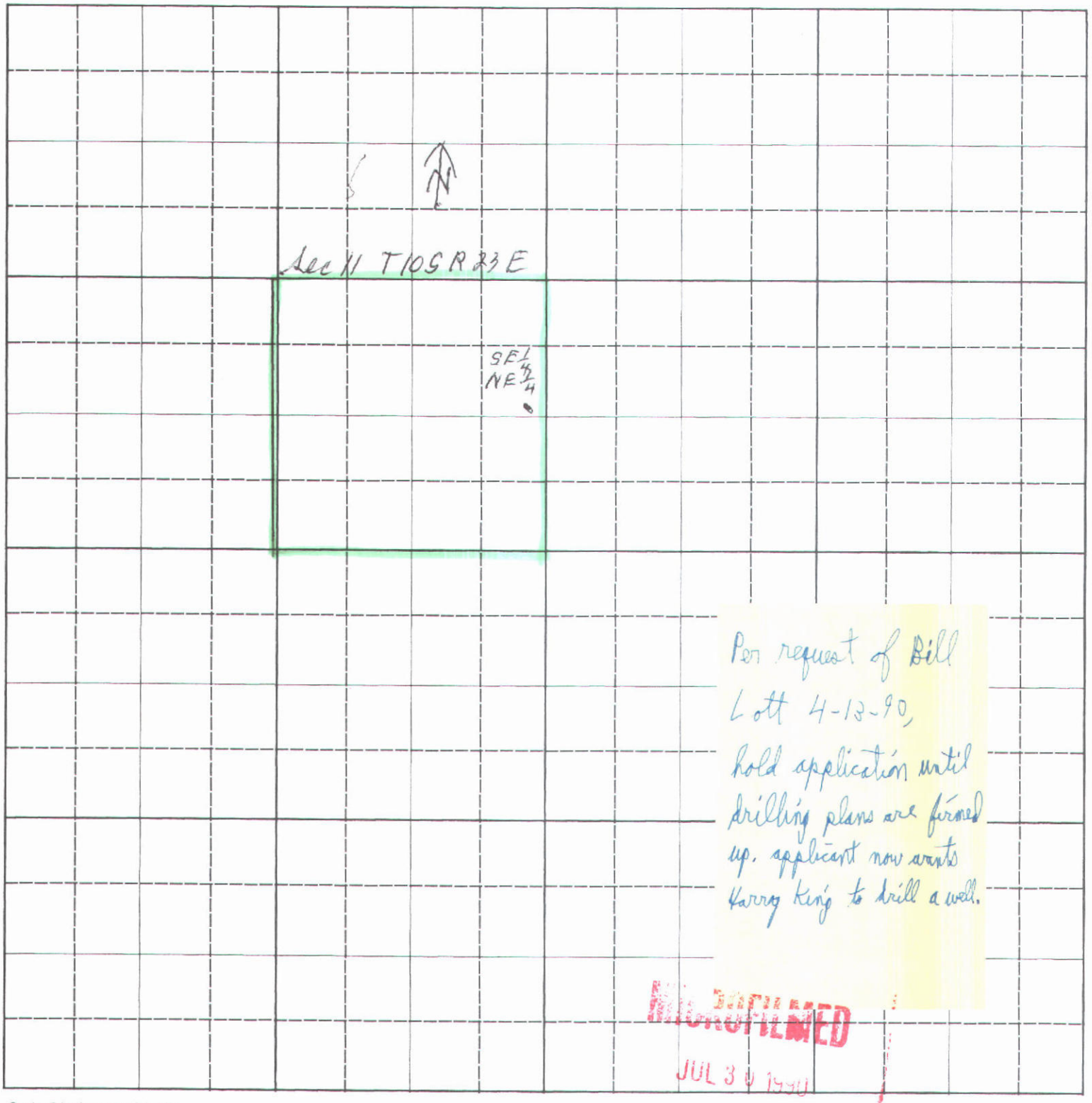
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Per request of Bill Lott 4-13-90, hold application until drilling plans are firmed up. applicant now wants Karry King to drill a well.

MICROFILMED
JUL 30 1990

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.

Helen Brent
(Applicant)

RECEIVED
MAR 21 2002
Department of Water Resources
Southern Region

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated March 11, 2002 and ending with the issue dated March 18, 2002.

Ruth Anne Holmes

02-085
NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Minidoka County:

ARLEN &/OR MARY LEE BUERKLE, 343 S 300 W; HEYBURN ID 83336 filed Application No. 69723 on 3/1/02 for diversion of 0.09 cfs from ground water. The purpose of the transfer is to change a 1.5-acre portion of irrigation right 36-8519 to commercial use from an existing well for a proposed RV park located approximately one-half mile Northeast of the juncture of Interstate 84 and Highway 24 between Heyburn and Rupert.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit **www.idwr.state.id.us** with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of $25.00 for each application on or before March 29, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on March 11 and 18, 2002.

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 18th day of March in the year of 2002 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 50.05
Affidavit Fee 5.00
Total Cost 55.05

OK
MB
4/1/02

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APR 23 2002

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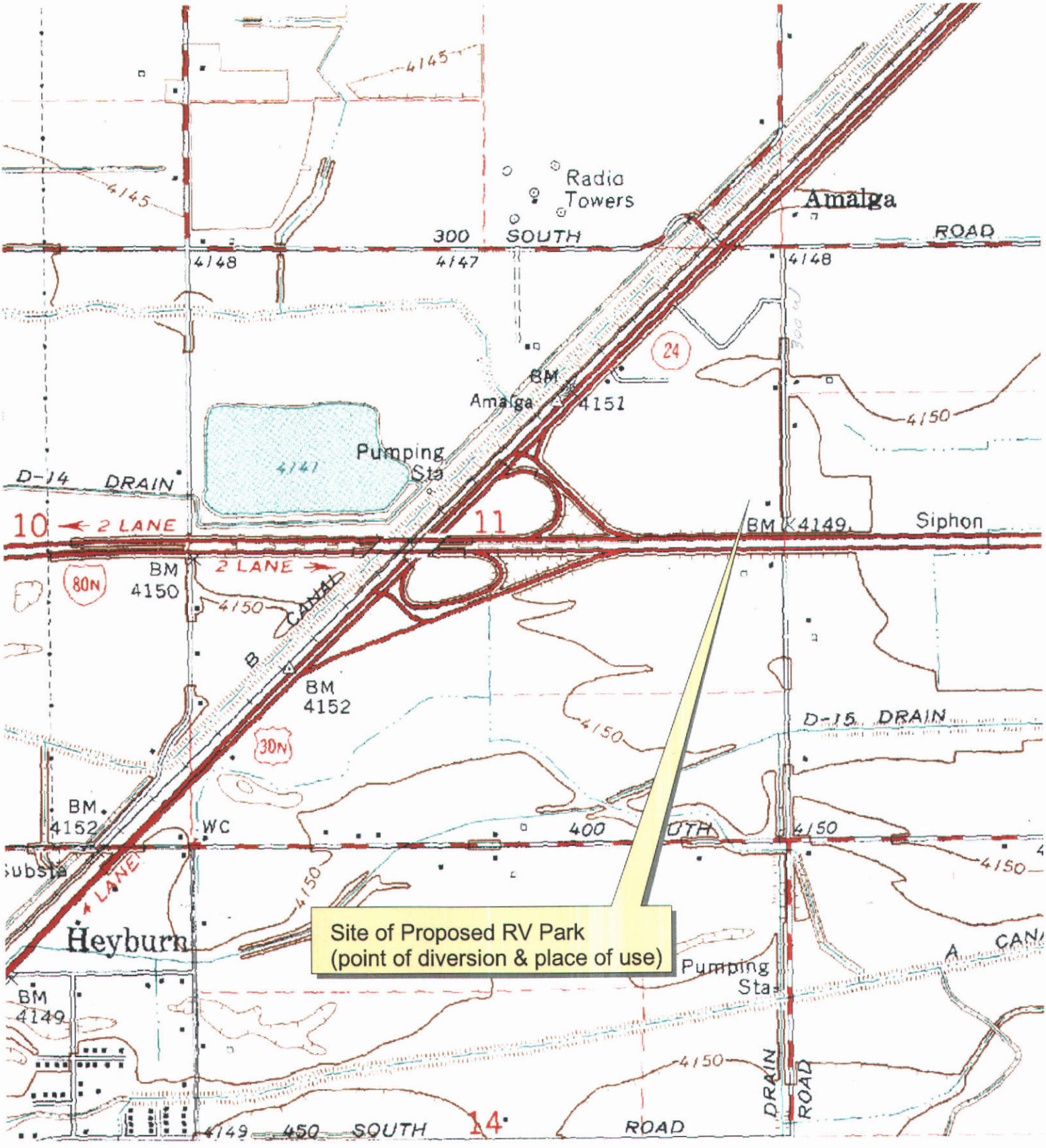

Transfer # 69723

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Township 10 South, Range 23 East

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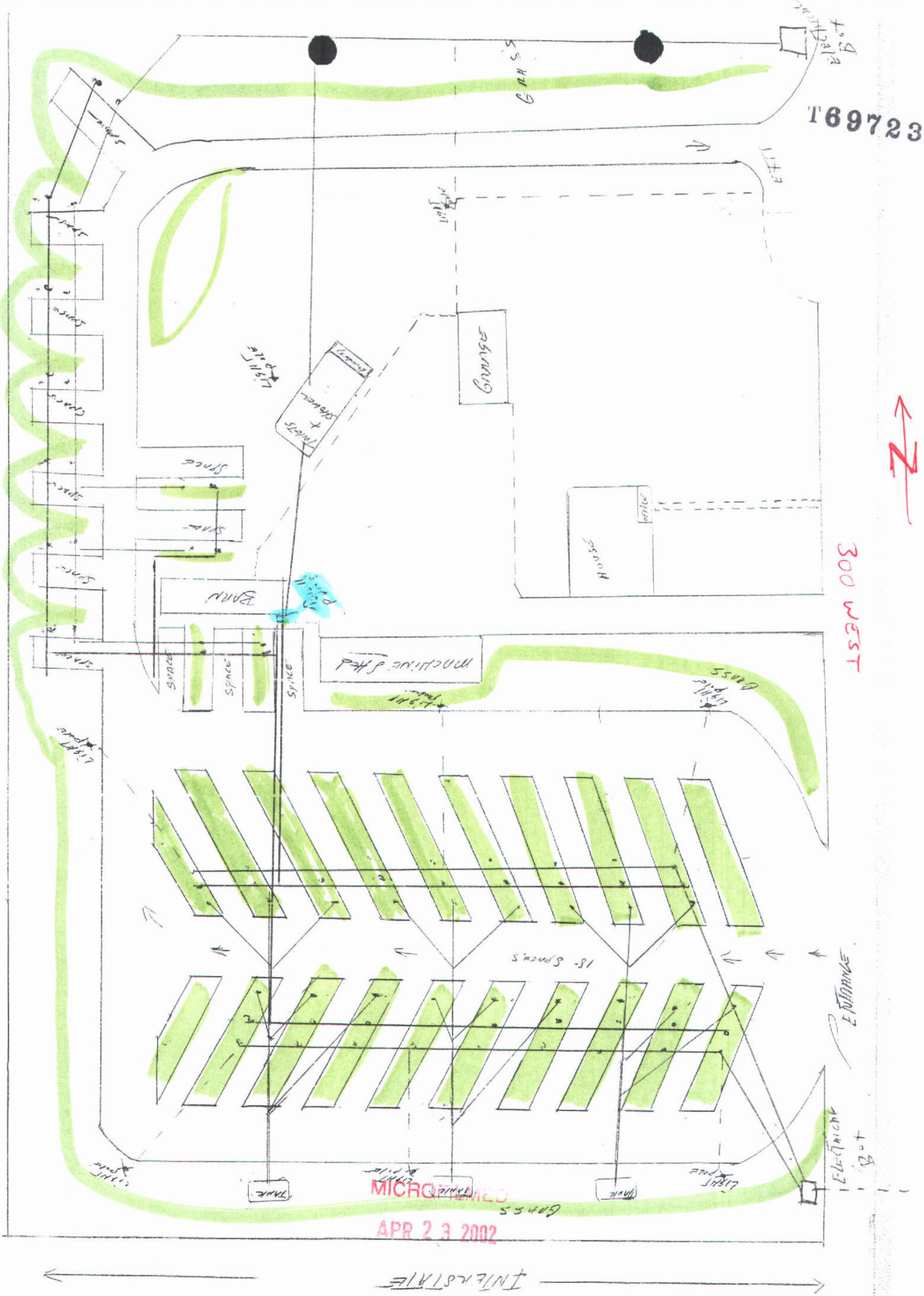

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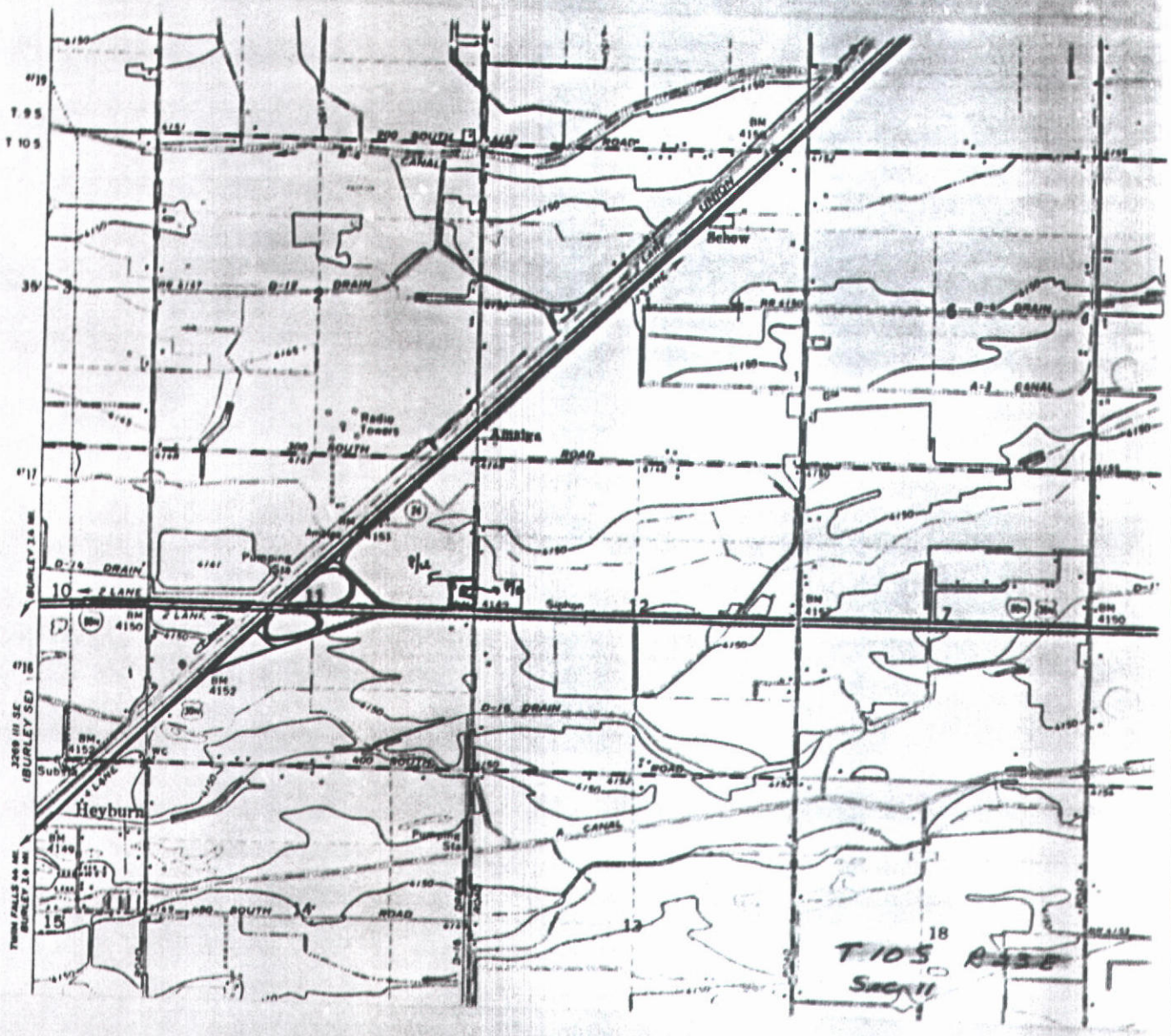


)8519

FROM 36-8519
LICENSING EXAM

MICROFILMED
APR 23 2002

T69723

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 19 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08519

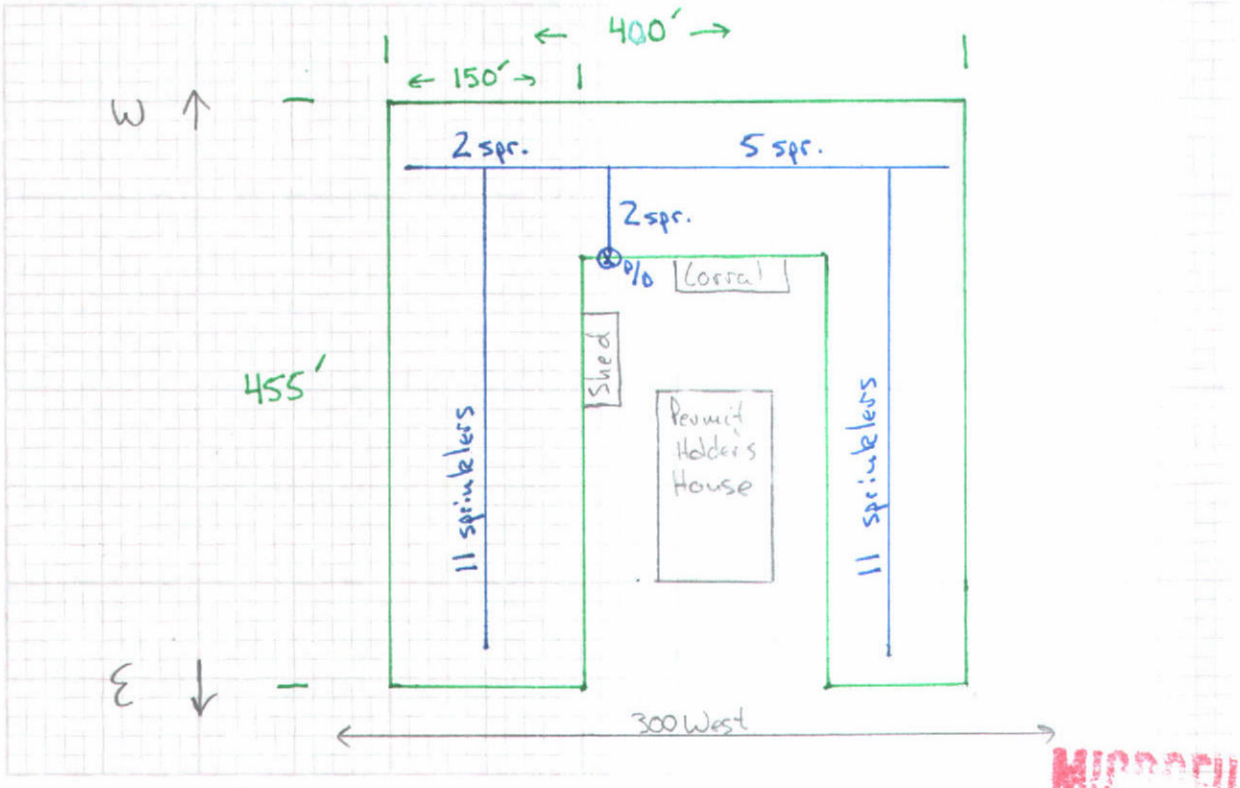
1. Owner: Arlen & Mary Lee Buerkle — Phone No. 436-3652
   Current Address: Rt. 1 Box 1065 Heyburn 83336
2. Accompanied by: Arlen Buerkle — EXAM. DATE: 6/23
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   _____ ☑ Copies Attached
   Poll Comparison Report
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



MICROFILMED
JAN 19 1994

Scale: 1" = 150'.

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.

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 19 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08519

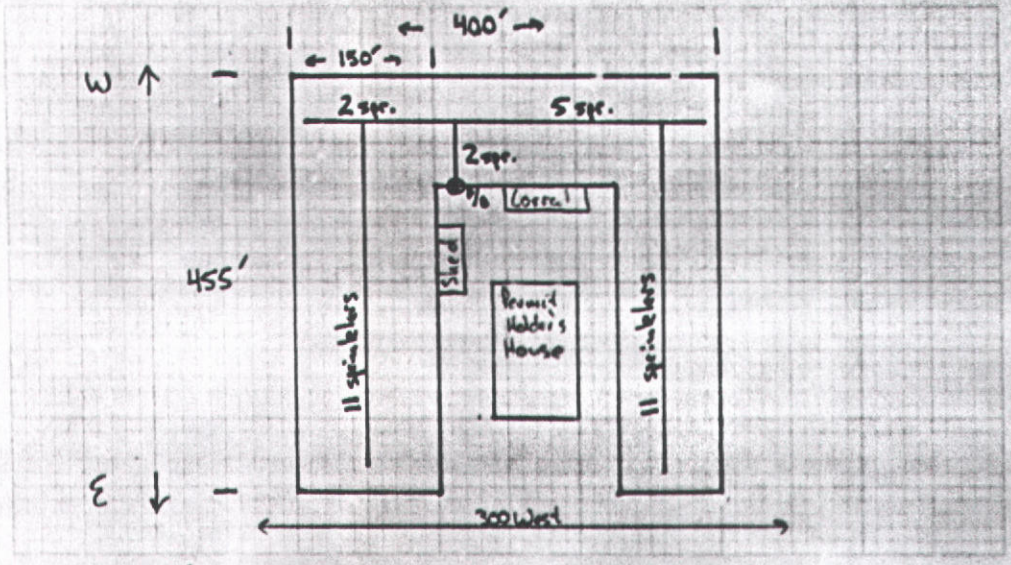
1. Owner: Arlen & Mary Lee Buerkle — Phone No. 436-3652
   Current Address: Rt. 2 Box 1065 Heyburn 83336
2. Accompanied by: Arlen Buerkle — EXAM. DATE: 6/23
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   ☑ Copies Attached (will complete from Report)
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" = 150'.

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.

MICROFILMED
APR 23 2002

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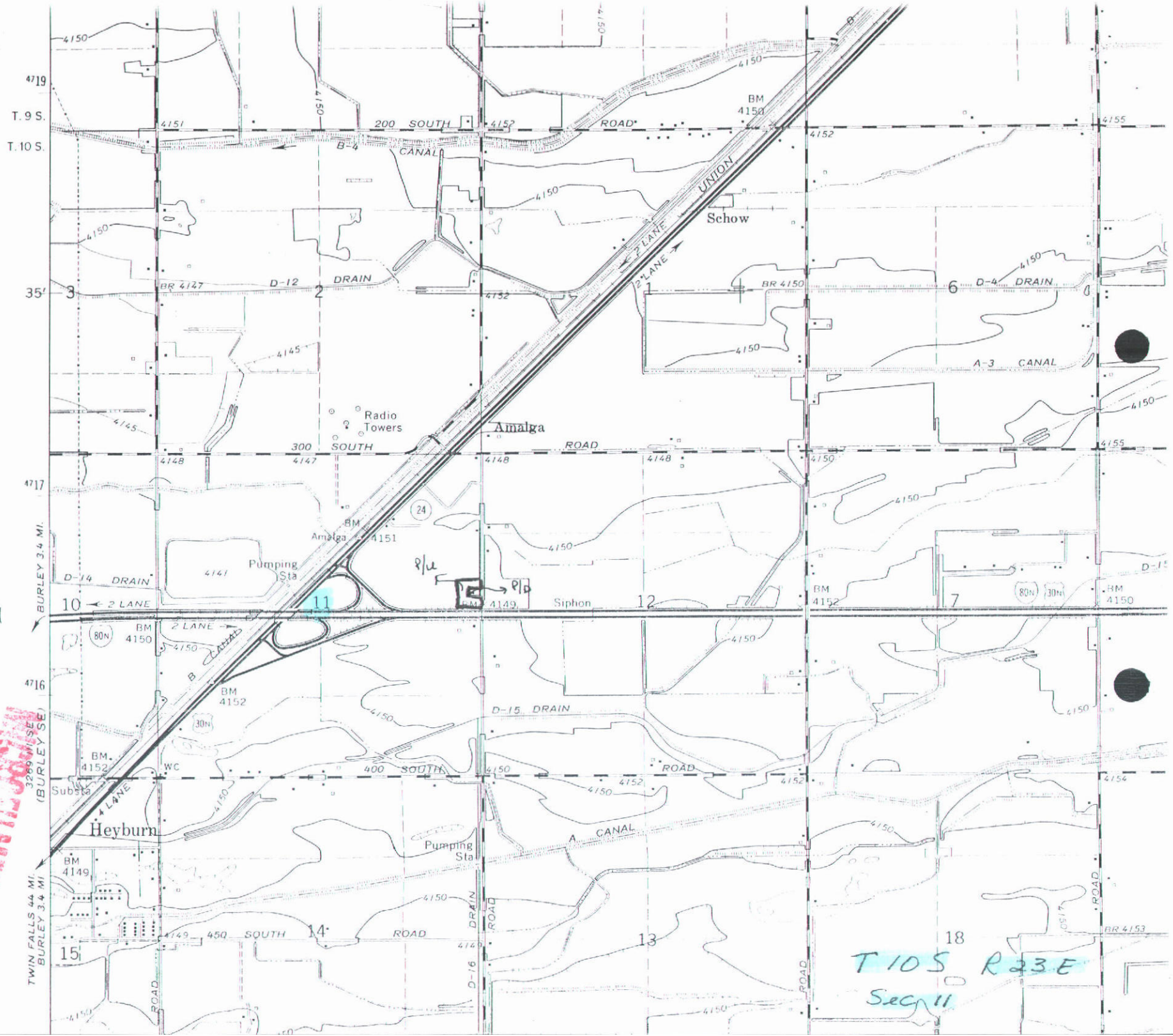

36-08519

JAN 19 1994

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P/D

36-08519

Well House

JAN 19 1994

36-08519

P/U

36-08519

RECEIVED
JAN 19 1994

90-201

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08519
BUERKLE, ARLEN
RT. 1 BOX 1065
HEYBURN, ID 83336
Source: GROUNDWATER
Diversion Pt: SENE Sec 11 T 10S R 23E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 4/10/1990
In: T10S R23E S11 SENE
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.

R. Keith Higginson, Director

Published in the South Idaho Press on June 7 and 14, 1990.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 28 1990
Department of Water Resources
Southern Region Office

County of Cassia, STATE OF IDAHO } **ss.**

Jody Johnson being first duly sworn, deposes and says that she is the clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive weeks, commencing with the issue dated June 7 1990, and ending with the issue dated June 14, 1990. Jody Johnson

STATE OF IDAHO
COUNTY OF Cassia }

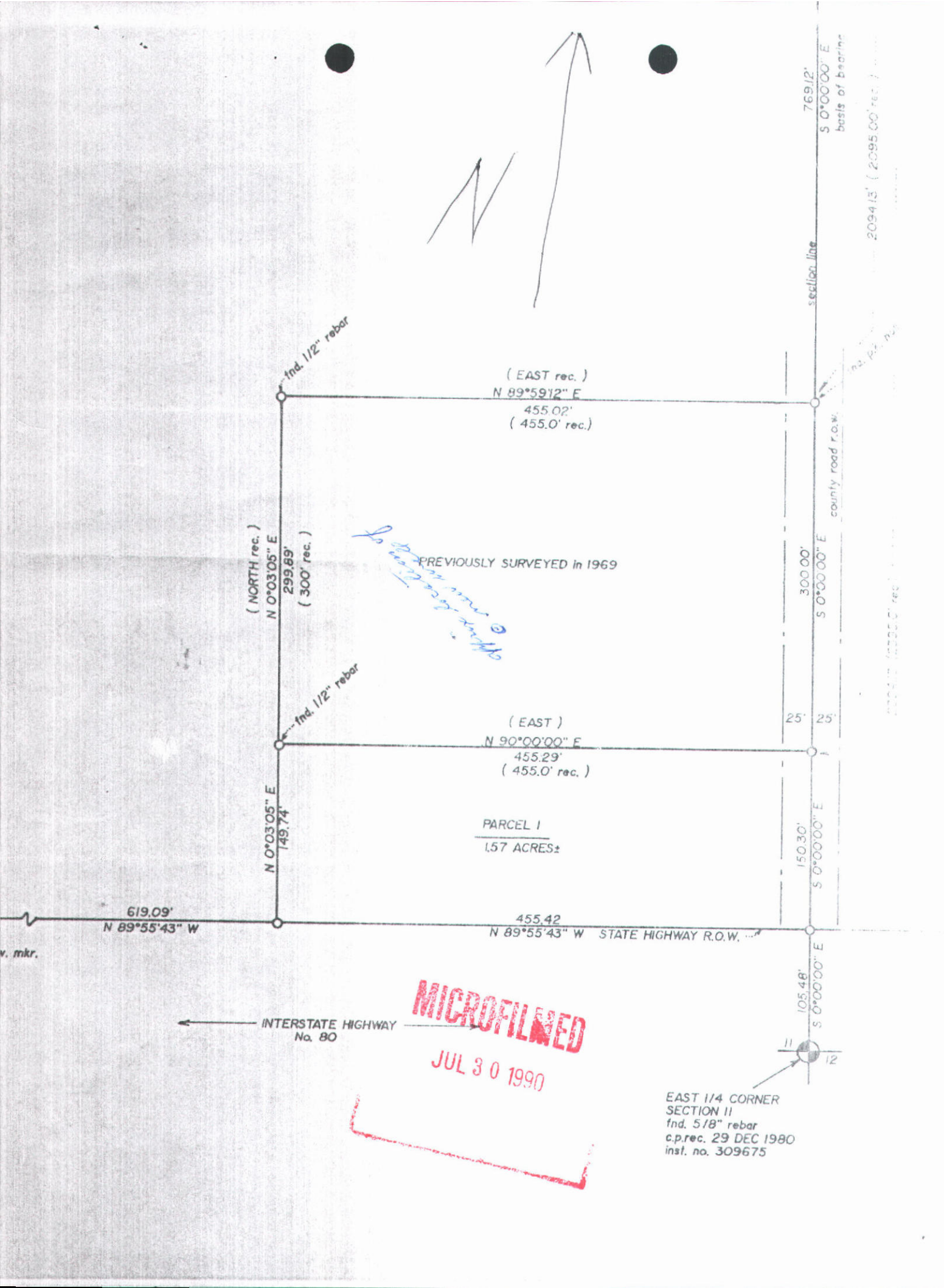
On this 26 day of June in the year of 1990, before me, a Notary Public, personally appeared Jody Johnson, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Dolores Mabey
Notary Public for Idaho
Residing at Burley ID
My commission expires: 2/4/93

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

OK mb 6/28/90

MICROFILMED
JUL 20 1990



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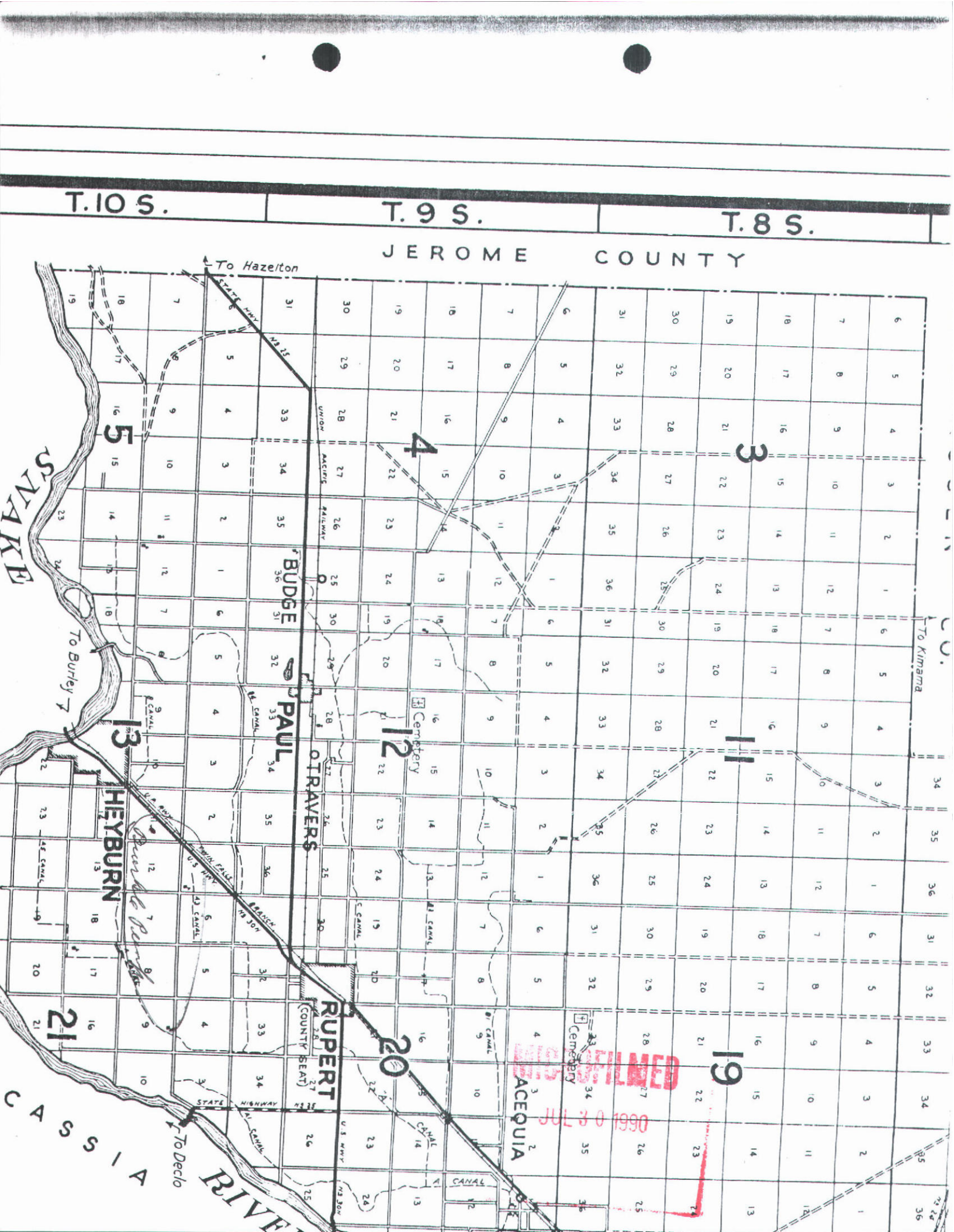
T.10 S.
T.9 S.
T.8 S.
JEROME COUNTY
To Hazelton
To Kimama
To Burley
To Declo
SNAKE
CASSIA
RIVER
BUDGE
PAUL
TRAVERS
HEYBURN
RUPERT
(COUNTY SEAT)
ACEQUIA
Cemetery
Cemetery
STATE HWY NO 25
UNION PACIFIC RAILWAY
TWIN FALLS BRANCH
U.S. HWY NO 30
STATE HIGHWAY NO 25
A CANAL
MICROFILMED
JUL 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 69723

This is to certify that: ARLEN BUERKLE AND/OR
MARY LEE BUERKLE
343 S 300 W
HEYBURN ID 83336
(208)436-3652

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
36-8519	WR/License	04/10/1990	0.09 cfs	12.0 af		3.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-8519	NO	NO	NO	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-8519	**36-8519**	0.09 cfs	10.5 af	N/A	1.5		N/A	N/A	N/A	N/A
TOTALS		**0.09 cfs**	**10.5 af**	**N/A**	**1.5**		**N/A**	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of April, 2002

L. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED
APR 2 3 2002

WATER RIGHT NO. 36-8519
As Modified by Transfer No. 69723

In accordance with the approval of Transfer No. 69723, Water Right No. 36-8519 is now described as follows.

Right Holder: ARLEN BUERKLE AND
MARY LEE BUERKLE
343 S 300 W
HEYBURN ID 83336

Priority Date: 04/10/1990

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 10/31	0.05 CFS	6.0 AF
COMMERCIAL	03/01	to 10/31	0.09 CFS	4.5 AF
			0.09 CFS	10.5 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SENE Sec. 11 Twp 10S Rge 23E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 23E 11				1.5													1.5

Total Acres: 1.5

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 23E 11				X													

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code if the existing well needs to be modified or replaced.

2. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

3. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

MICROFILMED
APR 2 3 2002

WATER RIGHT NO. 36-8519
As Modified by Transfer No. 69723

CONDITIONS OF APPROVAL

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

5. Irrigation use under this right is authorized only in connection with a domestic use.

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. Commercial use is for a recreational vehicle park and camp.

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of April, 2002

Chief, Water Allocation Bureau

MICROFILMED
APR 23 2002

RECEIVED
APR - 5 2002
Department of Water Resources

RECEIVED
MAR 01 2002
Department of Water Resources
Southern Region

Transfer No. 69723
Receipt No. 5024628

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

1. Applicant Information

ARLEN BUERKLE
343 S 300 W
HEYBURN ID 83336
(208)436-3652

AND/OR

MARY LEE BUERKLE
343 S 300 W
HEYBURN ID 83336
(208)436-3652

Will this transfer result in an ownership change? _____ Yes ✓ No

2. Current Water Right **Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
36-8519	WR/License	0.09 cfs	12.0 af	3.0		GROUND WATER

3. Purpose of Transfer (Change Proposed) **Part 3A Attached for Each Proposed Right**
Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-8519	NO	NO	NO	NO	YES	YES

Describe the reason for the proposed changes
To convert a portion of this water right from irrigation use to commercial use for a proposed RV park.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change
waste water will be held in a buried holding tank and then pumped and disposed of off site

B. Describe the effects on other water uses resulting from the proposed change
none anticipated

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
36-8519	0.09 cfs	1.5	1.5	10.5 af
TOTAL	0.09 cfs	1.5	1.5	10.5 af

MICROFILMED

69723

Transfer No. 69723
Receipt No. 5024628

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Mary Lee Tuerkle
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 1st day of Mar, 2002.

Kelly K. Christensen
(Notary Public)

My commission expires 3-11-04

KELLY K. CHRISTENSEN NOTARY PUBLIC STATE OF IDAHO

MICROFILMED
APR 23 2002

Transfer No. 69723
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 36-8519

Priority Date: 04/10/1990
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01	10/31	0.09 CFS	12.0 AFA	
	Total Diversion		0.09 CFS	12.0 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	10S	23E	11	SENE		MINIDOKA

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 23E 11				3.0													3.0

Total Acres: 3

Conditions/Remarks:

1. Irrigation use under this right is authorized only in connection with a domestic use.

2. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

MICROFILMED
APR 23 2002

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

irrigated land will be taken out of production and an rv park will be constructed on the previously irrigated land.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

MICROFILMED

SEP 2 3 2002

Transfer No. 69723
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 36-8519

Priority Date: 04/10/1990
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	0.09 CFS	6.0 AFA	
COMMERCIAL	03/01	10/31	0.09 CFS	4.5 AFA	
	Total Diversion		0.09 CFS	10.5 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	10S	23E	11	SENE		MINIDOKA

Describe the proposed diversion system
Point of Diversion # 1 existing well

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 23E 11				1.5													1.5

Total Acres: 1.5

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 23E 11				X													

MICROFILMED
APR 2 4 2002

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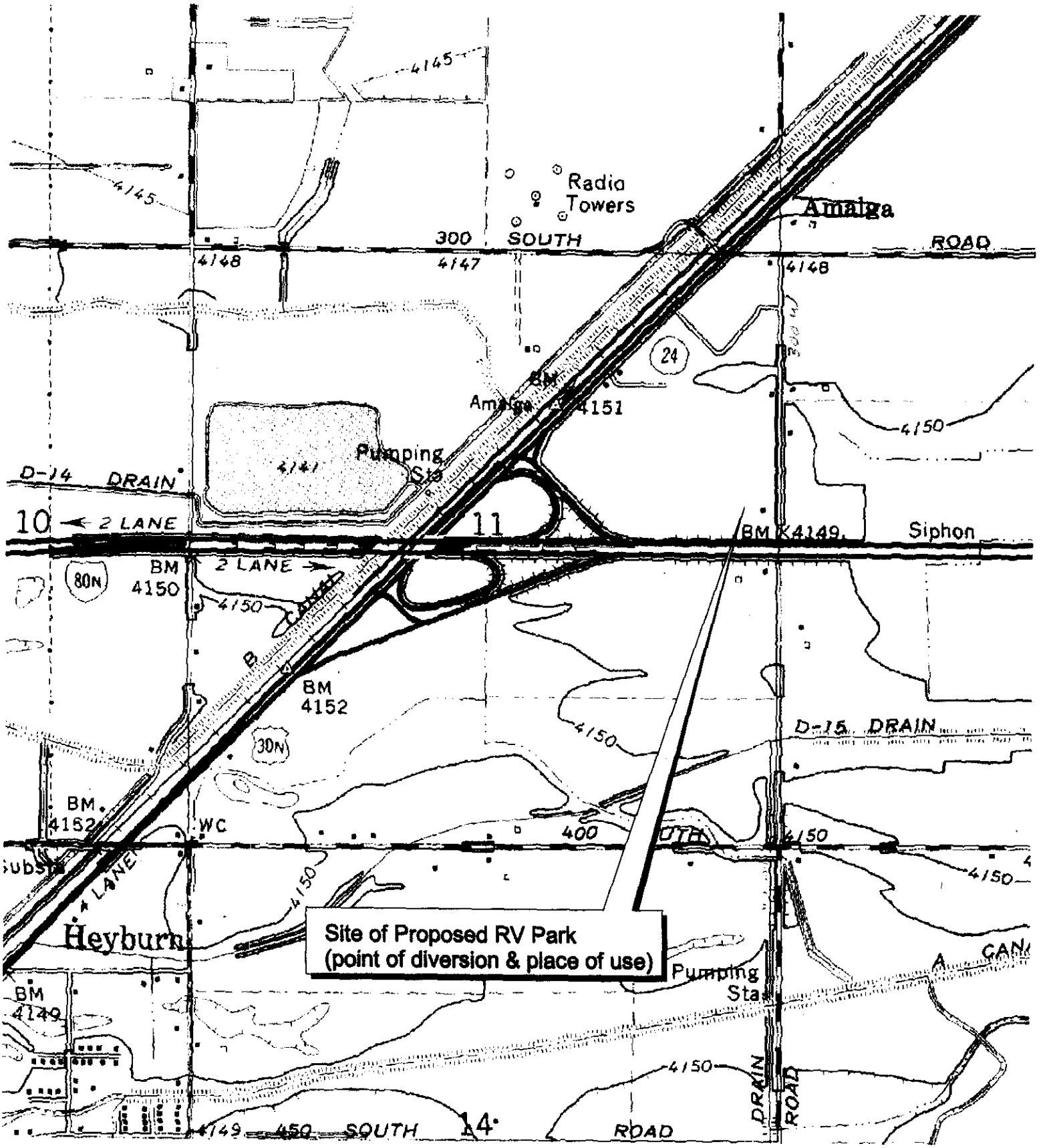

Transfer # 69723

Township 10 South, Range 23 East

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APR 2 3 2002

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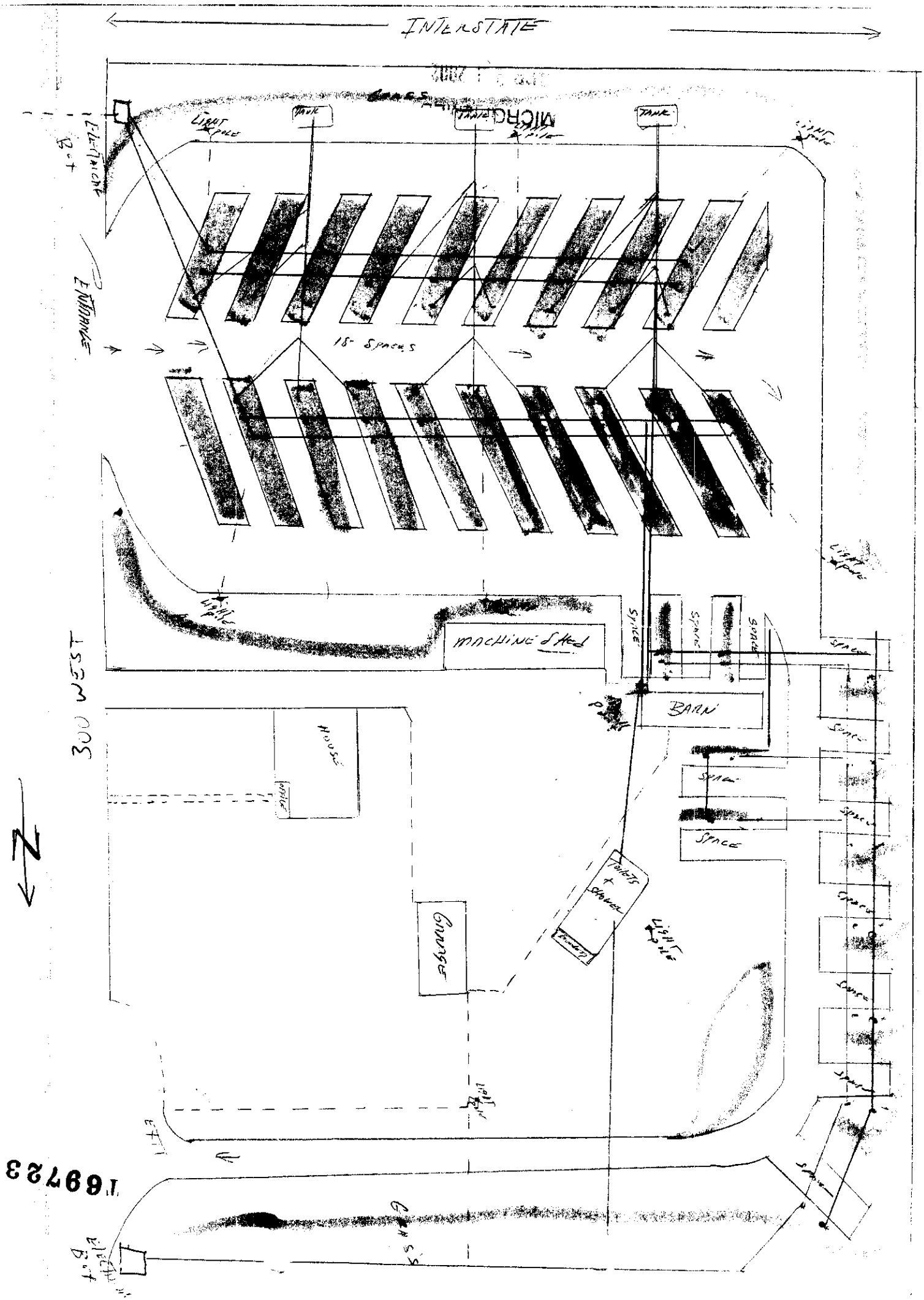
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SPACE
SPACE
SPACE
BARN
HOUSE
OFFICE
GARAGE
TOILETS + SHOWER
300 WEST
N
GRASS
169723

PINKERTON SECURITY

Captain Arlen Buerkle
Eastern Area Supervisor
343 South 300 West
Heyburn, Idaho 83336

FACSIMILE COVER SHEET

TO: Corey Skinner ***FAX NO:*** 736-3037

COMPANY: IDWR ***DATE:*** 3-1-02

FROM: Arlen + MaryLee Buerkle ***NO. of PAGES*** 2 ***(ex. Cover)***

Please call (208)431-6086 if you do not receive all pages of this fax.

COMMENTS:

Quit Claim - for Domestic
Other - 1½ acres to the So.

This telecopy is intended for the sole use of the person to whom it is specifically addressed above and should not be read by, or delivered to , anyone else. It may contain privileged information. The disclosure or other use of which may result in the infringement of rights of third parties. If you received this telecopy in error, please call me immediately at this number. (208)431-6086.

MICROFILMED
MAR 13 2002

QUITCLAIM DEED

FOR VALUE RECEIVED, EMIL BUERKLE, a married man dealing in and with his sole and separate property, does hereby release, remise, grant, bargain, sell, convey and forever quit claim unto ARLEN BUERKLE and MARY LEE BUERKLE, husband and wife, whose present address is Route 1 Box 1065, Heyburn, ID 83336, the following described premises, located in Minidoka County, Idaho, to wit:

The following parcel of ground lying in the Southeast Quarter of the Northeast Quarter of Section 11, Township 10 South, Range 23, East, Boise Meridian, Minidoka County, Idaho, being more particularly described as follows:

Beginning at the Northeast corner of Section 11, Thence 2095.0 feet South along Section line to a point; which point shall be known as the True Point of Beginning.

Thence continuing South along Section line for 300.0 feet to a point;

Thence West for 455.0 feet to a point;

Thence North for 300.0 feet to a point;

Thence East for 455.0 feet to the True Point of Beginning on the Section line of said Section 11.

together with their appurtenances.

DATED this 2nd day of August, 1993.

Emil Buerkle

Emil Buerkle

MICRO

T69723

FURNISHED BY Land Title and Escrow, Inc. #21012MC 389766

389766

389731 WARRANTY DEED

RECORDED AT REQUEST OF Land Title & Escrow
FILM NO. 3M
JAN 16 3 47 PM '90
MINIDOKA COUNTY, IDAHO
DUANE SMITH
RECORDER
FEE 6 - DEPUTY US

For Value Received
OLGA FETZER, a widow

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
ARLEN BUERKLE and MARY LEE BUERKLE, husband and wife
whose current address is: Route 1 - Box 1065
Heyburn, Idaho 83336

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

RECEIVED
MAR 01 2002
Department of Water Resources
Southern Region

(See Attached "Exhibit A")

RECORDED ✓ ✓
INDEXED ✓ ✓

TOGETHER WITH all water and water rights, ditches or ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

Taxes for 1990 and subsequent years.

Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

This deed is executed
* PURSUANT to Power of Attorney, dated January 05, 1990, and recorded January 11, 1990 as Document No. 389708, records of Minidoka County, Idaho.

Being re-recorded to correct one of the Grantors names.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 12, 1990

MICROFILMED
MAR 2 3 2002

Olga Fetzer
Olga Fetzer
By: [signature]

T69723

"Exhibit A"

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 11: Part of SE¼NE¼ of said Section 11, more particularly described as follows:

Beginning at the Northeast corner of said Section 11, said corner marked by Railroad Spike; thence South 0°00'00" East along section line for 2394.13 (2395.0 feet rec.) feet to a P.K. Nail, which shall be the Point of Beginning;
Thence South 0°00'00" East along section line for 150.30 feet to a ½ inch rebar on the North right-of-way of Interstate Highway 80;
Thence North 89°55'43" West along said highway right-of-way for 455.42 feet to a ½ inch rebar;
Thence North 0°03'05" East for 149.74 feet to a ½ inch rebar;
Thence North 90°00'00" East for 455.29 feet (455.00 feet rec.) to the Point of Beginning.
SUBJECT TO a 25.00 foot wide country road right-of-way along the East boundary os said tract.

MICRO

TAX MAST. INQUIRY - MINIDOKA COUNTY T69723

PMPKEY: RP 10S23E112260 A YEAR 2001 BILL# 11036
TXPKEY: RP10S23E112260A BILLED TO: BUERKLE, ARLEN & MARY LEE
NAME BUERKLE, ARLEN & MARY LEE CODE AREA 900 ACCOUNT TYPE
BANK FLB OWNER PUP

ADDRESS 343 S 300 W

HEYBURN ID 83336

LEGAL TAX 61 IN S2NE4 11-10-23
CONTIGUOUS TO RP 10S23E112250

MARKET VALUE	50,820
HARDSHIP	
HOMEOWNER	16,070
NET MARKET	34,750
TAX AMOUNT	379.26
LESS: CIRCUIT	
PLUS: SPECIALS	65.00
NET TAX BILLED	444.26
TAX PAYMENTS	
TAX CANCELLED	
SPEC CANCELLED	
REMAINING TAX DUE	444.26

343 S 300 W

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2001
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F4=TAX COMMENTS

Fax # 736-3037

Attn. Corey Skinner

RECEIVED
MAR 01 2002
Department of Water Resources
Southern Region

SENE 1/4 PER 3/1/2002
TELECOM WITH CONTY
ASSESSOR'S
OFFICE
P.S.

MICRO

TAX MASTI INQUIRY - MINIDOKA COUNTY T69723

PMPKEY: RP 10S23E112250 A YEAR 2001 BILL# 11035
TXPKEY: RP10S23E112250A BILLED TO: BUERKLE, ARLEN & MARY LEE
NAME BUERKLE, ARLEN & MARY LEE CODE AREA 900 ACCOUNT TYPE
BANK FLB OWNER PUP

ADDRESS 343 S 300 W

HEYBURN ID 83336

LEGAL TAX 879 IN S2NE4 11-10-23
CONTIGUOUS TO RP 10S23E112260

MARKET VALUE	4,980
HARDSHIP	
HOMEOWNER	
NET MARKET	4,980
TAX AMOUNT	54.34
LESS: CIRCUIT	
PLUS: SPECIALS	
NET TAX BILLED	54.34
TAX PAYMENTS	
TAX CANCELLED	
SPEC CANCELLED	
REMAINING TAX DUE	54.34

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2001
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F4=TAX COMMENTS

RECEIVED
MAR 01
Department of Water Resources
Southern Region

SENT 4 PER 3/1/2002
TELECOM WITH COUNTY
ASSESSOR'S OFFICE
C.S.

MICRO

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08519

Priority: April 10, 1990 Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 12.0 AF

This is to certify, that ARLEN BUERKLE
RT 1 BOX 1065
HEYBURN ID 83336 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 10, 1990; and has submitted Proof of Beneficial Use on August 21, 1990. An examination indicates that the works have a diversion capacity of .090 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.09 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 11, Township 10S, Range 23E
MINIDOKA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
10S	23E	11	SENE	3			3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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 .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15th day of January, 1994.

JAN 19 1994

Acting for R. Keith Higginson, Director

Form 217
08/89

RECEIVED

AUG 21 1990

Department of Water Resources
Southern Region Office

For Office Use Only
Amt. of Fee $ 50.00
Date 8-21-90
Receipt No. 5012583
Received by LC Clanton

RECEIVED
AUG 24 1990
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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.

Drilling Permit No. (36-90-5-037) 36-08519 Well drillers No. 436-4641 Telephone No. 436-3652

Name(s) of Permit Holder(s): Arlen E. or MARYlee Buerkle

Post Office Address: RT. 1 Box 1065 Heyburn, Ida. 83336

Source of Water: ground

If ground water, well driller's name: HARRY-King DRilling Date drilled: 4-23-90

Extent of Use:

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

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .09 cfs 5-20 acre/feet

Show date water was first diverted and beneficially used under this permit: Appeax. Last week in May. started cleaning out hole. Didn't hook up Sprinklers Till end of June. 1990.

One of the following may be a condition of approval of your permit:

Measuring device: Required? __Yes __No Installed? __Yes __No

Pressure gauge To maintain OR Steady even pressure

Flow Measurement Port: Required? __Yes __No Installed? __Yes __No

Fee Enclosed: $ 50.00 (See License Examination Fee Schedule)

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

Arlen E. or MARYlee Buerkle 436-3652
Name Telephone No.

300 West 345 South Heyburn Idaho
Address

MICROFILMED
OCT 17 1990

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.

8-16-90 Arlen Buerkle
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08519

Proposed Priority: April 10, 1990 Maximum Diversion Rate: 0.09 CFS
This is to certify, that **ARLEN BUERKLE**
RT. 1 BOX 1065
HEYBURN, ID 83336
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE Sec. 11, Township 10S, Range 23E
MINIDOKA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
10S	23E	11	SENE	3			3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 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 0.03 cubic feet per second for each acre of land.

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
27th day of July, 1990

for R. Keith Higginson, Director

MICROFILMED
JUL 30 1990

Form 202
6/85

Ident. No. 36-08519

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant ARLEN BUERKLE Phone 436-3652

   Post office address Rte 1 Box 1065 Heyburn, Ida 83336

2. Source of water supply Ground water which is a tributary of NA

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

   Sec. 11 Township 10 S Range 23 E B.M. MINIDOKA County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount .09 for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
   (cfs ~~or acre-feet per annum~~)

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

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

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

5. Total quantity to be appropriated is (a) 0.09 and/or (b) _____
   cubic feet per second acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc ~~2 HP Pump 1" suction 2" discharge. Well pump in sandpoint well.~~ Well & pump

   b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity NA acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

   c. Proposed well diameter is ~~2~~ 8 inches; proposed depth of well is ~~less than 18~~ ~~20~~ 50 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*). April 15, 1990

MICROFILMED
JUL 30 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. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. Pump will be used to irrigate 4 acre currently. Flood irrigation system has been changed to sprinkler

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	
10S	23E	11				*									X				
						*									*				3*

* Per telecon w/Bill Lott 4-12-90

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. Minidoka Irrigation District shares - no access to ditch system

11. a. Who owns the property at the point of diversion? applicant

    b. Who owns the land to be irrigated or place of use? "

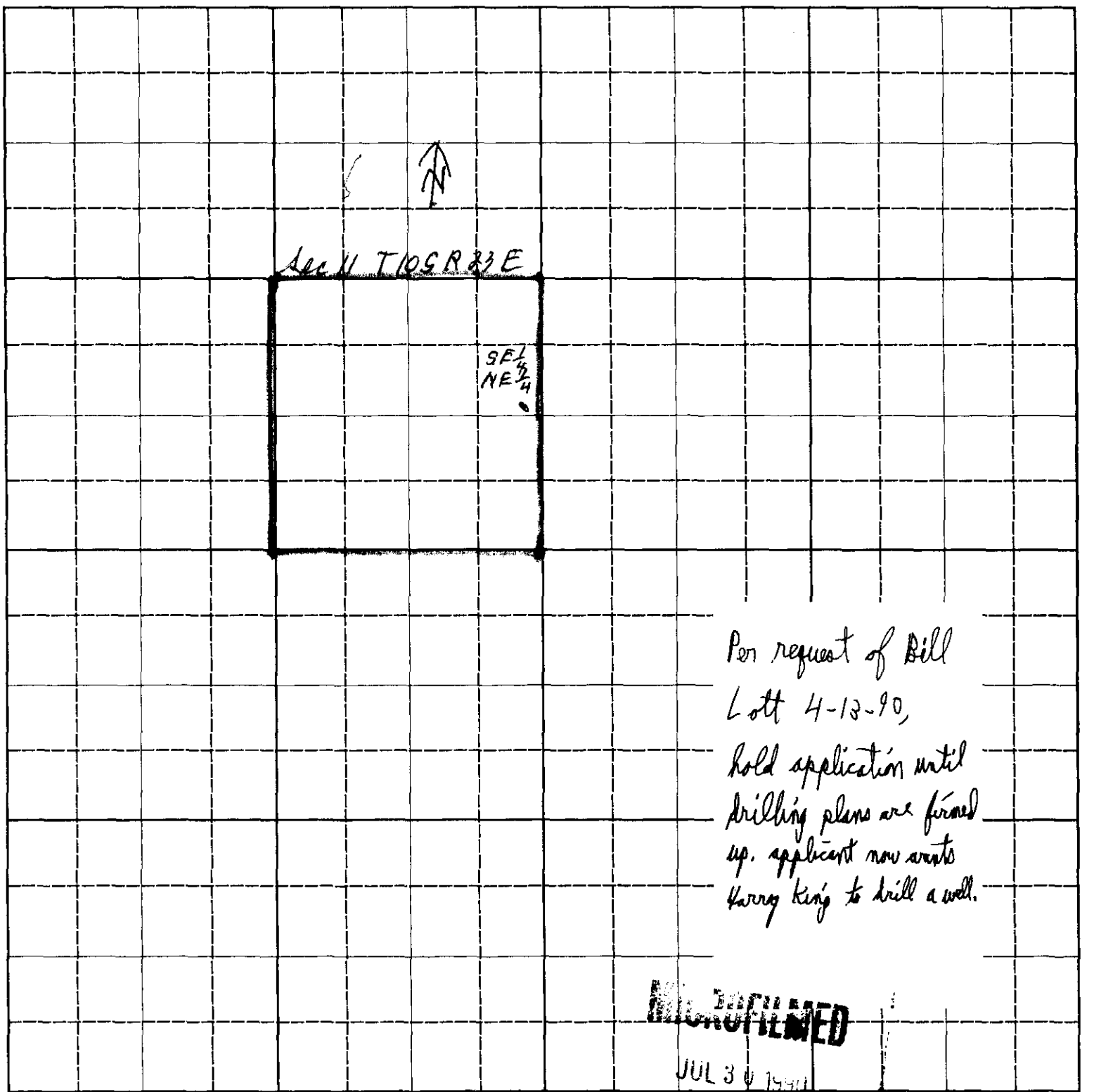
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Ground has been flood irrigated and changing to sprinkler system. This pump is for farmstead. Separate well serves domestic use on property.

MICROFILMED

JUL 30 1990

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



Per request of Bill Lott 4-13-90, hold application until drilling plans are firmed up. applicant now wants Harry King to drill a well.

MICROFILMED
JUL 30 1990

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.

Helen Buckle
(Applicant)

Received by 1C Date 4/10/90 Time 11:14 Preliminary check by [illegible]

Fee $ 30.00 Receipted by J.F. Stanton # 5011991 Date 4-11-90

Publication prepared by MB Date 5/11/90 Published in So Id Press

Publication approved M. Baldwin Date 6/28/90

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

JUL 30 1990

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

RECEIVED
APR 06 2004
Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 31, 2004

ARLEN OR MARY LEE BUERKLE
343S 300W
HEYBURN ID 83336

already in data base updated to d.e. stds. ps 4-6-04

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #36-8519 and
Water Rights #36-13917 and 36-13918
Change of Address

RECEIVED
APR 28 2004
Department of Water Resources

Dear Water Right Holders:

Thank you for calling recently and telling us your address has been changed. Unfortunately, we cannot change a water right holder's address without their signature.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by April 12, 2004. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Thank You

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#######

The address is correct as shown above or as otherwise changed.

Mary Lee Buerkle
Claimant Signature

208-436-3652
Telephone No.

State of Id .o
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2002

CINDY YENTER
WATERMASTER
IDWR
1341 FILLMORE ST #200
TWIN FALLS ID 83301-3380

RE: TRANSFER OF WATER RIGHT 36-8519 - (Transfer 69723)

Dear Cindy:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 69723) in the names of Arlen Buerkle and Mary Lee Buerkle.

If you have any questions, please call me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
APR 2 3 2002

State of Id .o
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 19, 2002

ARLEN BUERKLE
MARY LEE BUERKLE
343 S 300 W
HEYBURN ID 83336

RE: Transfer No.: 69723 - Water Right 36-8519 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Pamela S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

MICROFILMED
APR 2 3 2002

JP:klt

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69723 - WATER RIGHT 36-8519

ARLEN BUERKLE
MARY LEE BUERKLE
343 S 300 W
HEYBURN ID 83336

Kari Lynn Townsend
Secretary

MICROFILMED
APR 23 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
APR 2 3 2002

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
SEP 23 2002

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 169723 **DATE REVIEWED** 4-16-2002 CB

SPLIT___ POD___ ADD POD___ POU___ PERIOD ✓ or NATURE ✓ of USE IRR. to COMM.

ALL OF RIGHT(S) (W=Water Right C=SRBA Claim R=SRBA Recommendation

W/36-8519 /	/	/	/	/
/	/	/	/	/
/	/	/	/	/
/	/	/	/	/

PART OF RIGHTS(S)

		(Unchanged)	(Changed)
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/

Standard Season 3-15 to 11-15 Standard Volume 4.0/3.0

(1) ✓ Priority (2) ___ Use (3) ___ Season (W61) (4) ___ Rate (5) ___ Volume

(6) ✓ Source (7) ✓ P/D (8) ✓ P/U (9) ✓ Proof/Owner (10) ✓ Map

(11) 130 Water District Magic Valley GW Dist. (12) Yes Pertinent Conditions (13) No Expansion Reduced Div. Vol.

WM/Rcvd NEW WD

(2) Change 1.5 Acre IRR to COMM use for RV Park

(4) .03 x 1.5 = .045 cfs IRR. use Allow .09 cfs for COMM & TOTAL

(5) 3 x 1.5 = 4.5 af-c. COMM 4 x 1.5 = 6.0 af-IRR 10.5 af TOTAL

Existing well - DOM 3

Conditions/Remarks W61 (IRR) 046, R04, R43, 106, R68, T07, T08
COMM use = RV Park

WRs for Update Comments - NA -

Database Updated to Reflect Final Action 4-18-02 CB

FORM 22a
9/96

Rcvd S.O. 4-5-2002

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Arlen Bunker TRANSFER NO. 69723

1. Right number(s) 36-8519

2. Type of right ___ Decree X License ___ Statutory Claim ___ SRBA Beneficial Use Claim

3. Purpose of transfer ___ Change P/D ___ Add P/D ___ Change P/U
X Change N/U ___ Change Source ___ Split Right
X Other: CHANGE SEASON OF USE

4. Check Existing Right: X Source X Priority X Amount X Purpose
X Period X SRBA Claim
X Description of original point(s) of diversion
X Description of original place of use
X Overlapping rights on original place of use

Comments: NO OVERLAPS FOR SAME USE. APPLICANT'S HAVE A STOCKWATER RIGHT AND A DOMESTK RIGHT OUT OF SEPARATE SYSTEM'S THAN THE SYSTEM DESCRIBED ON THIS TRANSFER RIGHT 36-8519 IS POST SRBA.

5. Check Proposed Right for amount of land &/or water transferred:

___ Also see attached memo for more analysis information

a. X All of right

b. ___ Part of right (*NOTE! Part B should be filled in only if part of right is owned by the applicant*)

c. X Description of point(s) of diversion

d. X Description of place of use

e. X Map showing P/D & P/U after transfer

f. X Correct notarized signature and $100 fee

g. X Proof of ownership of right &/or land from which water is transferred

h. X Expansion in use of right - Comments: NONE APPARENT NEW USE TRANSFERRED BASED ON CONSUMPTIVE USE VOLUME.

69723

i. X Existing rights from same source, on land water is being transferred to; right number(s): _____

SEE COMMENTS FIRST PAGE

j. X SRBA claim(s) - Comments (*NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain*) RIGHT BEING TRANSFERRED IS NOT PART OF SRBA SINCE IT WAS DEVELOPED AFTER 1987.

k. X Comment letters ___ Yes X No
If yes ___ Water District #
___ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY C. SKINNER DATE 3/4/2002
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ___ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 3/5/02

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

_____

3. Transfer published correctly? ✓ Yes ___ No

4. Affidavit of publication received? ✓ Yes ___ No

5. Protests received? ___ Yes ✓ No; Acknowledgement sent? ___ Yes

6. Copies made for Region file (see attached supplemental page)? ___ Yes

RECOMMENDED ACTION

1. ✓ Approve

2. ___ Deny due to _____

_____

3. Conditions (special conditions in Water Districts) _____

_____

✓ Also see attached memo for recommendation dated: 4/4/02

4. By _____ Date 4/4/02

RECEIVED
APR - 5 2002
Department of Water Resources

MEMO

FROM: Allen Merritt DATE: April 4, 2002

TO: Transfer File No. T69723

In the name of: Buerkle

Water Right(s): 36-8519

SUBJECT: **Review and Recommendation**

This transfer proposes to change the nature of use of a portion of an irrigation right to uses associated with an RV Park. The park is to be built on the land presently irrigated. The remaining irrigation portion will continue to irrigate land around the park. The proposal is to use the existing irrigation well for both the irrigation and commercial uses. DEQ was notified of the proposal. It is unknown if DEQ will require the well to be modified since it will qualify as a public water supply system.

The transfer was processed without protest.

There are no issues of forfeiture, expansion, etc. The conversion from irrigation to commercial was based on consumptive use of irrigation.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

WATER RIGHT NO. 36 8519

106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code if the existing well needs to be modified or replaced.

R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

W61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

MICROFILMED
APR 23 2002

T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED
APR 2 3 2002

TRANSMITTAL COVER SHEET

TO: Steve Stauffer
DEQ

TOTAL PAGES SENT: 12
(including cover sheet)
DOCUMENT DESCRIPTION: Transfer application for Buckle RV Park

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380
PHONE: *736-3033*
FAX: *736-3037*

CHARGES: One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost $0.25 per page. ($0.50 minimum)

Please consider this document as a billing statement.
The charge for your fax copies is: _____ *Please remit to the above address.*

SENDER: Allen Merritt

COMMENTS:

MICROFILMED
APR 2 3 2002

TRANSMISSION VERIFICATION REPORT

TIME : 04/03/2002 17:41
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE,TIME	04/03 17:39
FAX NO./NAME	97362194
DURATION	00:02:50
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

MICROFILM

APR 2 3 20

FILE PROGRESS SUMMARY

69723

APPLICANT: Arlen Buerkle WATER RIGHT NO. 36-8519

INIT.	DATE	COMMENT
ccb	3/1/02	Staffed to Corey Skinner
PS	3/4/02	GAVE TO MARY FOR ADVERTISING
MB	3/5/02	Adv. Sch - SP - 3/11 + 3/18/02; 3/29/02
MB	3/7/02	LTR to Applicant
MB	4/1/02	Rec'd Pub. Aff (3/21/02); to ADM for signoff
~~MB~~		
	4/3/02	Steve Stauffer DEQ
		fixed copy 736-2194
ccb	4/4/02	Sent to State Office

MICROFILMED

APR 2 3 2002

RECEIVED

MAR 2 1 2002

Department of Water Resources
Southern Region

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated March 11, 2002 and ending with the issue dated March 18, 2002.

Ruth Anne Holmes

02-[redacted]
NOTICE OF [redacted] CHANGE

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Minidoka County:

ARLEN &/OR MARY LEE BUERKLE, 343 S 300 W, HEYBURN ID 83336 filed Application No. 69723 on 3/1/02 for diversion of 0.09 cfs from ground water. The purpose of the transfer is to change a 1.5-acre portion of irrigation right 36-8519 to commercial use from an existing well for a proposed RV park located approximately one-half mile Northeast of the juncture of Interstate 84 and Highway 24 between Heyburn and Rupert.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit [redacted] with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 [redacted]

[redacted]

Published in the South Idaho Press on March 11 and 18, 2002.

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 18th day of March in the year of 2002 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 50.05
Affidavit Fee 5.00
Total Cost 55.05

OK
NB
4/1/02

MICROFILMED

APR 1 3 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2002

ARLEN &/OR MARY LEE BUERKLE
343 S 300 W
HEYBURN ID 83336

RE: Application for **Transfer No. 69723**, Water Right No. 36-8519

Dear Applicants:

The Department of Water Resources acknowledges receipt of your application. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the **South Idaho Press for 3/11 and 3/18/02.** The advertisement will be published for two weeks, and **a period of ten calendar days following the second publication will be allowed for the submittal of protests. (March 29, 2002)**

If an application is protested, the applicant 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.

State Office personnel will conduct a complete review prior to final processing of the application and will notify the applicant of the outcome of this review.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICRO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Minidoka County:

ARLEN &/OR MARY LEE BUERKLE, 343 S 300 W; HEYBURN ID 83336 filed Application No. 69723 on 3/1/02 for diversion of 0.09 cfs from ground water. The purpose of the transfer is to change a 1.5-acre portion of irrigation right 36-8519 to commercial use from an existing well for a proposed RV park located approximately one-half mile Northeast of the juncture of Interstate 84 and Highway 24 between Heyburn and Rupert.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of $25.00 for each application on or before March 29, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 3/11 & 3/18/02.

MICRO

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033 Fax: 736-3037

March 6, 2002

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

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

Sincerely

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

MICROFILMED

T69723

February 25, 2002

Minidoka County
Community Development
PO Box 368
Rupert, Idaho 83350-474

We, Arlen and MaryLee Buerkle, do respectfully submit this narrative statement for your consideration:

REASONS FOR REQUESTING A SPECIAL USE PERMIT ARE:
Our property borders Interstate 84 on the south side. This improvement would bring travelers and RV's off of the freeway into our community. It would be a contribution to our local economy.

To provide a service which is needed for the people who choose one of the many styles of 'camping out' and also the people who choose to do their vacation and summer traveling in some type of 'Recreational Vehicle'.

The 'convenience and comfort' we want to provide for these people will encourage them to lengthen their stay in our area and take the time for sight seeing, shopping and enjoying some of the many things our area has to offer and in return it will contribute to our local economy

We are going to be retiring soon and would like to get established in something that we will enjoy doing and that will supplement our retirement income, at the same time will be contributing to our community, even though it is seasonal.
Arlen has lived in Minidoka County all his life, , 58 years and I have lived her since I was 5yrs. old, 59 years. This is where we want to retire.

MICROFILMED

We have lived at this address and owned this property for 25 years.

If we can instill a 'desire', the people will find a reason to come back to our area. That is what we want to extend to our visitors, 'a place to park that is easy access, relaxing, comfortable and safe .We want this RV village to be a place that will be warm and 'welcoming' to families. If we accomplish this then we have also instilled the 'desire' and they will come back again.

A DETAILED DESCRIPTION OF THE SPECIAL USE PERMIT:
There will be 16-18 pull thru parking spaces on our south side between out domestic property and the Interstate.
These spaces will be for the 'Big Rigs' over 35' long that have something in tow that they do not want to unhook.

There will be 11-15 shorter spaces in the west property. These will be for pull campers, load campers, short motor homes.

There will be 4-6 sleep cabins as well a nice grassy area for tent campers on the north property

There will be one entrance road . That will be on the south side, east end after they have been registered
There will be one exit, north side, east end.

On the south side of the exit road in the east end area, there will be restroom and shower facilities, regular and handicapped. In the same facility there will be a laundry area.

The entire RV village will have landscaping,picnic tables, free standing b-bque units. There will be a designated pet area and also a play area for the children.
There will be ample lighting so we can accommodate everyone in the RV village.

MICROFILMED

As we become more and more established we will add more comforts and conveniences as we are made aware of the need.

IMPACTS OF THE SPECIAL USE PERMIT:
We feel there would be very little impact, if any at all.
The improvements are going to be pleasant to look at, they will be well groomed at all times and nothing less than clean and organized.

Guest will register and check out so we will know where and who is in the village at all times
It will be an asset to our community, our city, as well as the population in general.

The Rv village will have it's own holding tanks, it's own water supply and electricity will be Riverside Electric. There will be no impact on city or county utilities.

There will large refuse containers located in easy access areas. This will encourage a 'NO LITTER' policy.

There should be no impact on the East, West or North sides of us. It is all farm ground and there are no close neighbors.

We will create an environment here that will bring the family, the retirees and the people that just want to have a 'camping out' experience.

As you can see from reviewing our plans, we have given this a lot of thought. We want to do everything as right as possible so we can offer the accommodations, accessibility, comfort and convenience that will bring people back to our area for their summer vacations and travels.

MICROFILMED

We hope this statement is to your satisfaction and we have supplied the information that you need.

Thank you very much for your time and consideration.

Sincerely,

Arlen Buerkle
MaryLee Buerkle

Arlen and MaryLee Buerkle
343 South 300 West
Heyburn, Idaho 83336

Phone# 436-3652
Fax# 436-6086

MICROFILMED
APR 2 5 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 25, 2002

3-29-02
Response
DS

ARLEN BUERKLE
MARYLEE BUERKLE
343 S 300 W
HEYBURN ID 83336

Re: Snake River Basin Adjudication (SRBA)
Water Right(s) #36-8519, 36-13917, 36-13918
Change of Address

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by February 12, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

_____ _____

Claimant Signature Telephone No.

MICRO 2 PGS

left -

ARLEN BUERKLE
~~RT 1 BOX 1065~~ 343 S. 300 W.
HEYBURN ID 83336
+ Marylee 36-13917,18 WR
↑ 36-8519 WR

ROBERT N BUFFI
1026 S 2600 W
ABERDEEN ID 83210

Arlen E. Same as Arlen.

JO AN BUFFI
1026 S 2600 W
ABERDEEN ID 83210

LINDEN J BUTIKOFER
6138 N 5TH W
IDAHO FALLS ID 83401

LOIS J BUTIKOFER
6138 N 5TH W
IDAHO FALLS ID 83401

Form 519
6/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 1 8 1999
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08519

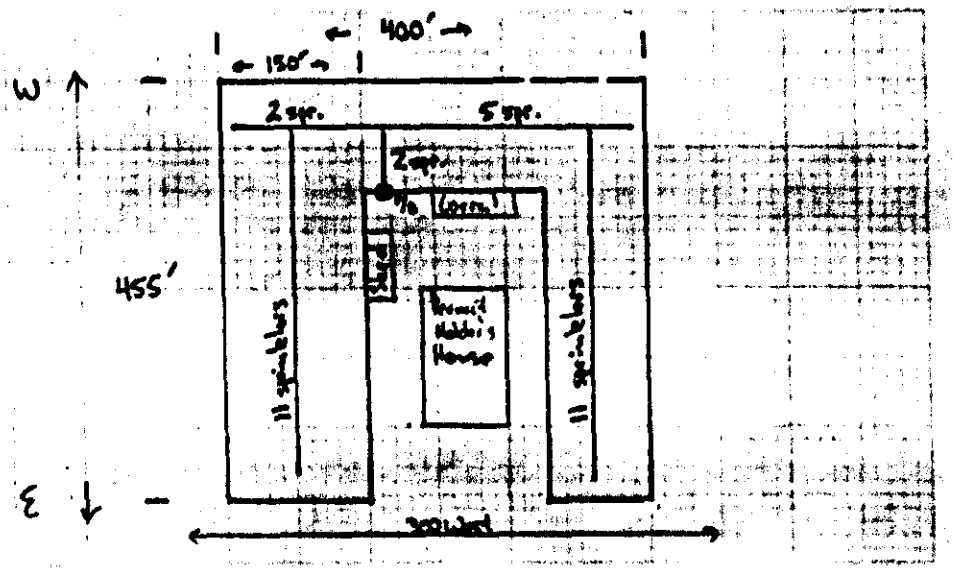
1. Owner: Arlen & Mary Lee Buerkle Phone No. 436-3652
   Current Address: Rt. 2 Box 1065 Heyburn 83336
2. Accompanied by: Arlen Buerkle EXAM. DATE: 6/23
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   ☑ Copies Attached (Not Complete from Report)
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

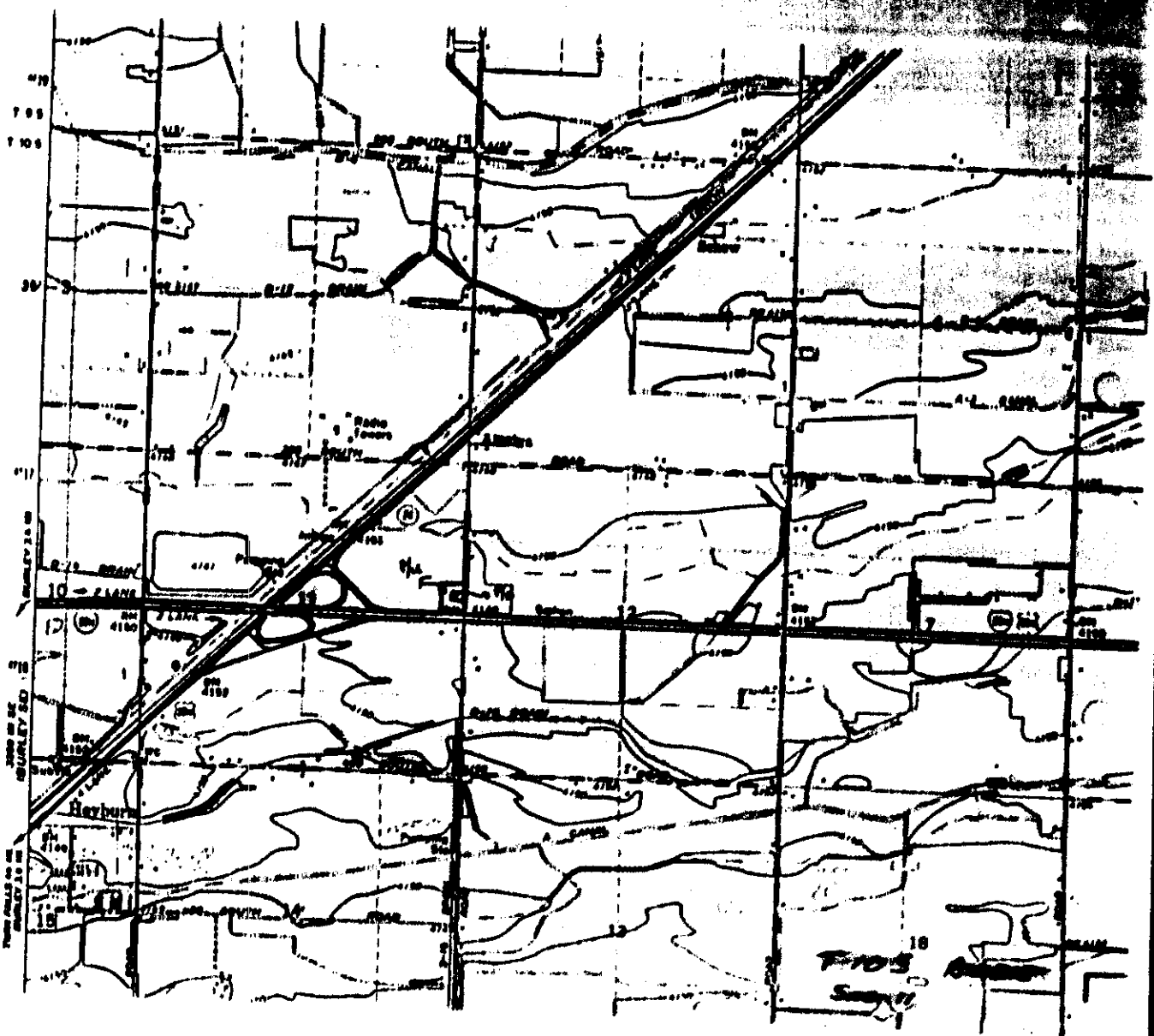


Scale: 1" = 150'.

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.

MICROFILMED

T69723



)8519

FROM 36-8519
LICENSING EXAM

MICROFILMED
APR 23 2002

T69723

STAFF ANALYSIS SUPPLEMENT

Arlen Buerkee #69723
36-8519

☐ At the grid address listed on application.

☐ Local Description of new proposed site:

_____ miles N/S and _____ miles E/W of _____

(City or local landmark).

☒ Other:

TRANSFER PROPOSES CHANGING A 1.5 ACRE PORTION OF IRRIGATION RIGHT 36-8519 TO COMMERCIAL USE FOR A PROPOSED RV PARK LOCATED APPROXIMATELY ONE-HALF MILE NORTHEAST OF THE JUNCTURE OF INTERSTATE 84 AND HIGHWAY 24 BETWEEN HEYBURN AND RUPERT. THE PROPOSED COMMERCIAL USE AND REMAINING IRRIGATION PORTION OF THE RIGHT WILL BE DIVERTED FROM AN EXISTING WELL LOCATED AT THE SITE OF THE PROPOSED RV PARK.

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

January 18, 1994

ARLEN BUERKLE
RT 1 BOX 1065
HEYBURN ID 83336

RE: WATER RIGHT NO. 36-08519

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MICROFILMED

JAN 19 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	ARLEN BUERKLE RT 1 BOX 1065 HEYBURN ID 83336 (208) 436-3652	04/10/1990	IRRIGATION	04-01	10-31	0.09 CFS	12.0 AFA
				TOTAL DIVERSION:		0.09 CFS	12.0 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 0.09 CFS

Point(s) of Diversion: T10S R23E S11 SENE MINIDOKA County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
10S	23E	11				03													3.0
																		TOTAL ACRES	3.0

Pou County: MINIDOKA

Other Water Rights with Same Point(s) of Diversion and Source:
36-08519

Other Water Rights Listing Overlapping Place(s) of use:
36-08519

Conditions of Approval:
041 - Irrigation use under this right is authorized only in
- connection with a domestic use.
R51 - This right when combined with all other rights shall provide no
- more than .03 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Dates: App. Received: 04/10/1990 Priority Date: 04/10/1990
Proof Due Date: 08/01/1991 Proof Made Date: 08/21/1990
Exam Made Date: 07/07/1992 Exam Sent to S.O.: 08/18/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 01/10/94 CHAPMAN 01/10/94 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 36-8519 Date 1-10-94 Brenda Chapman

	Yes	No	
NAME	___	✓	Or Address Change?
PRIORITY DATE	___	✓	Advance? ___ Advanced to: ___
	___	✓	Order to Reinstate Needed? ___
	___	✓	Incorrect Fee for rate recommended?
SOURCE	___	✓	Changes? Clarification of **Originally Intended** source ___
	___	✓	Notice of Intent to Void - Source change.
P/D	___	✓	Amendment Needed? ___
	___	✓	Overlap(s) ___
P/U	___	✓	Amendment Needed? ___
	___	✓	Overlap(s) ___
TOTAL CFS	___	___	Measurement ✓ Theoretical only ___
			11(9/64) @ 40 psi @ 3.74 gpm = 41.14 gpm = .09 CFS
			also permit limit.
			Allowable Amount: 3 acres @ .03 = .09
			Capacity of System: .09
TOTAL VOLUME			Season of Use: C/4.0 (4-1 to 10-31)
	___	✓	Calculations: ___
			3 acres @ 4.0 = 12
			Flow limit: .09 x 214 x 1.9835 = 38.2
USES	___	✓	Change(s) in Nature of Use? ___
	___	✓	Amendment Needed? ___
REMARKS	___	___	Multiple P/Ds in 1/4 1/4? ___
	✓	___	Special Overlap * Minidoka IRR Shares (BUT NO ACCESS)
CONDITIONS	___	✓	Measuring/Locking Devices
	___	✓	W/Master Control ✓ Water Dist
	RSI	___	Irrigation Overlap 4-10-90 App Rec'd
	___	✓	Water Quality 6-23-92 Exam Made
	___	✓	Other ___

COMMENTS: ___

RECOMMENDED	CFS	DIV VOL	
Irrigation	.09	10.0	LICENSE ✓
			1ST AMEND LETTER ___
			2ND AMEND LETTER ___

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 19 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08519

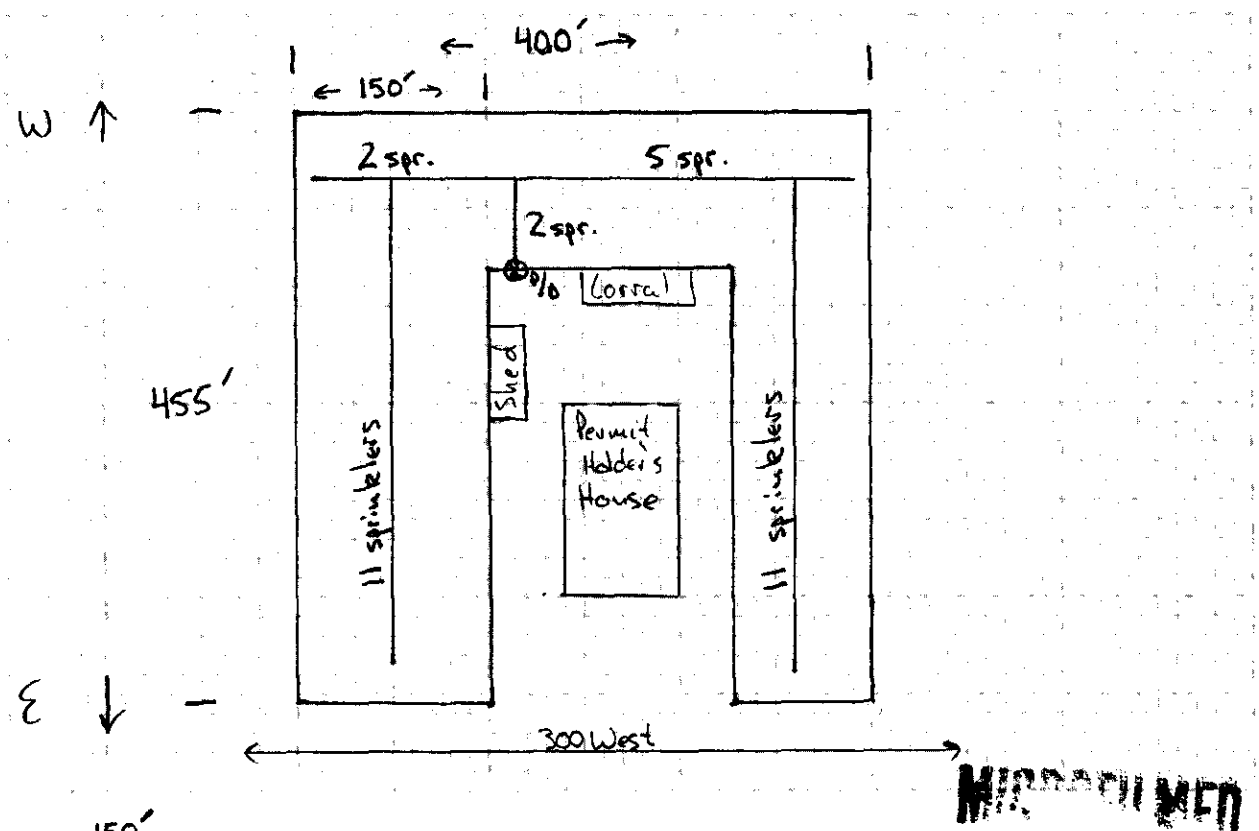
1. Owner: Arlen & Mary Lee Buerkle Phone No. 436-3652
   Current Address: Rt. 1 Box 1065 Heyburn 83336
2. Accompanied by: Arlen Buerkle EXAM. DATE: 6/23
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   _____ ☑ Copies Attached
   Full comparison report
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" = 150'.

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

JAN 19 1994

System Description (continued)

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

This system consists of a mainline that runs west from the P/D & then branches off N & S (forming a T formation). This (T) is in solid set and has a total of 9 sprinklers on it. Also, two handlines run east off this mainline. Each handline has 11 sprinklers. Normal operation includes operating 11 sprinklers at one time. The discharge pressure was taken from the owner's gauge and was found to be 40psi. The lift was 8 feet and was approximated from the owner, an area estimate, & the well log.

☐ 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
	Franklin Electric	2 HP		Berkeley (Submersible)	

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NE	11	10S	23E	Minidoka	USGS Topo Map

6. **Place(s) of Use:** Indicate Method of Determination Inspection

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	23E	11				3													3.0

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot Tube						
4 Psi Gauge						

2. **Measurements:**

The sprinklers were Raibird and had a nozzle diameter of 9/64".
Using the pitot tube & psi gauge, the average pressure at the nozzles was 40psi.
Using the table in app A of field exam handbook, Nozzle discharge ≈ 3.74 gpm
3.74 gpm x 11 sprinklers = 41.14 gpm = $\frac{41.14 \text{ gpm}}{448.8 \text{ gpm}}$ = .092 cfs

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:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = (3.0 x 4.0) = 12.0 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (.092 x 214 x 1.9835) = 38.2 AFA

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 12.0 AFA

2. Volume Calculations for Other Uses:

MONTHLY

JAN 19 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

(CFS)		(AFA)	
1) Legal Limit	.09	1) Legal Limit	12.0
2) Owner's examine fee paid for up to	.20	2) Capacity of system	38.2
3) Found during exam			
Pump plant	.12		
Irrigation System discharge	.09		

This P/D supplies water to 3 acres of pasture grass for 18 head of cattle. The owner also has an adjudication claim for domestic use under A36-13917 and an adjudication claim for stockwater under A36-13918. My recommendation is to license this P/D for 3 acres under the beneficial amounts described in Section I of this report. Also, the owner has MID shares but no access to canal system.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4/1	10/31	.09	12.0
Totals:			.09	12.0

2. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☑ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

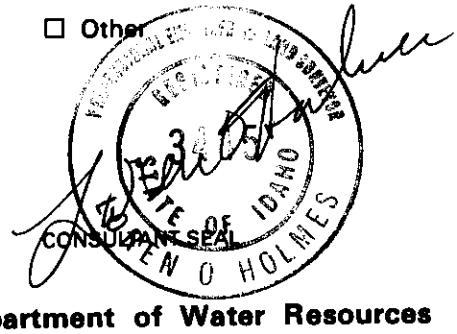
J. AUTHENTICATION

Field Examiner's Name: Brett Barry

Signature: Brett Barry

Certification Date: 3/31/93

Field Report Preparation Date: 7-7-92



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

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Exhibit 9

SPRINKLER SYSTEM DISCHARGE

36-08519

NOZZLE DISCHARGE – GALLONS PER MINUTE

psi	3/32	1/8	9/64	5/32	11/64	3/16	13/64
20	1.17	2.09	2.65	3.26	3.92	4.69	5.51
25	1.31	2.34	2.96	3.64	4.38	5.25	6.16
30	1.44	2.56	3.26	4.01	4.83	5.75	6.80
35	1.55	2.77	3.50	4.31	5.18	6.21	7.30
40	1.66	2.96	**3.74**	4.61	5.54	6.64	7.80
45	1.76	3.13	3.99	4.91	5.91	7.03	8.30
50	1.85	3.30	4.18	5.15	6.19	7.41	8.71
55	1.94	3.46	4.37	5.39	6.48	7.77	9.12
60	2.03	3.62	4.50	5.65	6.80	8.12	9.56
65	2.11	3.77	4.76	5.87	7.06	8.45	9.92
70	2.19	3.91	4.96	6.10	7.34	8.78	10.32
75	2.27	4.05	5.12	6.30	7.58	9.08	10.66
80	2.35	4.18	5.29	6.52	7.84	9.39	11.02
85	2.42	4.31	5.45	6.71	8.07	9.67	11.35
90	2.49	4.43	5.61	6.91	8.31	9.95	11.69
95	2.56	4.56	5.76	7.09	8.53	10.20	11.99
100	2.63	4.67	5.91	7.29	8.76	10.50	12.32

AVERAGE APPLICATION RATE –INCHES PER HOUR

Spacing in Feet	Discharge From Each Sprinkler						
	2 gpm	3 gpm	4 gpm	5 gpm	6 gpm	7 gpm	8 gpm
20x20	0.48	0.72	0.96	1.20	1.44	1.70	1.95
20x30	0.32	0.48	0.64	0.80	0.96	1.12	1.28
20x40	0.24	0.36	0.48	0.60	0.72	0.84	0.96
30x30	0.21	0.32	0.43	0.54	0.64	0.75	0.88
30x40	0.16	0.24	0.32	0.40	0.48	0.56	0.64
30x50	0.13	0.19	0.25	0.32	0.38	0.45	0.51
40x40	0.12	0.18	0.24	0.30	0.36	0.42	0.48
40x50	0.1	0.14	0.19	0.24	0.29	0.34	0.38
40x60		0.12	0.12	0.20	0.24	0.28	0.32

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GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS FILE: 36-08519
****
DATE: 6-30-92
BY: Brett Barry

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

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 dicharge assume zero [0])

$$Q = \frac{(8.8)\ (2\ H.P.)\ (0.70)}{[\ (8\ feet) + (40\ PSI \times 2.31)\ ]} = .12\ CFS$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ( )	measurement ( )	Motor Make, Serial or ID
owner (✓)	owner ( )	B Franklin Electric
area estimate (✓)	estimate ( )	Pump Make, Serial or ID, rating
well logs (✓)	owner gage (✓)	Berkeley
Booster (Y) (N)		

REMARKS

ANNUAL VOLUME ANALYSIS

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

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

$$POTENTIAL = \frac{(214\ Days) \times (1.98) \times (.12\ CFS)}{(3.0\ Acres)}$$

POTENTIAL = 16.9 AFA/A

REQUIRED Acre Feet/Acre/Annum = 4.0 AFA/A
(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 (✓)

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT NECESSARY ( )

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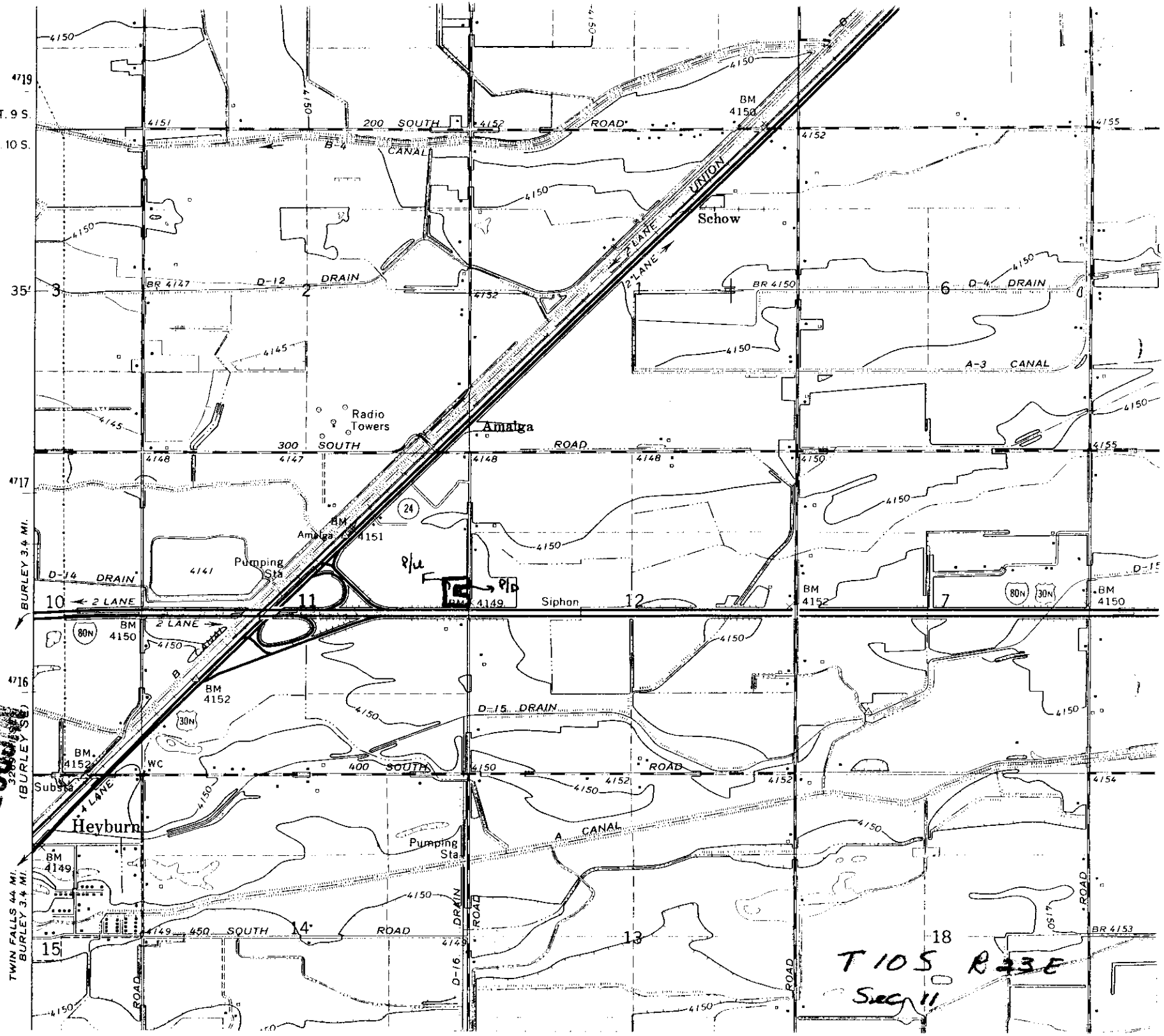

36-08519

JAN 19 1994

T 10 S R 23 E
Sec 11

orm 238-7
3/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name ARLEN BUERKLEY

Address RT 1 Box 1065 HEYBURN ID. 83336

Owner's Permit No. 36-90-S-0370K

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	8 inches +	1 feet	35 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun
Size of perforation 8 inches by 1/8 inches

Number	From	To
24 perforations	16 feet	26 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ 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 1 feet to 35 feet
Surface seal depth 18 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port _____

7. WATER LEVEL

Static water level 7 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
50 GPM	8 FT.	10 HRS

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	5	TOP SOIL + CLAY		X
	5	32	GRAY SAND	X	
	32	35	BLUE CLAY		X

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OCT 1990
Department of Water Resources
Southern Region Office

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MAY 29 1990
Department of Water Resources
Southern Region Office

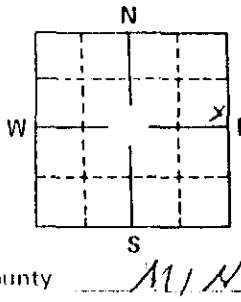
RECEIVED
JUN 5 1990
Department of Water Resources

10.

Work started MAY 4 90 Finished MAY 14-90

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____ Lot No. _____ Block No. _____

JAN 19 1994

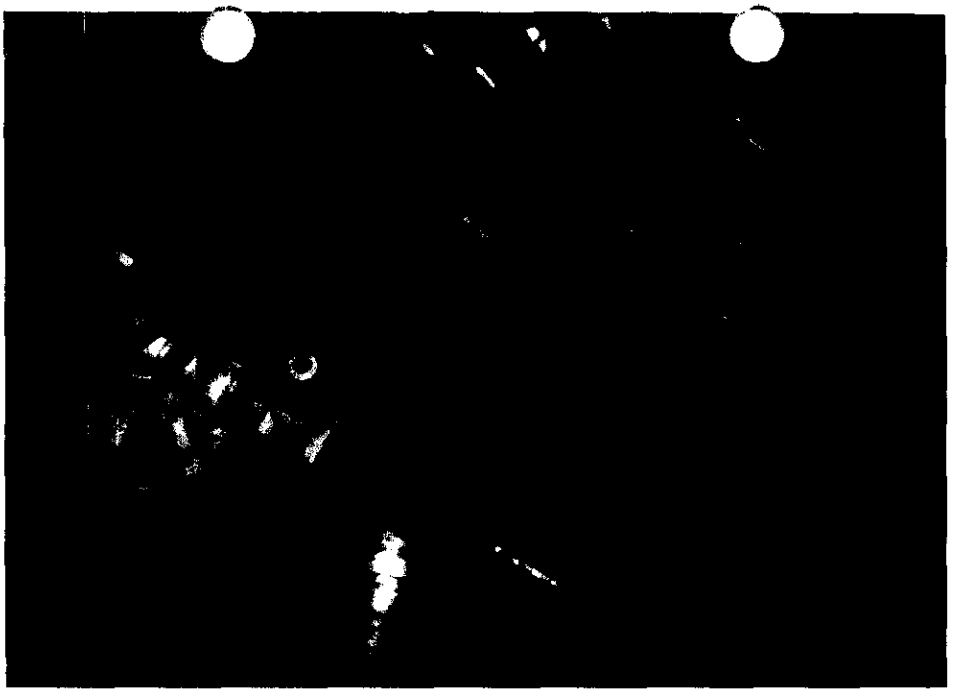
County MINIDOKA

SE ¼ NE ¼ Sec. 11 T. 10 N ☐ S ☒ R. 23 E ☒ W ☐

11. DRILLERS CERTIFICATION

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

Firm Name HARRY KING DRL. CO. Firm No. 88
Address RUPERT ID. Date 5-23-90
Signed by (Firm Official) Harry King
and
(Operator) Harry King



36-08519

P/D

36-08519

Well House

JAN 19 1994

36-08519

P/U

36-08519

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MAR 19 1994

Form 235-1
9/89

Drilling Permit No. 36-90-S-037
Water Right Perm). 36- 08519
Injection Permit No. _____

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APR 19 1990
Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant Arlen E. or Mary Lee Buerkle
2. Mailing Address Rt. 1 Box 1065
Heyburn, Idaho 83336 Telephone 436-3652
(X) Well Owner ( ) Well Operator ( ) Other, specify _____
3. Proposed well location SE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 11, Twp. 10 South Rge. 23 E, County Minidoka,
Street Address of Well Site 300 West 345 So.,
Lot, block and subdivision _____
4. Proposed use of well:
( ) Single family or stockwater use (less than 13,000 gallons per day)
(X) Irrigation (more than 1/2 acre)
( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
( ) Other (describe fully) _____
5. Well construction information:
A. (X) New well ( ) Deepen ( ) Replace - See Condition 9.
B. Proposed surface diameter 8" Maximum depth 50'
C. Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212°F or more (Geothermal well)
6. Construction Start Date within 2 weeks From 4-17-90
7. Anticipated Well Driller Harry King Drilling - Rupert, Ida.
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Arlen Buerkle Date 4-17-90
Title Owner
(Owner, Firm Representative, Other)

JAN 19 1994

A[illegible]ON OF DEPARTMENT OF WATER RESOU[illegible]S

This Permit is Approved. Date 4/19/90.

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

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.

2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

5. Approval of this drilling permit does not authorize trespass on the land of another party.

6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Laren O Haluna
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 501231 Receipted by GP Fee $100. Date 4-19-90

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EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date [illegible] 9 1994

This extension is good for 60 days beyond the above extension approval date.

October 3, 1990

ARLEN BUERKLE
RT. 1 BOX 1065
HEYBURN, ID 83336

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08519

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)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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OCT 17 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8519 Date: 10-1-90

General Considerations:

- ✓ Name same as permit
- ✓ Signature the same as permit holder
- ✓ Address change _____ If yes, prepare a data entry
- ✓ Proof received timely
- _____ Reinstated

Source of Water:

- _____ Surface water
- ✓ Groundwater
  - ✓ 1. well log in file
  - ✓ 2. drilling permit
    - ✓ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ✓ Rate of diversion appropriate for uses
- ✓ Is rate or volume and fee appropriate?
- ✓ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
- _____ Has one been installed?
- _____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

_____ Priority Calculation:

Date proof received	NA	_____
Date proof due	_____	- _____
No. of days late		= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

ch 10 4-90

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 238-7
6/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name ARLEN BUERKLEY

Address RT 1 Box 1065 HEYBURN ID. 83336

Owner's Permit No. 36-90-S-037 OK

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness		Diameter		From		To	
.250	inches	8	inches +	1	feet	35	feet
	inches		inches		feet		feet
	inches		inches		feet		feet
	inches		inches		feet		feet

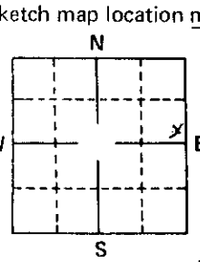
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun
Size of perforation 8 inches by 1/8 inches

Number		From		To	
24	perforations	16	feet	26	feet
	perforations		feet		feet
	perforations		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 1 feet to 35 feet
Surface seal depth 18 Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



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OCT 17 1990

Subdivision Name _____
Lot No. _____ Block No. _____
County MINIDOKA
SE ¼ NE ¼ Sec. 11, T. 10 N ☐ S ☒ R. 23 E ☒ W ☐

7. WATER LEVEL

Static water level 7 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
50 GPM	8 FT.	10 HRS

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	5	TOP SOIL + CLAY		X
	5	32	GRAY SAND	X	
	32	35	BLUE CLAY		X

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MAY 29 1990
Department of Water Resources
Southern Region Office

RECEIVED
JUN 5 1990
Department of Water Resources

10.

Work started MAY 4 1990 Finished MAY 14-90

11. DRILLERS CERTIFICATION

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

Firm Name HARRY KING DRL. CO. Firm No. 88
Address RUPERT ID. Date 5-23-90
Signed by (Firm Official) Harry King
and
(Operator) Harry King

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
July 27, 1990

ARLEN BUERKLE
RT. 1 BOX 1065
HEYBURN, ID 83336

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P36-08519

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

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JUL 30 1990

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

MICROFILMED

15-May-1990

ARLEN BUERKLE
RT 1 BOX 1065
HEYBURN ID 83336

Re: Application for Permit No. 36-08519

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 South Idaho Press on 6/7 & 6/14/90. 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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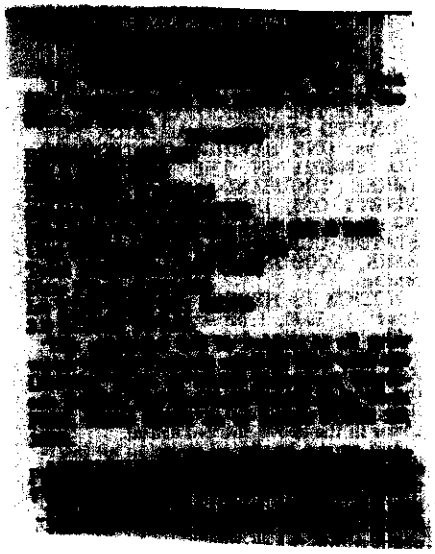
JUL 30 1990



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 28 1990
Department of Water Resources
Southern Region Office

County of Cassia, STATE OF IDAHO } **ss.**

Jody Johnson being first duly sworn, deposes and says that she is the clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive weeks, commencing with the issue dated June 7 19 90, and ending with the issue dated June 14, 19 90. Jody Johnson

STATE OF IDAHO
COUNTY OF Cassia }

On this 26 day of June in the year of 1990, before me, a Notary Public, personally appeared Jody Johnson, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Dolores Mabey
Notary Public for Idaho
Residing at Burley ID
My commission expires: 2/4/93

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

OK mb 6/28/90

APPROVED

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

MAY 11, 1990

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

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

MICROFILMED
JUL 30 1990

36-08519

BUERKLE, ARLEN
RT. 1 BOX 1065
HEYBURN, ID 83336

Source: GROUNDWATER

Diversion Pt: SENE Sec 11 T 10S R 23E

Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)

Date Filed: 4/10/ 1990

In: T10S R23E S11 SENE

3.0 ACRES TOTAL

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JUL 10 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with th Director, Dept. of Water ources, Southern Region, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.

R. KEITH HIGGINSON, Director

Published 6/ 7/1990 & 6/14/1990

Form 235-1
9/89

Drilling Permit No. 36-90-S-037
Water Right Permit No. 36- 08519
Injection Permit No. _____

RECEIVED
APR 19 1990
Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant Arlen E. or Mary Lee Buerkle
2. Mailing Address Rt. 1 Box 1065
Heyburn, Idaho 83336 Telephone 436-3652
(X) Well Owner ( ) Well Operator ( ) Other, specify _____
3. Proposed well location SE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 11, Twp. 10 South Rge. 23 E, County Minidoka,
Street Address of Well Site 300 West 345 So.,
Lot, block and subdivision _____
4. Proposed use of well:
( ) Single family or stockwater use (less than 13,000 gallons per day)
(X) Irrigation (more than 1/2 acre)
( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
( ) Other (describe fully) _____
5. Well construction information:
A. (X) New well ( ) Deepen ( ) Replace - See Condition 9.
B. Proposed surface diameter 8" Maximum depth 50'
C. Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212°F or more (Geothermal well)

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JUL 30 1990

6. Construction Start Date within 2 weeks From 4-17-90
7. Anticipated Well Driller Harry King Drilling - Rupert, Ida.
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Arlen Buerkle Date 4-17-90
Title Owner
(Owner, Firm Representative, Other)

A' ON OF DEPARTMENT OF WATER RESOU :S

This Permit is Approved. Date 4/19/90.

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

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.

2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

5. Approval of this drilling permit does not authorize trespass on the land of another party.

6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Laren O Hahn
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5012131 Receipted by [illegible] Fee $100. Date 4-19-90

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EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date JUL 30 1990

This extension is good for 60 days beyond the above extension approval date.

RECEIVED

APR 19 1990

Department of Water Resources
Southern Region Office

Drilling permit No. 36-90-S-037

Water right No. 36-08519

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Arlen E. or Marylee Buerkle, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

FARM ground Surrounding our 5 acres has been Sold. All ditches That we got water Through From minidoka Irrigation have been Torn out and The new owners are planting potatoes and putting in sprinklers. We can no longer get water From The minidoka Irrigation Canal. We need a well now So we can also Sprinkle.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 4/12/90

FILMED
JUL 10 1990

Signature Arlen Buerkle

Applicant

4-12-90

Jim - Here is

letter location & legal data on the Buerkle application

Bill Lott

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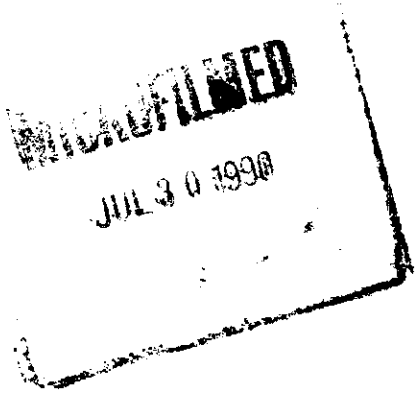
JUL 30 1990



36-08519

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APR 13 1990

Department of Water Resources
Southern Region Office

PROPERTY DESCRIPTION - PARCEL 1

Part of the SE¼NE¼ of Section 11 of Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the NE corner of Section 11 of T.10 S., R.23 E.,B.M. said corner marked by a Railroad Spike; Thence S 0°00'00" E along section line for 2394.13 (2395.0' rec.) feet to a P.K. Nail which shall be the Point of Beginning;

Thence S 0°00'00" E along section line for 150.30 feet to a ½" rebar on the north right-of-way of Interstate Highway 80;
Thence N 89°55'43" W along said highway right-of-way for 455.42 feet to a ½" rebar;
Thence N 0°03'05" E for 149.74 feet to a ½" rebar;
Thence N 90°00'00" E for 455.29 feet (455.00' rec.) to the Point of Beginning.

Contains 1.57 acre more or less and is subject to a 25 foot wide county road right-of-way along the east side.

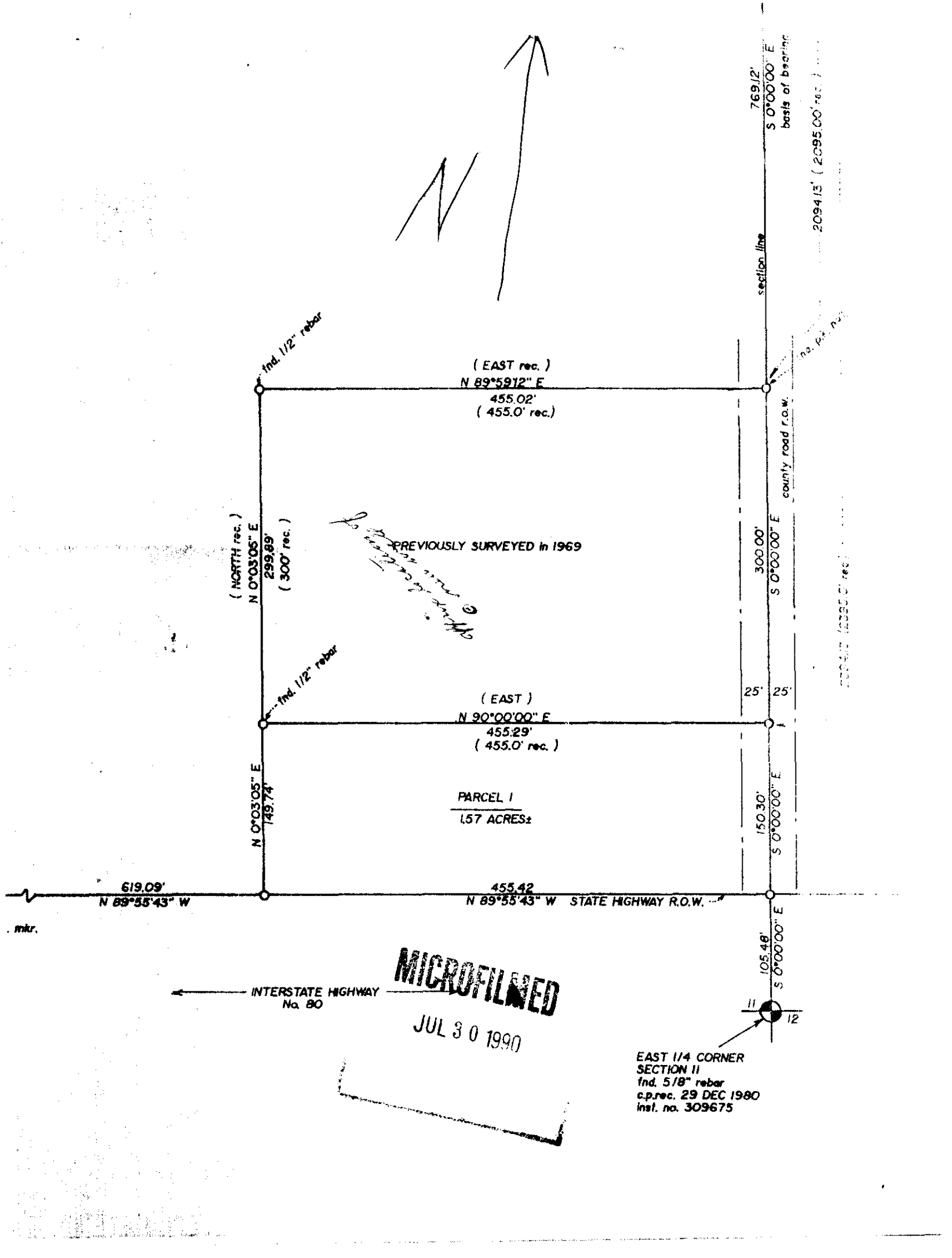
CERTIFICATE OF SURVEY

I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey map has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

MICROFILMED

JUL 30 1990

36-08519



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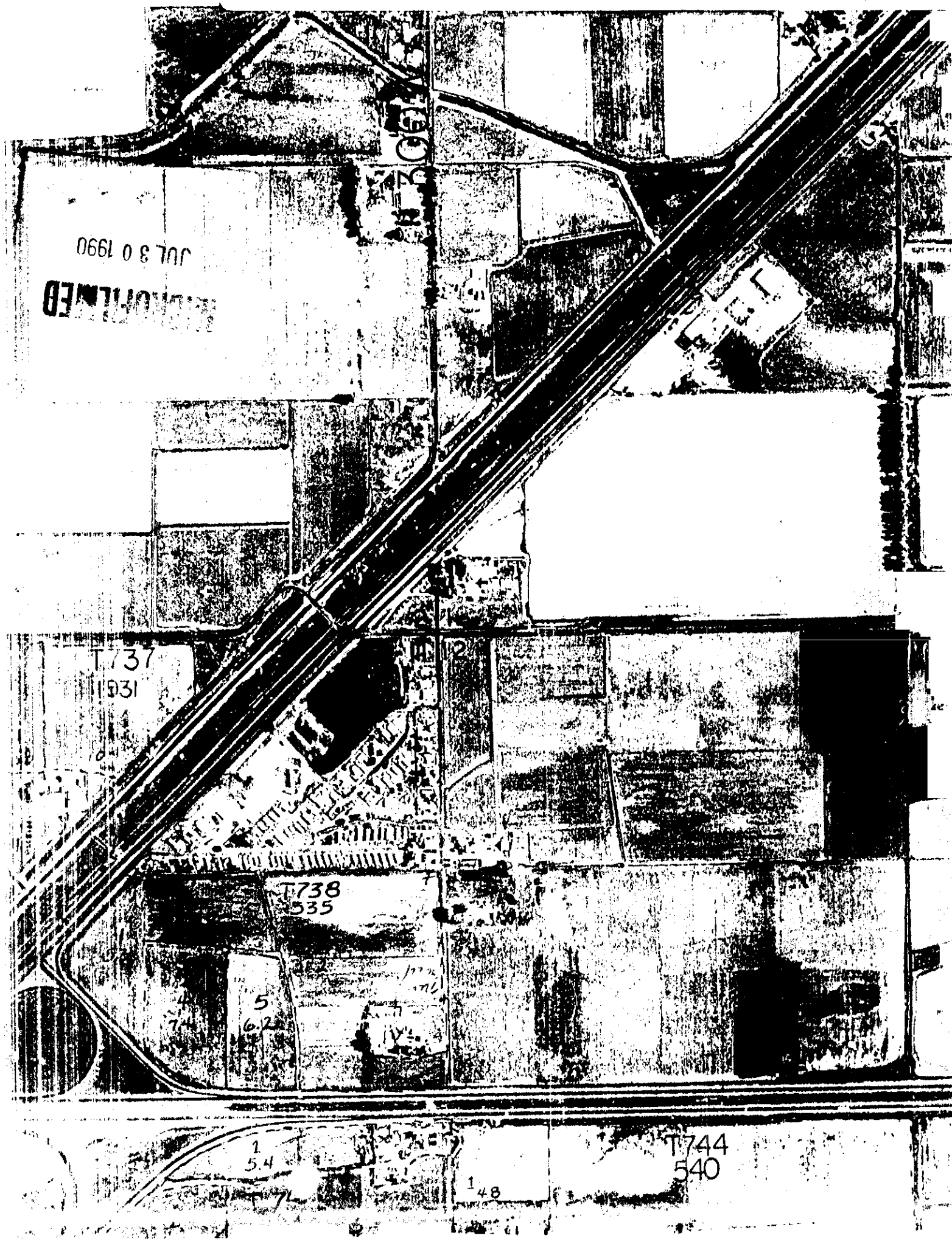
JUL 3 0 1990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T 737
1931
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T744
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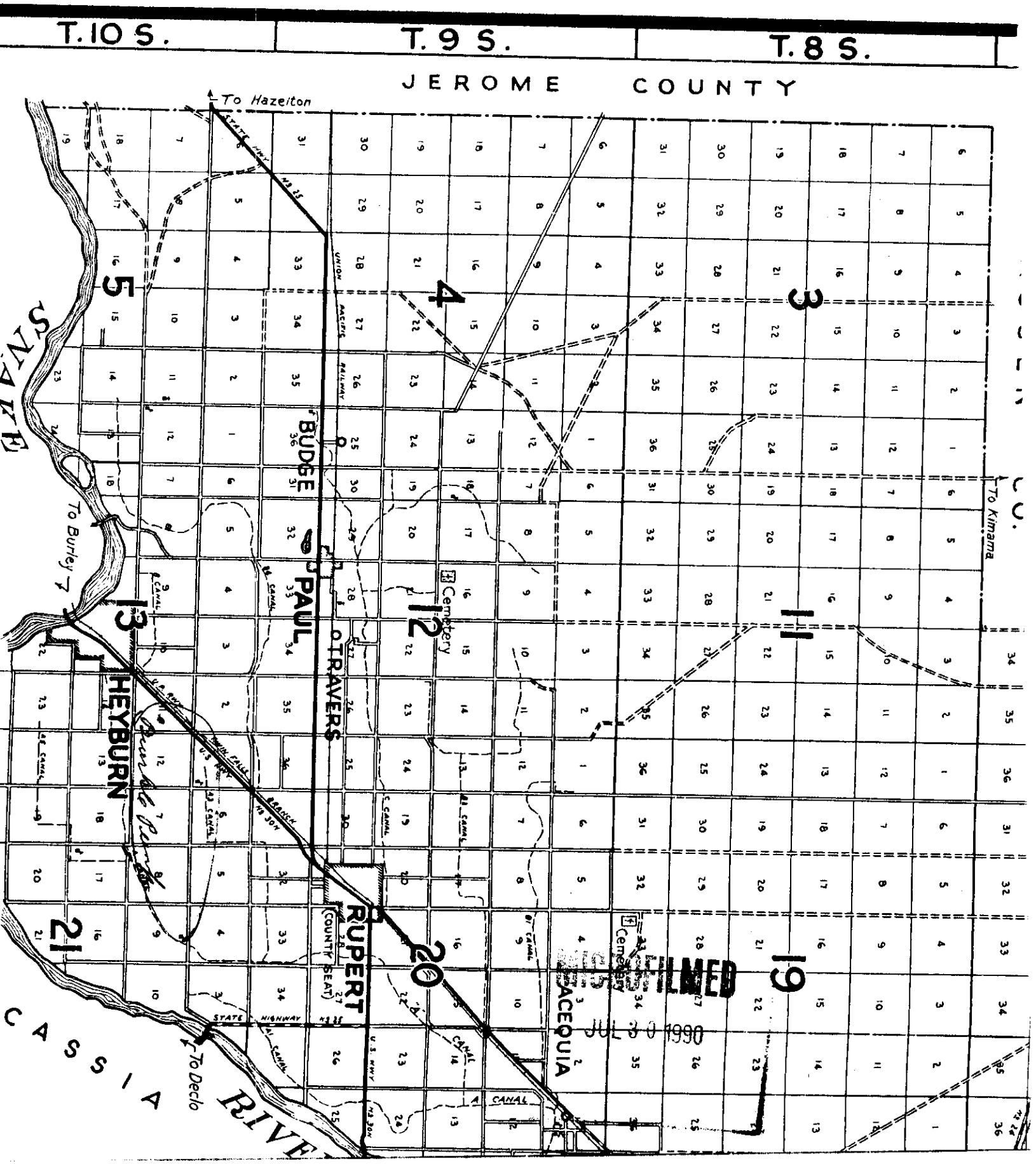
T. 10 S.
T. 9 S.
T. 8 S.
JEROME COUNTY
To Hazelton
To Kimama
To Burley
To Declo
BUDGE
PAUL
TRAVERS
HEYBURN
RUPERT
(COUNTY SEAT)
ACEQUIA
Cemetery
Cemetery
CASSIA
RIVER
SNAKE
UNION PACIFIC RAILWAY
STATE HWY NO 25
STATE HIGHWAY NO 25
U.S. HWY NO 30N
TWIN FALLS BRANCH
A CANAL
MICROFILMED
JUL 30 1990

RECEIVED
APR 19 1990
Department of Water Resources
Southern Region Office

To Whomever,

The reason the Check Signature is different than applicant:

This is the new owner, they removed all ditches so it is not their obligation to put in a well and sprinklers for use.

Thanks so much for your help.

Mary Lee Durkee
(Mrs. Arlen)

MICROFILMED
JUL 30 1990

36-08519