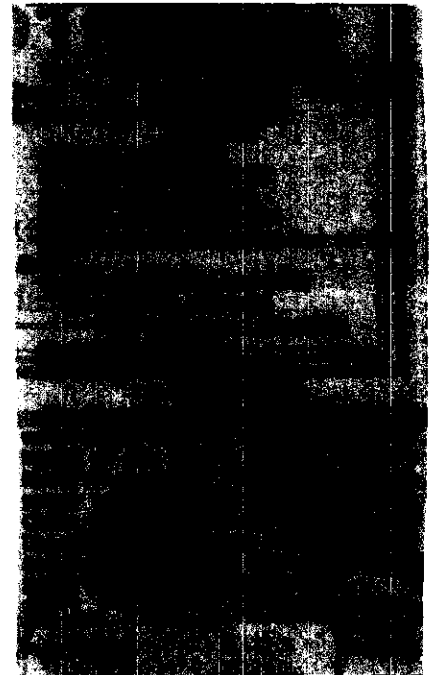
36-08521

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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



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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SEP 05 1990

Nº 3801

14405

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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SEP 05 1990

36-08521

NAPIER, DIANNA K.
455 SOPHOMORE BLVD.
TWIN FALLS, ID 83301

Source: GROUNDWATER

Diversion Pt: NENWSE Sec 14 T 09S R 16E

Use: IRRIGATION (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 2/23/ 1990

In: T09S R16E S14 NWSE

1.0 ACRES TOTAL

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SEP 05 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-3A, 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

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

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SEP 05 1990