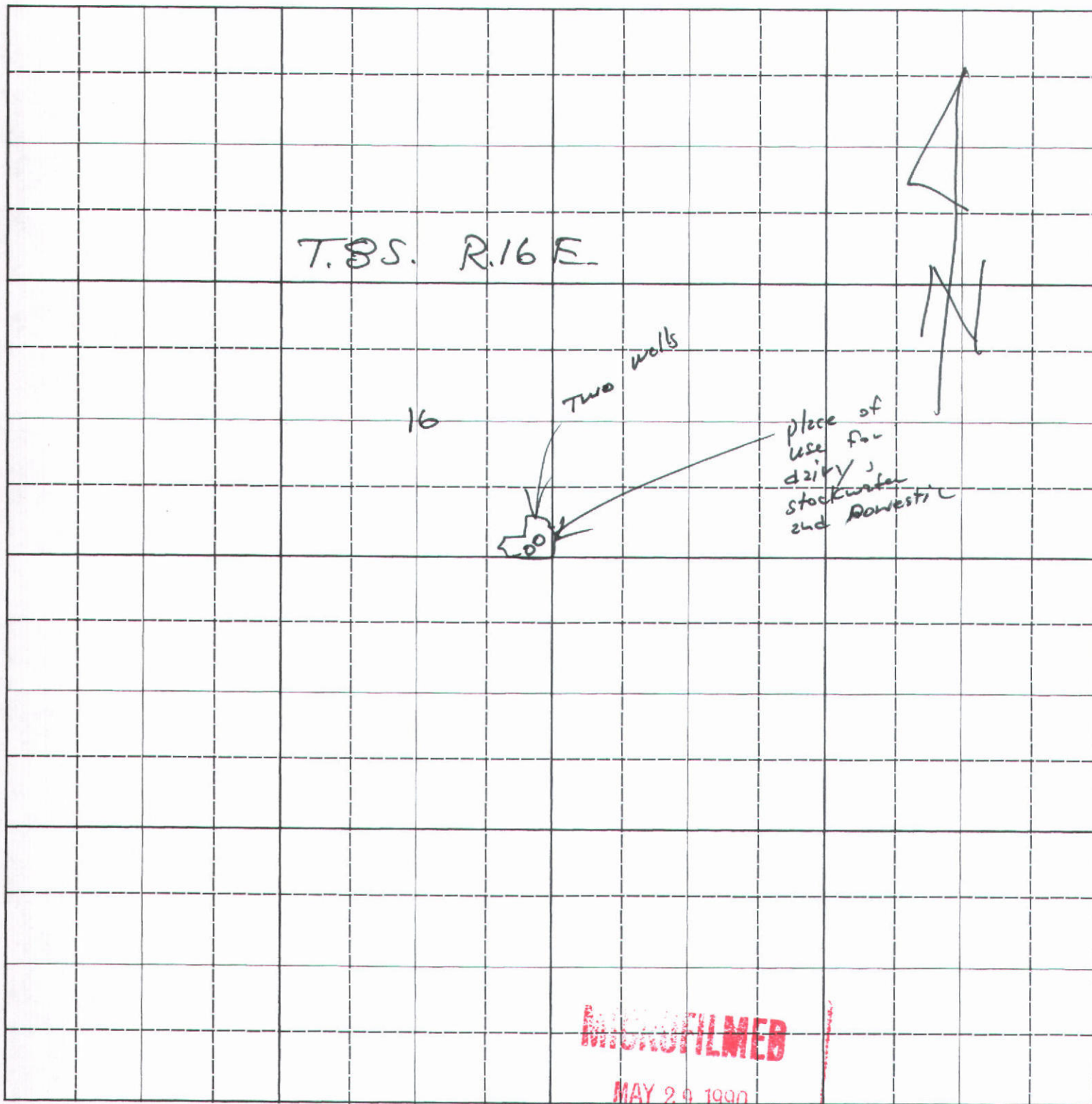


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Dorothy Gruener
(Applicant)

AFFIDAVIT of PUBLICATION

MAR 19 1990

State of Idaho,
County of Jerome

SS.

Department of Water Resources
Southern Region Office

C. Manager

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

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

of said advertisement was on the 7th day of March

19 90, and the date of the last publication was on the 14th

day of March, 19 90.

Patty Spance

Subscribed and sworn to before me this 15

day of March, 19 90.
(SEAL)

Norma DeVoe

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions 2x

Lines tabular at 409.5 6¢/Pica

Lines straight at 20.48 5¢/Pica

Subsequent lines at 16.38 4¢/Pica

TOTAL COST 36.86

COPY OF NOTICE

(Paste Here)

Appl. for Wat. Right
TITLE OF NOTICE
36-08505 - H. Krueger

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08505

KRUEGER, HERMAN
KRUEGER, DOROTHY

63 N. 300 W.

JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: SESESE Sec 16 T 08S R
16E

Use: STOCKWATER (.200 CFS)

COMMERCIAL (.200 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 2/23/1990

In: T08S R16E S16 SESE

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before MARCH 28, 1990.

R. Keith Higginson

Director

N13885

Pub: 3-7, 14

7-8 pt. per line tabular.....6¢/Pica

7-8 pt. per line successive

insertions.....4¢/Pica

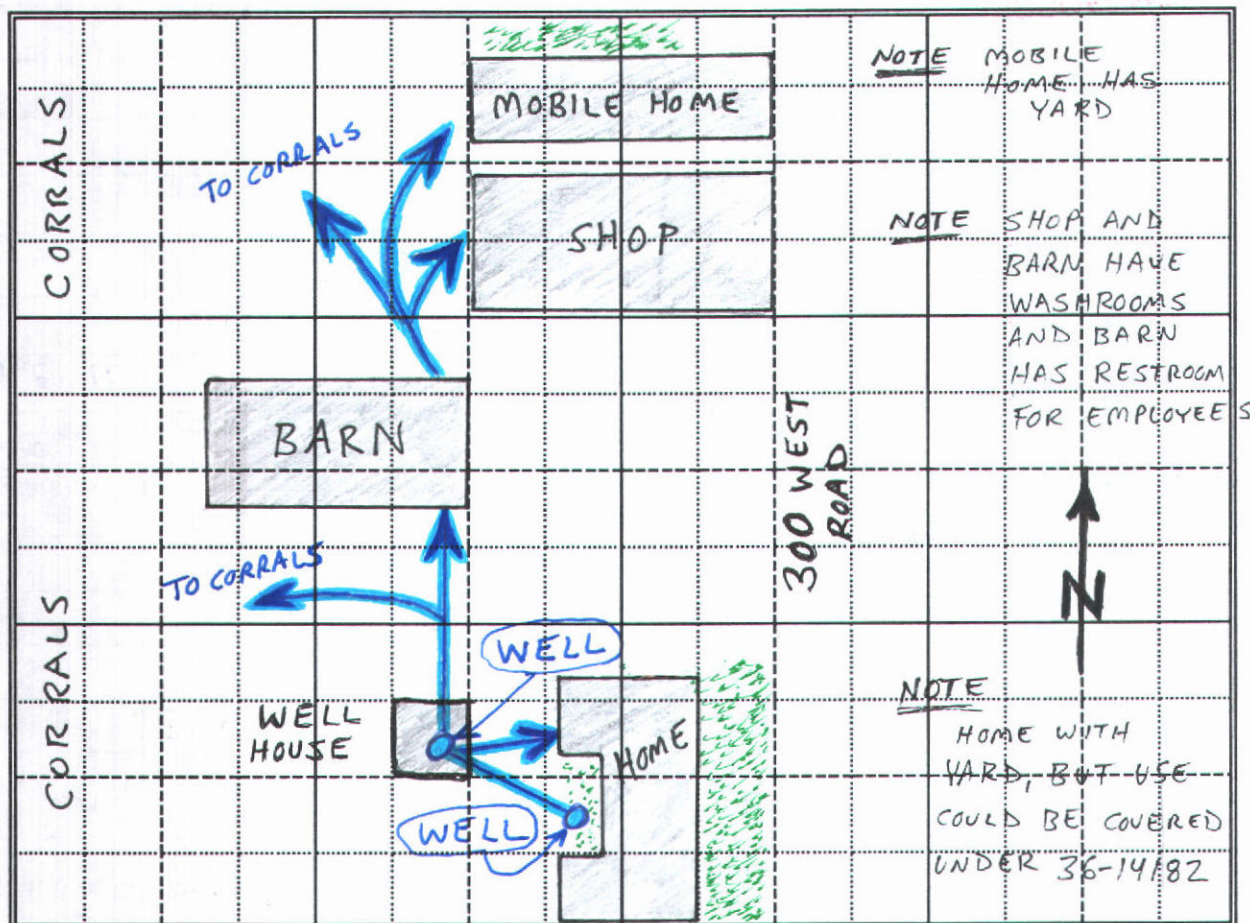
№ 3953

MICROFILMED

MAY 29 1990

13885

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
?	FRANKLIN	2	2823018110	*	
?	FRANKLIN	2	2002018110*	*	

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

*NAMEPLATE DIFFICULT TO READ
PUMPS WERE SUBMERSIBLE

D. FLOW MEASUREMENTS

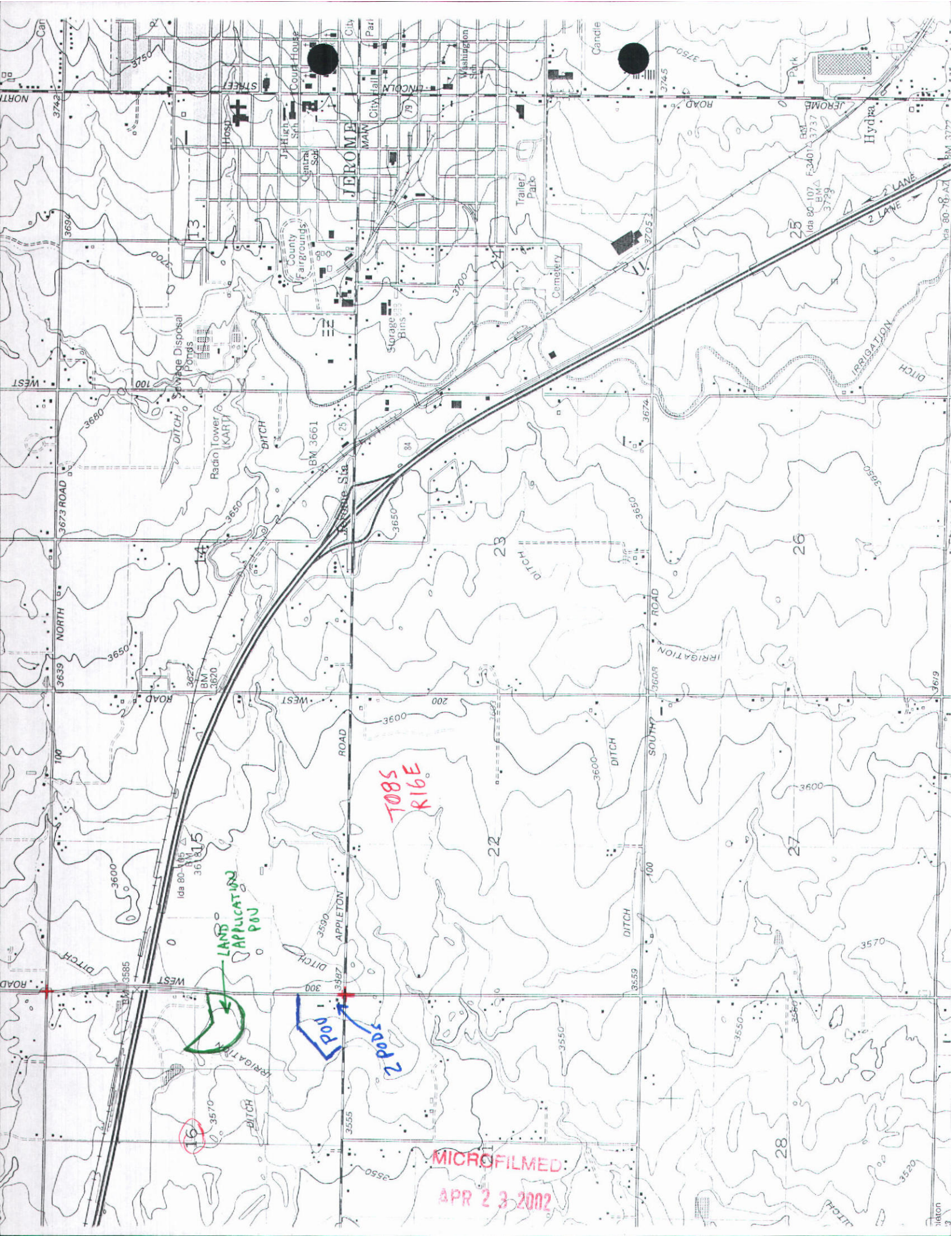
1. **NONE**

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

2. Measurements: _____

MICROFILMED

1992 3 2002



16

LAND
APPLICATION
AREA

MIROTE

PLACE
OF
USE

2. 10. 1968



ABOVE: View of one of the wells that serves as one of the points of diversion. The second well, and point of diversion, is located in a well house about 40 or 50 feet to the northwest of the well shown in this photo.

BELOW: View of the other well and the piping system in the well house.



36-8505
Field Exam Photos
March 11, 2002

MICROFILMED
APR 23 2002



ABOVE: View from the 300 West Road along the east side of Section 16, showing various parts of the place of use.

BELOW: View inside the dairy barn, showing cows being milked. The barn had 16 milk stalls.



36-8505
Field Exam Photos
March 11, 2002

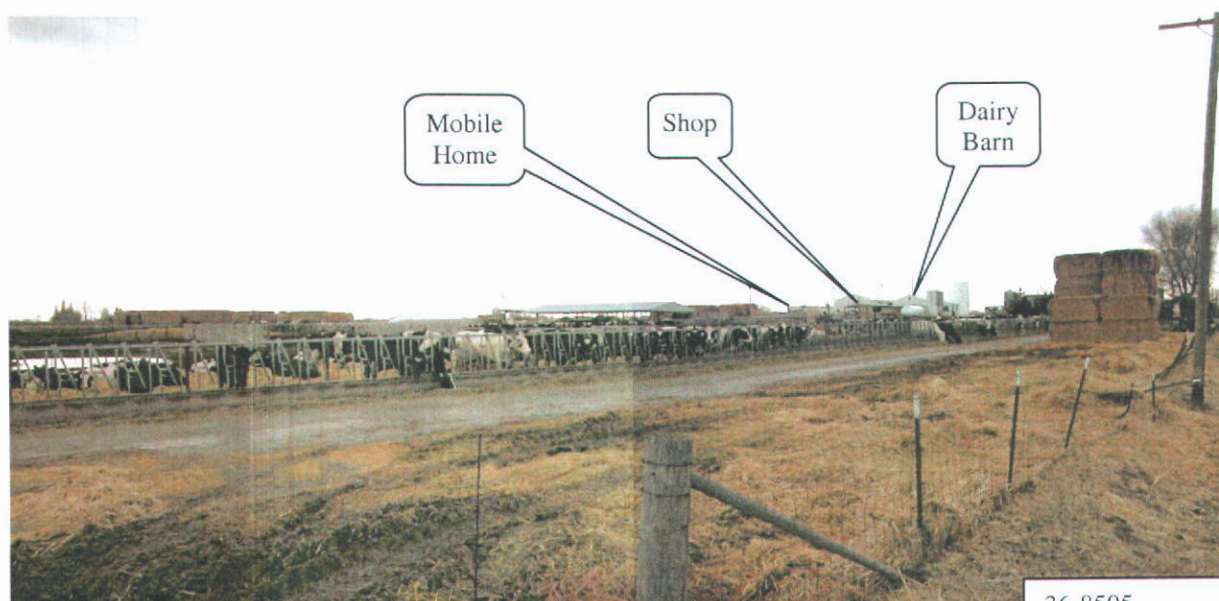
MICROFILMED

APR 23 2002



ABOVE: View looking north along the 300 West Road showing the location of the dairy site in relation to the Southeast corner of Section 16.

BELOW: View from near the southwest corner of the dairy site showing cows in the corrals and the location of various parts of the place of use.



36-8505
Field Exam Photos
March 11, 2002

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APR 23 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08505

Priority: February 23, 1990

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 38.6 AF

It is hereby certified that JAMES J PRINCE And/Or CARL L PRINCE
3067 S 2000 E
WENDELL ID 83355 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 23, 1990; and has
submitted Proof of Beneficial Use on April 11, 1991. An examination indicates that the works have a
diversion capacity of 0.08 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.08 CFS	37.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
COMMERCIAL	01/01 to 12/31	0.08 CFS	37.4 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, Twp 08S, Rge 16E, B.M., JEROME County
GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, Twp 08S, Rge 16E, B.M., JEROME County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 16E 16																X	

PLACE OF USE: DOMESTIC – Same as Stockwater

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 16E 16				X												X	

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Commercial use is for a dairy.

MICROFILMED

APR 1 1991

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08505

3. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
4. Right 36-14182 is also diverted through the points of diversion described above.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 12TH day of APRIL, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

APR 11 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 36-08505

RECEIVED

APR - 8 2002

Date of Priority: February 23, 1990

Maximum Diversion Rate: 0.08 CFS

Maximum Diversion Volume: 38.6 AF

Comes now JAMES J PRINCE And/Or CARI L PRINCE
3067 S 2000 E

WENDELL ID 83355 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08505, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.08 CFS	37.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
COMMERCIAL	01/01 to 12/31	0.08 CFS	37.4 AF

LOCATION OF POINTS OF DIVERSION:GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, Twp 08S, Rge 16E, B.M., JEROME CountyGROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, Twp 08S, Rge 16E, B.M., JEROME CountyPLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	16																	X

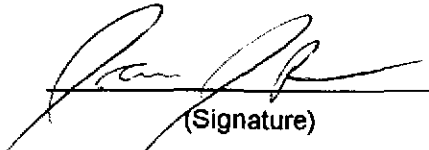
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	16																	X

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	
08S	16E	16				X									X				X

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 3rd day of April, 2002.


(Signature)

MICROFILMED

1991 11 28

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08505

FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee = 50⁰⁰ Received by JN # P061216 Date 4/8/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08505 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Commercial use is for a dairy.
3. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
4. Right 36-14182 is also diverted through the points of diversion described above.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

Witness my hand this 12TH day of APRIL, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

APR 23 2002

08/10/2001 08:26

20873 37

IDWR SOUTHERN REG

PAGE 02

For Office Use Only

\$25 filing fee

Receipt # 503465

Date 8/27/2001

RECEIVED

AUG 28 2001

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, Arthur Nunes, hereby assign to James J. Prince and Carl L. Prince
of, 3067 South 2000 East Wendell, Idaho 83355
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 36-14182 & 36-08505 to
appropriate the public waters of the State of Idaho.

RECEIVED

AUG 28 2001

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Department of Water Resources

Made this 10th day of August, 20 01

Arthur Nunes
Permit Holder(s)

State of Idaho)
)ss
County of Jerome)

On this 10th day of August, 20 01, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at _____

SEAL

My commission expires: 7-30-03

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO

MICROFILMED
OCT 02 2001

RESIDING AT JEROME, ID

7-30-03

WARRANTY DEED

J-30400

FOR VALUE RECEIVED,

ARTHUR NUNES and CONNIE NUNES, husband and wife, hereinafter referred to as the "Grantors", do hereby grant, bargain, sell and convey unto **JAMES J. PRINCE and CARI L. PRINCE**, whose address is 3067 South 2000 East, Wendell, Idaho 83355, the "Grantees", the following described premises located in Jerome County, Idaho, to wit:

PARCEL No. 1:

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

SECTION 16: NE $\frac{1}{4}$ SE $\frac{1}{4}$; THAT PART OF THE S $\frac{1}{2}$ SE $\frac{1}{4}$ LYING EAST OF THE S-14 CANAL OF THE NORTH SIDE CANAL Co., LTD.

EXCEPT A TRACT OF LAND IN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 16;
THENCE NORTH 89°37' WEST 613.12 FEET ALONG THE NORTH LINE OF SAID NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 16;
THENCE SOUTH 60°45' EAST 174.58 FEET;
THENCE SOUTH 47°15' EAST 144.41 FEET;
THENCE SOUTH 82°57' EAST 357.58 FEET TO THE EAST LINE OF SAID SECTION 16;
THENCE NORTH 00°02' WEST 223.10 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL No. 2:

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

SECTION 16: A TRACT OF LAND IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 16;
THENCE NORTH 89°37' WEST 613.12 FEET ALONG THE SOUTH LINE OF SAID SE $\frac{1}{4}$ NE $\frac{1}{4}$ TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 54°37' WEST 557.99 FEET TO THE CENTERLINE OF THE S-14 CANAL OF THE NORTH SIDE CANAL Co.;

MICROFILMED

THENCE SOUTH 15°06' WEST 207.97 FEET ALONG SAID CENTERLINE;
THENCE SOUTH 49°40' WEST 182.26 FEET ALONG SAID CENTERLINE TO INTERSECT THE
SOUTH LINE OF SAID SE¼NE¼;
THENCE SOUTH 89°37' EAST 648.06 FEET ALONG SAID SOUTH LINE TO THE TRUE POINT
OF BEGINNING.

together with all water rights appurtenant to it, including but not limited to,

- WATER RIGHT No. 36-14182
- WATER RIGHT 36-08505.
- ~~86.8~~ 86.8 SHARES OF STOCK IN THE NORTH SIDE CANAL COMPANY, LTD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except for:

1. Taxes for 2001 and subsequent years.
3. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
4. Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
5. Right of way for state highway granted to the State of Idaho by Easement dated February 13, 1930, recorded August 16, 1930, Book 102 Page 23, Jerome County records, affecting a strip of land 33 feet wide, being 33 feet on the North side of a center line across S½SW¼ and S½SE¼, Section 16, Township 8 South, Range 16, East Boise Meridian.
6. Easement given by Ethel McMaster, a widow, Herman L. Krueger Jr. and Dorothy M. Krueger, husband and wife, to the State of Idaho and the North Side Canal Co., Ltd., dated March 11, 1969, recorded March 21, 1969 in Book 184 Page 235 as Instrument Number 180195, Jerome County records, for the right to go upon, occupy, and use a portion of the NE¼SE¼ of Section 16, Township 8 South, Range 16, East Boise Meridian, for the purpose of constructing or installing thereon a headwall and an irrigation line.

DATED THIS 10th day of August, 2001.

"GRANTORS"

Arthur Nunes
ARTHUR NUNES

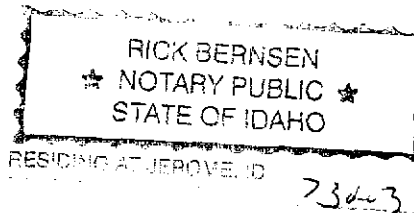
Connie Nunes
CONNIE NUNES

STATE OF IDAHO)
 ss:
County of Jeune)

On this 10th day of August, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ARTHUR NUNES and CONNIE NUNES, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

[Signature]
NOTARY PUBLIC for Idaho
Residing at:
Commission Expires:



MICROFILMED

For Office Use Only
\$25 filing fee 15
Receipt # 5024154
Date 7/17/2001

11/99

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 17 2001
Department of Water Resources
Southern Region

JUL 19 2001
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, HERMAN KRUEGER, hereby assign to Arthur Nunes
of, 163 N 3rd West JEROME ID 83338 324-5731
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 36-8505 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 16th day of July, 2001.

Herman Krueger Jr.
Permit Holder(s)

State of Idaho)
County of Jerome)ss

On this 16th day of July, 2001, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Marva J. Walters
Notary Public residing at

SEAL

Jerome, Idaho

My commission expires: 5-10-07
MICROFILMED
APR 14 2004

MARVA WALTERS
NOTARY PUBLIC
STATE OF IDAHO

RECEIVED
APR 11 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Amt. of Fee \$ 50Date 12/10/91Receipt No. 303977Received by [Signature]

Department of Water Resources

PROOF OF BENEFICIAL USE

DEC 10 1991

RECEIVED
DEC 10 1991

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. Southern Region Office P36-08505 Telephone No. 1-208-324-4068

2. Name(s) of Permit Holder(s): HERMAN L. KRUEGER AND/OR DOROTHY KRUEGER

3. Post Office Address: JEROME, IDAHO 63 N. 300 W. 83338

4. Source of Water: GROUND WATER

5. If ground water, well driller's name: FATCH & SONS WENDELL Date drilled: 1989

2 wells 6. Pump horsepower: 2 HP Pressure (psi): 60 lb Dynamic pumping level (ft.): 210

5. Extent of Use:

Domestic ✓ (No. of households) (1) Irrigation _____ (No. of acres)

Stockwater ✓ (No. and type of stock) 800 CATTLE Other _____

6. Total rate and/or volume for which proof is submitted .20 cfs _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 50 NO FEE (See License Examination Fee Schedule) NO FEE IS REQUIRED FOR SINGLE OWNERSHIP, DO MOST USE OR STOCKWATER USE OF LESS THAN 13000 GAL PER DAY

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

HERMAN KRUEGER

Name

208-324-4068

Telephone No.

03 N 300 WEST JEROME IDAHO

Address

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

4/5/91
Date

Herman L. Krueger
Signature (and title if on behalf of a company or organization)

DEC 23 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08505

Proposed Priority: February 23, 1990 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **HERMAN L. KRUEGER**
DOROTHY KRUEGER
63 N. 300 W.
JEROME, ID 83338

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.20 CFS
✓ COMMERCIAL	01/01 to 12/31	0.20 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.20 CFS

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

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 16 SESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 2 points of diversion located in SESESE, S16, T8S, R16E.
5. Stockwater use is for 800 dairy cattle; commercial use is for a dairy barn; domestic use is for 1 home.

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

24th day of May, 1990

for *R. Keith Higgins*
R. Keith Higgins, Director

MICROFILMED

MAY 29 1990

RECEIVED

Form 202
6/85

FEB 23 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No. 36-08505

Department of Water Resources

Southern Region Office To appropriate the public waters of the State of Idaho

1. Name of applicant Herman L. ⁺/r Dorothy Krueger Phone 324-4068
Post office address 63 N. 300 W. , Jerome ID 83338

2. Source of water supply Groundwater which is a tributary of _____
(2 pts.)

3. Location of point of diversion is SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____
Sec. 16 Township 8S Range 16 E B.M. Jerome County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

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

Amount 0.20 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 existing wells connected
to supply water to troughs and 2 houses and dairy
barn. (One house covered under A36-14182)

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

two existing

c. ~~Proposed~~ well diameter is 6 inches; ~~proposed~~ depth of well is 250 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

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. 800 Dairy cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 (mobile home)
- e. Other; describe fully. Commercial use is in dairy barn for washing, ect

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	
85	16E	16																S,D C	

Total number of acres to be irrigated _____

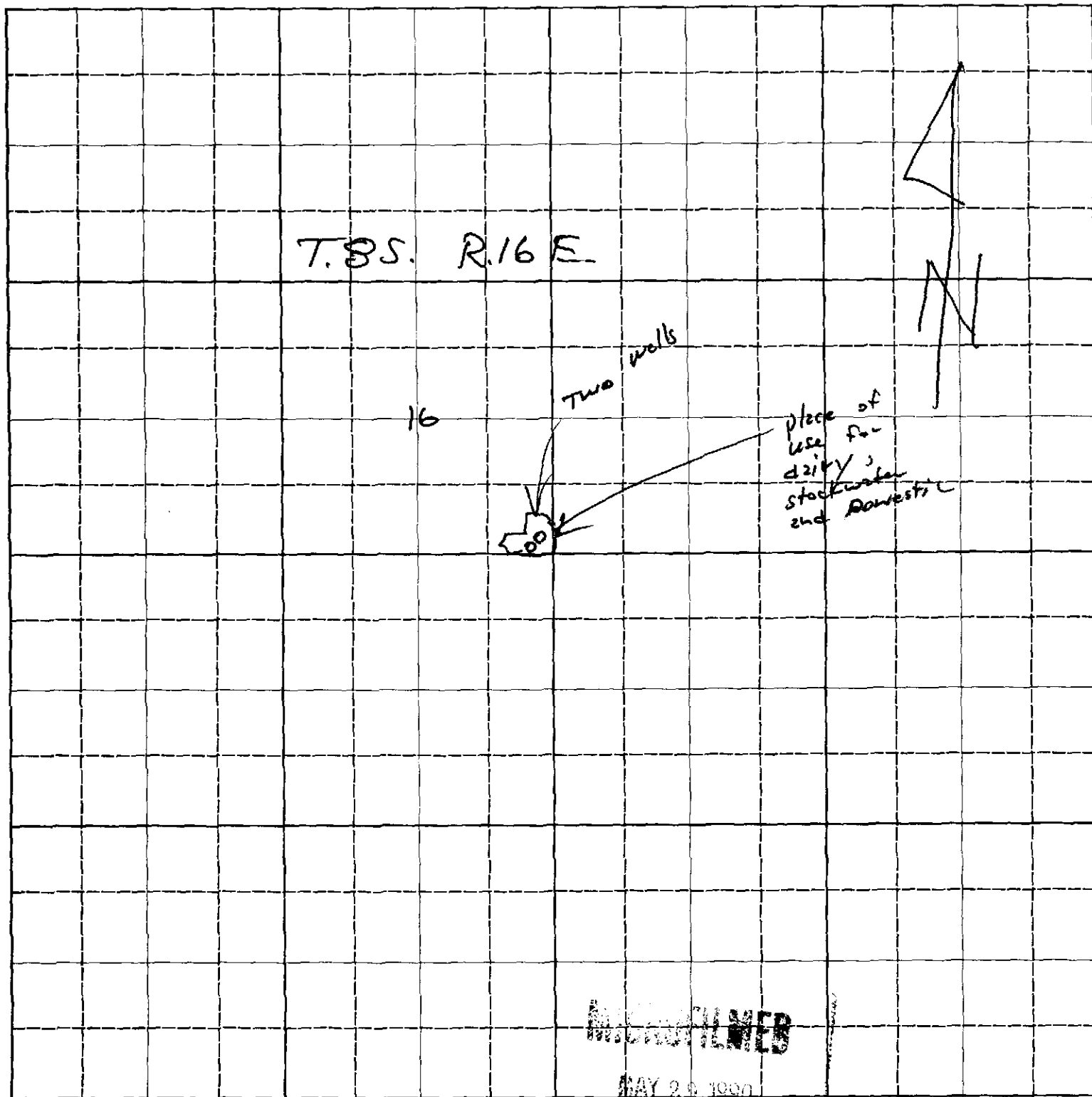
10. Describe any other water rights used for the same purposes as described above. The first house is served under A36-14182
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The dairy operation has been in existence since 1980 at the size listed on this application.

RECORDED

MAY 20 1990

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



Scale: 2 inches equal 1 mile.

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

Dorothy Kueger
(Applicant)

Received by ADm Date 2/23/90 Time 14:02 Preliminary check by J. F. Henton
Fee \$ 30⁰⁰ Receipted by ADm # 5011310 Date 2/23/90
Publication prepared by M. Baldwin Date 2/26/90 Published in North Side News
Publication approved I. Parker Date 4-17-90

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:

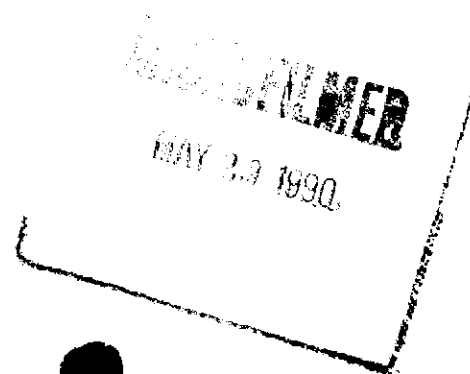
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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:



AFFIDAVIT of PUBLICATION

MAR 19 1990

State of Idaho,
County of Jerome

SS.

Department of Water Resources
Southern Region Office

C. Manning

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

each week for 28 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 7th day of March

19 90, and the date of the last publication was on the 14th

day of March, 19 90.

Subscribed and sworn to before me this 15

day of March, 19 90.
(SEAL)

Norma DeVoe

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions 28

Lines tabular at	6¢/Pica
<u>409.5</u> Lines straight at <u>20.48</u>	5¢/Pica
Subsequent lines at <u>16.50</u>	4¢/Pica
TOTAL COST <u>96.50</u>	

COPY OF NOTICE

(Paste Here)

Appellate Water Right
TITLE OF NOTICE
28-08505 - Krueger

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Idaho Dept. of Water Resources
BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

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

28-08505

KRUEGER, HERMAN
KRUEGER, DOROTHY

83 N. 300 W.

JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: SESESE Sec 16 T 08S R 16E

Use: STOCKWATER (.200 CFS)

COMMERCIAL (.200 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 2/23/1990

In: T08S R16E S16 SESE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 26, 1990.

R. Keith Higginson

Director

N13885

Pub: 3-7, 14

7-8 pt. per line tabular.....6¢/Pica

7-8 pt. per line successive

insertions.....4¢/Pica

No 3953

1-30-90



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 16, 2002

JAMES J PRINCE
CARL L PRINCE
3067 S 2000 E
WENDELL ID 83355

RE: License No. 36-8505 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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 a party 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.

Enclosed is a copy of the approved Application for Amendment.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klf

Enclosure(s)

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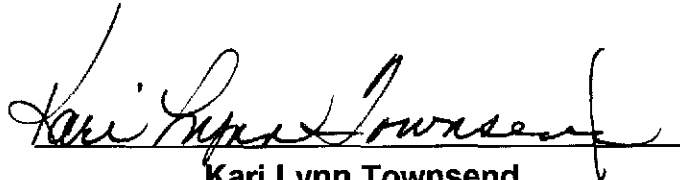
APR 23 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8505

**JAMES J PRINCE
CARI L PRINCE
3067 S 2000 E
WENDELL ID 83355**


Kari Lynn Townsend
Secretary

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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).

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SEP 23 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.

APR 23 2002



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 1, 2002

JAMES J PRINCE
CARI L PRINCE
3067 S 2000 E
WENDELL ID 83355

RE: Water Right Permit No. 36-08505

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Place(s) of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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APR 23 2002

LICENSE REVIEW CHECKLIST

Permit No. 36-8505 Date: 4-1-2002 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

Place of Use

add
commercial
waste plu

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Per VAX:
no pld OL
no plu OL

Overlaps: Right(s): 36-14182-domestic rt., 1 home
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.20 cfs
Fee Limit 0.20 cfs
Measured _____ cfs
Theoretical 0.08 cfs

Recommended Total Diversion Rate 0.08

Water Uses

OK Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater 0.08 cfs 37.4 af
Domestic 0.04 cfs 1.2 af
Comm 0.08 cfs 37.4 af
Total 0.08 cfs 38.6 af

↑
Per
excel
spreadsheet

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/W05/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: R04, W36, W01, W08

Additional Conditions 130

Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R35 - remove D51)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

NO - not req'd

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

Water Right Report 36-14182

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ANN H FLAMELING 03 N 300 W JEROME, ID 83338
Original Owner	GEORGE FLAMELING 03 N 300 W JEROME, ID 83338
Current Owner	ARTHUR NUNES 03 N 300 W JEROME, ID 83338
Current Owner	CONNIE NUNES 03 N 300 W JEROME, ID 83338

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	Total Diversion:	0.040 CFS	

GROUND WATER SE1/4SE1/4SE1/4 Sec. 16, Twp 08S, Rge 16E, B.M.
JEROME County

[illegible][illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-14182

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RL08S16E162214 STOCKWATER, 50 RANGE CATTLE

Comments:

1. ROBERTSO 11/5/1992 OWNERSHIP CHANGE
Comment: Change of ownership form received 11/2/92, original owners Herman & Dorothy Krueger - new owners George & Ann Flaming. Copy of deed submitted with form. A36-14182 also changed on this date.
2. D&S-DSHA 10/2/1996 D&S CONDITION CODE UPDATE
Comment: CONDITION CODE N11 ADDED CONDITION CODE N13 ADDED

Dates and Other Information:

Licensed Date:
Decreed Date: 2/24/1998
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector: AND/OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 27 2002

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATIONPermit No. 36-85051. Owner: JAMES f/or CARI PRINCE Phone No. (208) 536-5622Current Address: 3067 S 2000E WENDELL, ID 833552. Accompanied by: JAMES PRINCE EXAM DATE: 3/11/2002Address: SAME AS ABOVE Phone No. SAME AS ABOVERelationship to Permit Holder: SAME3. Source: GROUNDWATER tributary to _____**B. OVERLAP REVIEW**1. Other water rights with the same place of use: NONE2. Other water rights with the same point of diversion: 36-14182**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SE	16	08S	16E	JEROME	MAPS & AERIAL PHOTOS

2. Place(s) of Use:

Indicate Method of Determination MAPS & AERIAL PHOTOS

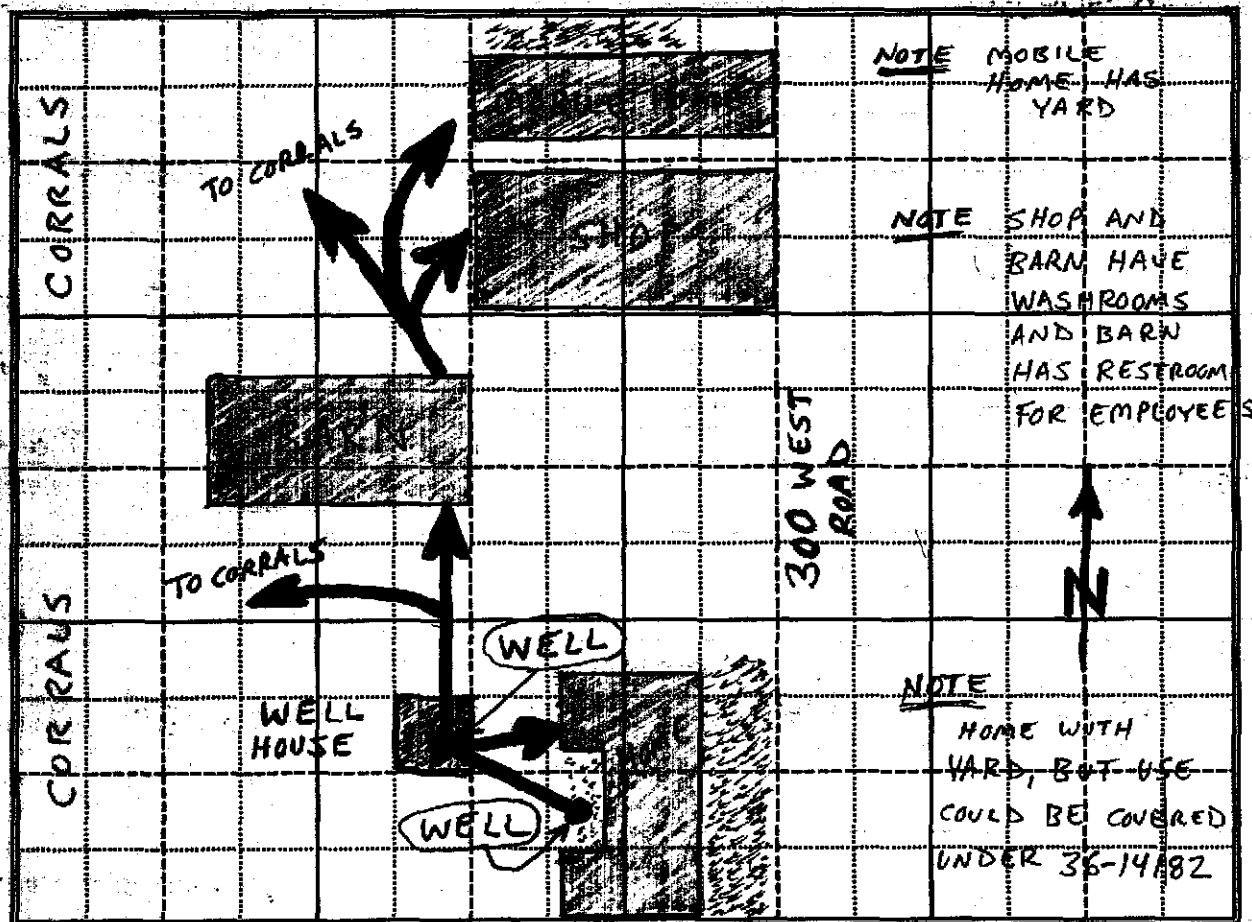
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	16E	16																S	
																		C	
						C*									C*			D	

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C* = COMMERCIAL LAND APPLICATION
OF WASTEWATER

APR 23 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
?	FRANKLIN	2	2823018110	*	
?	FRANKLIN	2	2002018110*	*	

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

* NAME PLATE DIFFICULT TO READ
PUMPS WERE SUBMERSIBLE

D. FLOW MEASUREMENTS

1. NONE

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

2. Measurements: _____

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APR 23 2002

F. FLOW CALCULATIONS

Measured Method:

$$Q = \frac{(8.8) \times (HP) \times (E)}{H} = \frac{(8.8) \times (2) \times (1.70)}{[190' + (2.31)(58 \text{ psi})]} = 0.038 \text{ cfs}$$

FROM WELL LOG

FROM CURVE IN PIPING SYSTEM

0.04 cfs *
(for one well)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

* 0.04 cfs for 24 hrs per day & 365 days per year is less than 30 AFA, so both wells need to run @ least part of the time to provide needed volume.

2. Volume Calculations for Other Uses: DOMESTIC (WITH YARD) $\Rightarrow$ 1.2 AFA (IDWR STANDARD)

WASHROOM/BATHROOM USE $\Rightarrow$ ASSUME 10 g/day per worker

$$\frac{(10 \text{ gpd})(6 \text{ workers})(365 \text{ days})}{325,850} = .07 \text{ AFA} \Rightarrow \text{ALLOW } 0.10 \text{ AFA FOR COMMERCIAL (ADDITIONAL)}$$

DAIRY (STOCK & COMMERCIAL USE): FROM SPREADSHEET 37.3 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
STOCKWATER	01/01	12/31	0.08 cfs *	37.4 AFA
COMMERCIAL	01/01	12/31	0.08 cfs *	37.4 AFA
DOMESTIC	01/01	12/31	0.08 cfs *	1.2 AFA
Totals:			0.08 cfs *	38.6 AFA

* SEE NOTE ABOVE

2. Recommended Amendments

Change P.D. as reflected above Add P.D. as reflected above None
Change P.U. as reflected above X Add P.U. as reflected above Other

TO REFLECT LAND APPLICATION AREA

I. AUTHENTICATION

Field Examiner's Name COREY SKINNER Date 3/12/2002

Reviewer _____ Date _____

SEAL

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APR 23 2002

E. NARRATIVE/REMARKS/COMMENTS

Proof of Beneficial Use for permit 36-8505 was filed in 1991, and the property has changed hands several times since proof was filed. Mr. Prince, the current permit holder, recently obtained the property and permit. Prior to obtaining the property, Mr. Prince worked on the dairy site since about December of 1999. Mr. Prince was familiar with how the dairy has been operated the last couple of years, and had some limited knowledge of how the dairy was previously operated. **The information in the dairy spreadsheet is based on cow numbers and dairy operation practices since Mr. Prince has been involved with the operation, but prior to becoming the owner.**

Since purchasing the property a few months ago, Mr. Prince has been attempting to manage the water more efficiently at the dairy, with the idea of any water savings allowing for possible expansion of the dairy herd. He has recently removed the plate cooler system that required continual water flow while milking (22 hours per day) and replaced it with a "chiller" system that operates on demand and allows for the recycling of water. In addition, he has replaced a smaller bulk tank, which had to be washed three times a day, with a larger bulk tank that only has to be washed once every two days.

Note that the original application and permit describe "800 dairy cattle", which may allow for the possibility of 800 milking cows. However, Mr. Prince stated that since he has been involved with the operation, the herd has consisted of about 650 milking cows and 150 dry cows. He said that the previous owners may have milked more cattle, and may have even milked three times a day, because apparently the previous owners had to routinely pump waste water from the existing lagoons. Since he has been involved with the dairy, Mr. Prince stated that he hardly ever has to pump wastewater from the lagoons, so he suspects that less water has been used the last couple of years than compared to previous years. However, Mr. Prince was unable to provide any evidence of uses above and beyond those described on the enclosed dairy water use worksheet.

The system consists of two interconnected wells (with 2 horsepower motors) that supply water to two homes (with yards), a shop, dairy barn, and corrals. Note that water use for one of the homes is covered by decreed right 36-14182, and that the permit only allows domestic use for one home. Mr. Prince said that the wells are supposed to operate together when needed. Note that the estimated required annual volume for the facility (plus the domestic use under right 36-14182) is more than can be provided by the theoretical diversion rate from one of the wells, so the maximum recommended diversion rate reflects the simultaneous theoretical diversion from both wells. In addition, the total estimated volume for the dairy operation (37.4 AFA) was recommended for stockwater & commercial uses (with total combined volume limited to 37.4 AFA) in accordance with the enclosed Department Draft Memo entitled "Water Use Quantification For Dairies". This would enable Mr. Prince to have some flexibility in cow numbers as he continues to become more efficient with his commercial water use(s).

15.

Have conditions of permit approval been met? ☒ yes ☐ no

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2013

FILE NUMBER 36-5605
REVIEWER Corey Skinner

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 650
NUMBER OF DRY CATTLE 150
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS 0
3-4 MONTHS 0
5-9 MONTHS 0
9-12 MONTHS 0
13-15 MONTHS 0
16-24 MONTHS 0
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS 2
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN 0
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN) 0.00
OPERATION TIME OF SPRINKLERS (MIN/DAY) 0
NUMBER OF MILKINGS PER DAY 2
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.) 70
HOURS PER DAY PUMP OPERATES FOR STOCKWATER USE 0.0
HOURS PER DAY PUMP OPERATES FOR COMMERCIAL USE 0.0
IS RECYCLED WATER USED TO FLUSH MILKHOUSE AND PARLOR FLOORS? N
IS RECYCLED WATER USED TO WASH COWS? N
IS A PLATE COOLER USED? Y
IS RECYCLED WATER USED FOR PLATE COOLER? (IF NO PLATE COOLER,
LEAVE BLANK) N
IF CORRAL MISTERS ARE USED: NUMBER OF MISTERS IN HOLDING PEN 0
NOZZLE DISCHARGE (GPM) 0.00
OPERATION TIME OF MISTERS (MIN/DAY) 0
DAYS PER YEAR MISTERS ARE USED 0

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER
MILKING CATTLE (BASED ON MILK PRODUCTION) #####
DRY CATTLE @ 17.0 GPD/HD #####
REPLACEMENT CATTLE #####
TOTAL #####

COMMERCIAL
TOTAL #####

TOTAL DIVERSION RATE #####

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE 21.0
DRY CATTLE 2.3
REPLACEMENT CATTLE 0.0
TOTAL 23.2

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
BACKFLUSH 0.7
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP 2.0
CATTLE WASHING BASED UPON METHOD OF WASHING 5.8
PLATE COOLER 5.8
CORRAL MISTERS 0.0
TOTAL 14.1

TOTAL DIVERSION VOLUME 37.3

CONSUMPTIVE USE VOLUME (AFA)(assuming 100% consumptive):

STOCKWATER 29.2
COMMERCIAL 14.1
TOTAL CONSUMPTIVE USE 37.3

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	2.00	2.00	0.00	0.00	0.00
LIFT (FT)	190	190	0	0	0
DISCHARGE PRESSURE (PSI)	58	58	0	0	0
FRICTION LOSSES (FT)	0.0	0.0	0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	22.0	22.0	0.0	0.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) *	0.04	0.04	0.00	0.00	0.00
DIVERSION VOLUME (AFA) **	25.2	25.2	0.0	0.0	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS EVERY DAY OF THE YEAR.

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

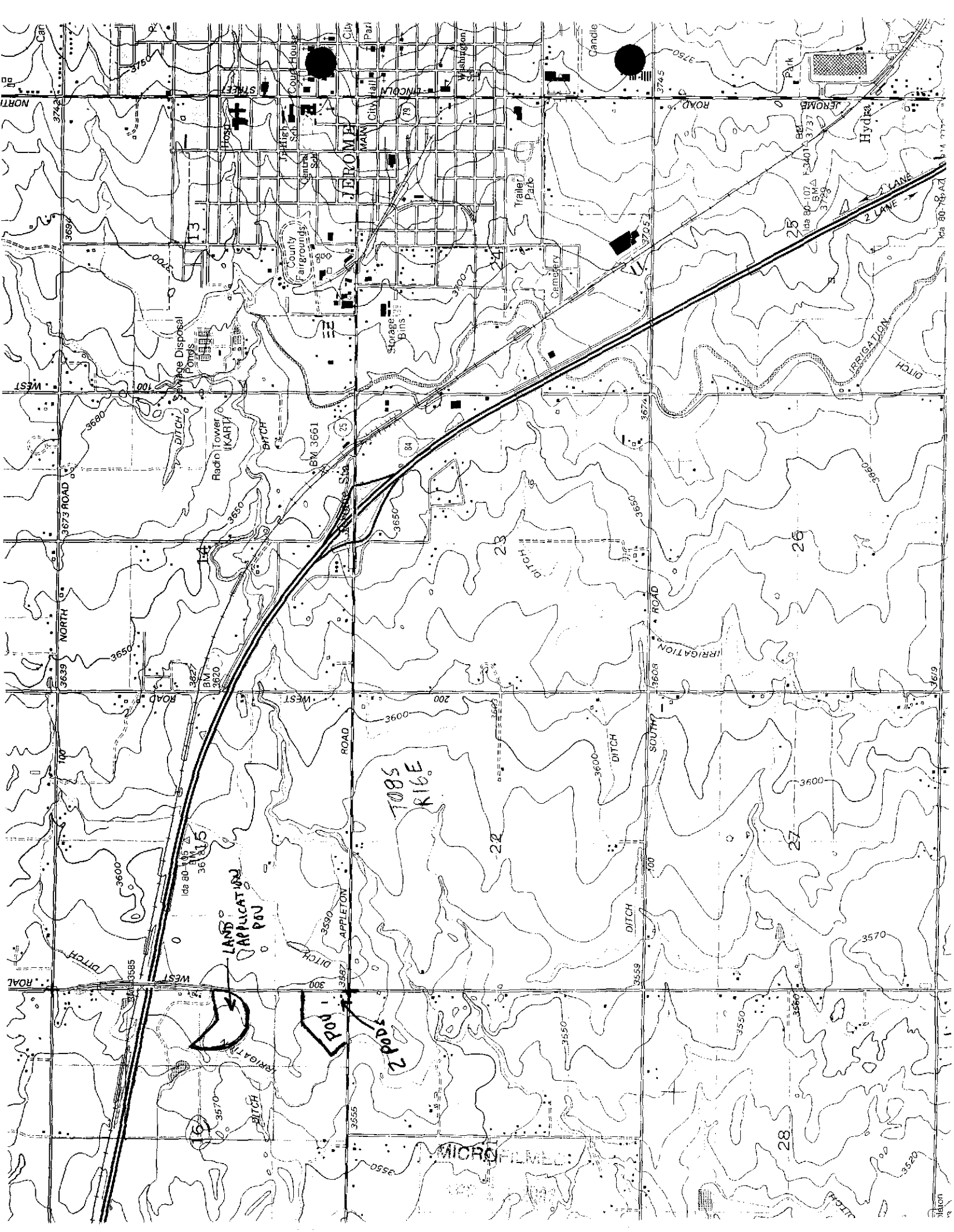
DIVERSION RATE	0.00 CFS
ACRES OF IRRIGATION	0.0 ACRES
DIVERSION VOLUME	0.0 AC-FT/AC
CONSUMPTIVE USE VOLUME	0.0 AC-FT/AC
IRRIGATION IS BEING CONVERTED FOR WHICH PORTION OF THE DAIRY OPERATION - STOCKWATER (S), COMMERCIAL (C), OR BOTH (B)? B	

CALCULATIONS

IRRIGATION DIVERSION RATE PER ACRE	#DIV/0!	CFS/AC
REDUCTION OF IRRIGATION BASED ON DIVERSION RATE	#DIV/0!	ACRES
REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME	#DIV/0!	ACRES
REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE	#DIV/0!	ACRES

MICROFILMED

APR 23 2002



MICROFILM:





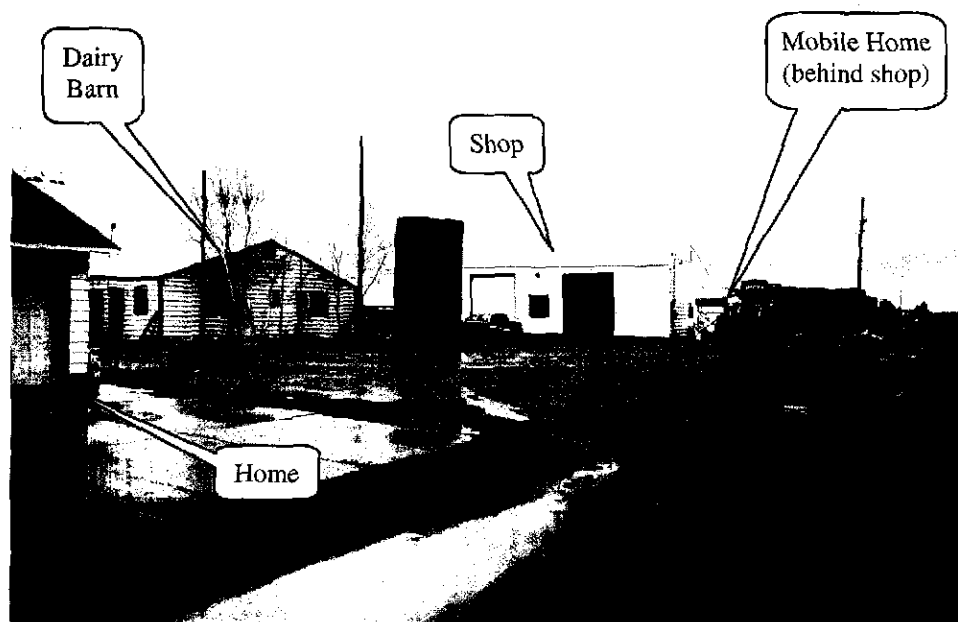
ABOVE: View of one of the wells that serves as one of the points of diversion. The second well, and point of diversion, is located in a well house about 40 or 50 feet to the northwest of the well shown in this photo.

BELOW: View of the other well and the piping system in the well house.



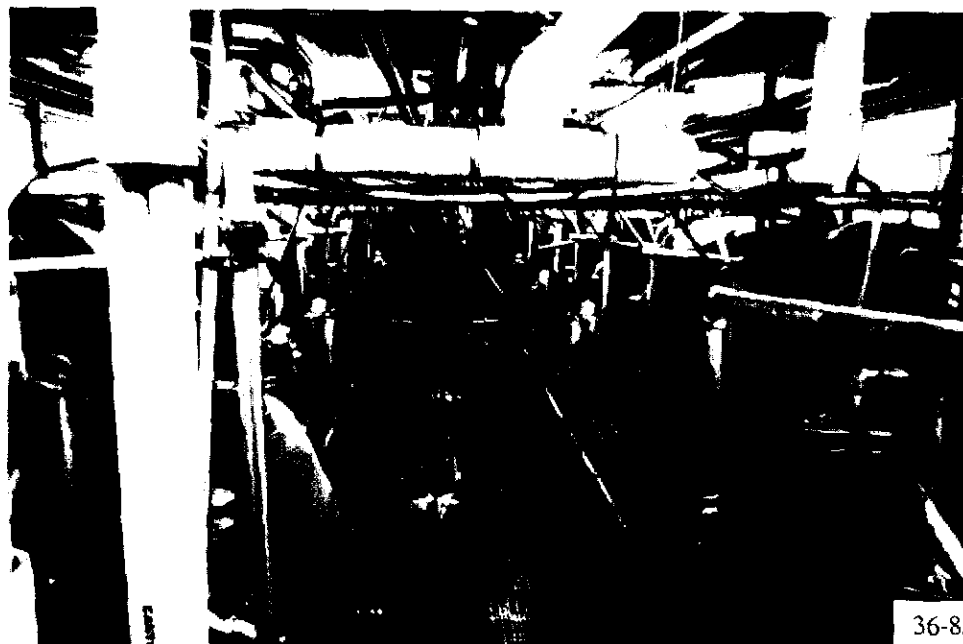
36-8505
Field Exam Photos
March 11, 2002

MICROFILMED
APR 23 2004



ABOVE: View from the 300 West Road along the east side of Section 16, showing various parts of the place of use.

BELOW: View inside the dairy barn, showing cows being milked. The barn had 16 milk stalls.



36-8505
Field Exam Photos
March 11, 2002

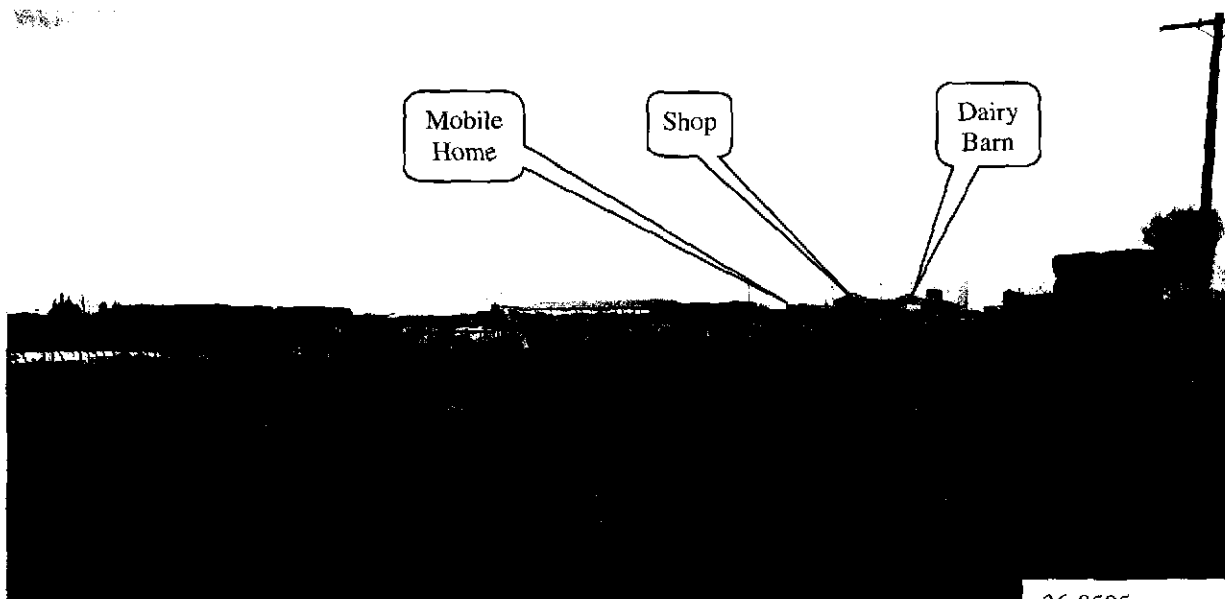
MICROFILM

1997 2 3 2002



ABOVE: View looking north along the 300 West Road showing the location of the dairy site in relation to the Southeast corner of Section 16.

BELOW: View from near the southwest corner of the dairy site showing cows in the corrals and the location of various parts of the place of use.



36-8505
Field Exam Photos
March 11, 2002

MICROFILMED

APR 23 2002

S1
4/92

RECEIVED

MAR 27 2002

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO.

36-8505

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☒) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☒) Copy of Orthophotoquad Map
- (☒) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- (☐) Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

If Yes, Type of Overlap: (☒) Add Acres or Uses to Existing System
(☐) Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

If Yes, Type of Overlap: (☐) Increase Rate of Flow or Volume
(☐) Add Supplemental Water Source
(☐) Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 3/11/2002

Time 2:00

Place @ SITE

Contact Person & Phone JIM PRINCE 536-5622

D. Post-Exam Review & Processing

Exam Completed 3/11/2002

Notice of Completion Turned In _____

Field Report Completed 3/13/2002

[Signature] 3/13/2002
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. AD 7/25/02 (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 28, 2001

JAMES J PRINCE
CARL L PRINCE
3067 S 2000 E
WENDELL ID 83355

RE: Change of Ownership for Water Right 36-8505

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:kit

Enclosure

MICROFILMED

OCT 02 2001



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

August 22, 2001

Rick Bernsen
Land Title and Escrow, Inc.
PO Box 349
Jerome, ID 83338

Dear Mr. Bernsen:

Our office recently received an Assignment of Permit form submitted by your office regarding an apparent transaction between Arthur and Connie Nunes and James and Cari Prince. The Assignment of Permit that was submitted listed two water right numbers, 36-14182 and 36-8505, on the form. A review of Department records revealed that record 36-14182 is a decreed water right, and 36-8505 is a water right permit.

Since record 36-8505 is a water right permit, we can process the assignment for that particular record. However, since 36-14182 is a decreed water right, we will need to have a "Notice of Change in Water Right Ownership" form submitted in order to change the ownership of this particular record.

I have included a copy of a proof report of 36-14182 and a "Notice of Change in Water Right Ownership" form, along with instructions, for your reference. Please note that George and Ann Flameling are listed as the current owners of right 36-14182. We will need to have a chain of title (copy of deeds) showing conveyance of the right, or property associated with the right, from the Flamelings to the Princes. In addition a map of the property associated with right 36-14182, and a \$25.00 filing fee needs to be included.

If you have any questions, or need any further assistance, feel free to contact this office at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

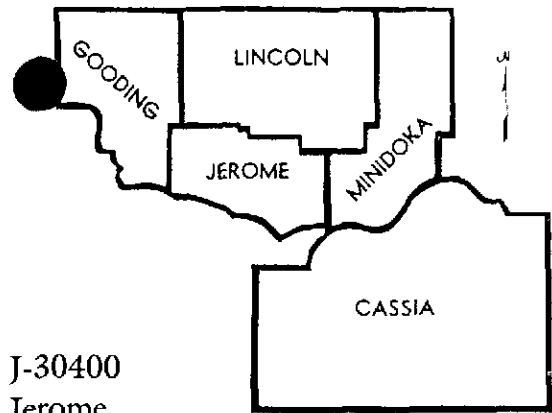
Enclosures

MICROFILMED

OCT 02 2001

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-30400
OFFICE: Jerome

August 21, 2001

State of Idaho
Department of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, ID 83301

RE: ASSIGNMENT OF WATER PERMIT
PRINCE/NUNES

Dear Sirs :

Please find enclosed Check number 3751 in the amount of \$25.00 for the assignment of water permit on Arthur Nunes to James J. Prince and Cari L. Prince. Also enclosed is the Assignment of Permit and a copy of Warranty Deed.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in black ink, appearing to read "Rick Bernsen".

Rick Bernsen
Manager

enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1189

MICROFILMED

OCT 02 2001

RECEIVED
AUG 22 2001
Department of Water Resource
Southern Region



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

July 20, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ARTHUR NUNES
63 N 300 W
JEROME ID 83338

RE: Change of Ownership for Water Right 36-8505

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

AUG 30 2001

December 20, 1991

DOROTHY KRUEGER
HERMAN L. KRUEGER
63 N. 300 W.
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08505

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

PROCESSED
DEC 23 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 36-8505

Date 4-19-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, prepare data entry form.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. 36-87-S-20
☒ Well log in file?
100 Amt paid for drilling permit? yes Correct?

LICENSE EXAMINATION FEE

- yes Required?
☒ Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- no Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

needs L.E. Fee

needs w.c. & D.P. OK

proof acceptable

*received per Mar
90.00 addition
Drilling Permit
Fee*

PRIORITY CALCULATION

Date proof received

NA

Date proof due

-

No. of days late

=

Priority date

+

NEW PRIORITY DATE

=

*proof made 4/11/91
12/20/91
KXG*



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 25, 1991

Herman and Dorothy Krueger
63 North 300 West
Jerome, ID 83338

Re: Permit No. 36-08505

Dear Permit Holder:

Returned is your Proof of Beneficial Use form submitted to this office on April 11, 1991, indicating the total rate of water use to be .20 cfs.

When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of .20 cfs. is \$50. Note the back of the enclosed instruction sheet/fee schedule.

Please return this form and fee to me within 30 days of the date of mailing. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

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

Sincerely,
Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECORDED

DEC 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

USE TYPEWRITER OR

BALLPOINT PEN

FEB - 3 1988

1. WELL OWNER Name <u>Harman Krueger</u> Address <u>Jerome</u> Owner's Permit No. <u>36-87-5-020 OK</u>		7. WATER LEVEL Department of Water Resources Static water level <u>190</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____ - Describe artesian or temperature zones below.																																																																																																																						
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																		
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☒ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th rowspan="2">Water Yield No.</th></tr><tr><th>From</th><th>To</th></tr></thead><tbody><tr><td>8</td><td>0</td><td>14</td><td>Top Soil</td><td>X</td></tr><tr><td>8</td><td>14</td><td>15</td><td>Gray Lava</td><td>X</td></tr><tr><td>8</td><td>15</td><td>21</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>21</td><td>25</td><td>Red Lava</td><td>X</td></tr><tr><td>8</td><td>25</td><td>38</td><td>Red Clay</td><td>X</td></tr><tr><td>8</td><td>38</td><td>44</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>44</td><td>51</td><td>Gray Lava</td><td>X</td></tr><tr><td>8</td><td>51</td><td>58</td><td>Brown Sand</td><td>X</td></tr><tr><td>8</td><td>58</td><td>58</td><td>Brown Clay</td><td>X</td></tr><tr><td>8</td><td>58</td><td>63</td><td>Red Lava</td><td>X</td></tr><tr><td>8</td><td>63</td><td>65</td><td>Red Lava</td><td>X</td></tr><tr><td>8</td><td>65</td><td>71</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>71</td><td>78</td><td>Black Clinders</td><td>X</td></tr><tr><td>8</td><td>78</td><td>88</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>88</td><td>88</td><td>Brown Clay</td><td>X</td></tr><tr><td>8</td><td>88</td><td>95</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>95</td><td>97</td><td>Brown Clay</td><td>X</td></tr><tr><td>8</td><td>97</td><td>105</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>105</td><td>118</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>118</td><td>122</td><td>Brown Clay</td><td>X</td></tr><tr><td>8</td><td>122</td><td>128</td><td>Black Lava</td><td>X</td></tr><tr><td>8</td><td>128</td><td>225</td><td>No Returns</td><td>X</td></tr></tbody></table>		Bore Diam.	Depth		Material	Water Yield No.	From	To	8	0	14	Top Soil	X	8	14	15	Gray Lava	X	8	15	21	Black Lava	X	8	21	25	Red Lava	X	8	25	38	Red Clay	X	8	38	44	Black Lava	X	8	44	51	Gray Lava	X	8	51	58	Brown Sand	X	8	58	58	Brown Clay	X	8	58	63	Red Lava	X	8	63	65	Red Lava	X	8	65	71	Black Lava	X	8	71	78	Black Clinders	X	8	78	88	Black Lava	X	8	88	88	Brown Clay	X	8	88	95	Black Lava	X	8	95	97	Brown Clay	X	8	97	105	Black Lava	X	8	105	118	Black Lava	X	8	118	122	Brown Clay	X	8	122	128	Black Lava	X	8	128	225	No Returns	X
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		RECEIVED IDAHO DEPARTMENT OF WATER RESOURCES Southern Region Office DEC 23 1991																																																																																																																						
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>0.025 inches</td><td>6.8/8 inches</td><td>1 feet</td><td>19 feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>19</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding 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 _____				Thickness	Diameter	From	To	0.025 inches	6.8/8 inches	1 feet	19 feet													Number	From	To																																																																																														
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6. LOCATION OF WELL Sketch map location must agree with written location. N W E S Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome</u> <u>8 S 16 E</u> <u>SE 1/4 Sec. 16 T. 3 N. S. R. 16 E.W.</u>		10. Work started <u>11-03-87</u> finished <u>11-04-87</u>																																																																																																																						
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Eaton Drilling</u> Firm No. <u>26</u> Address <u>Wendell</u> Date <u>11-16-87</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>BOO McNamee</u>																																																																																																																								

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

RECEIVED

OCT 30 1987

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources
Southern Region Office

(Authorizing Construction of a Well)*

RECEIVED

NOV 04 1987

Department of Water Resources

1. Applicant Herman Knueger
2. Address 3 N 300 W
Jerome, Id
- (☒) Well Owner () Well Operator () Other, specify _____
3. Water right permit no. _____; Injection well permit no. _____
4. Proposed well location SE 1/4 SE 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 16, Twp. 8 S, Rge. 16 E, County Jerome,
Lot, block and subdivision _____
5. Proposed use of well: (Check all that apply)
- (☒) Domestic (☒) Stockwater () Monitoring
() Irrigation () Industrial () Municipal
() Injection () Other, Specify _____
6. Well construction information:
- (☒) New well () Deepen () Replace
- Proposed surface diameter 6" Proposed depth 255'
- Anticipated bottom hole temperature:
- (☒) 85° F or less (Cold water well)
() 85° F to 212° F (Low temp. geothermal well)
() 212° F or more (Geothermal well)
7. Anticipated construction start date Nov. 4, 87
8. Well Driller (if known) EATON DRILLING & PUMP SERVICE, INC.
Address RT 1 Box 412 Wendell, Id. 83355
Date 10-28-87 Applicant's signature Gary Fisher
Title for Knueger

* After other pre-requisite approvals have been obtained.

MICROFILMED

DEC 23 1991

#026

Log Rec.

ACTION OF IDWR

(4) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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 its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
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. Issuance 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.

SPECIFIC CONDITIONS:

Dated this 2 day of November, 1987.

Signed

Loren O. Halverson

Title

Southern Region MGRReceived by M. Baldwin Fee 10⁰⁰

Date

11/2/87Receipt No. 44323

Construction start date

Construction start extension to

Extension approved by

DEC 23 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Nov. 1, 1991

Herman L. Krueger
63N 300W
Jerome, Idaho 83338

Dear Mr. Krueger,

Re: Drilling Permit

Please be advised that in order for your well to comply with the drilling requirements of Section 42-235, Idaho Code, you must submit an additional \$90 for the use of the well for commercial (dairy) purposes. When you applied for the drilling permit, you were issued a permit for the drilling of a domestic well only. The fee for drilling a well for commercial, domestic, and stockwater purposes is \$100.

If you do not submit any additional fee for the drilling permit, you are only authorized to use the well for domestic and stockwater purposes. The water right will not be licensed for commercial use. If you submit the \$90, the drilling permit can be amended to include the dairy use.

Please submit the additional \$90 fee within 30 days of the date of this letter. If you have any questions concerning this matter, please contact this office.

Very truly yours

Gary Funderburg
Sr. Water Resource Agent

GF/rf

MICROFILMED

DEC 23 1991

See paid

*Under
Receipt
SO14004*

*Re VAX query -
KW
4/1/02*

March 31, 1991

HERMAN L. KRUEGER
DOROTHY KRUEGER
63 N. 300 W.
JEROME, ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08505

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

DEC 23 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 24, 1990

HERMAN L. KRUEGER
DOROTHY KRUEGER
63 N. 300 W.
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P36-08505

Dear Permit Holder:

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

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

MAY 24 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAY 11 1990

MAY 30 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. E. Johnston DATE 2-26-90 APPLICATION NUMBER 36-08505

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 2-23-90

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

SWAN FALLS HOLD? No

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

Department of Water Resources

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

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 3/26/90
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 2/23/90
By [Signature] Date 4/30/90

STATE OFFICE REVIEW

P23

P16

46

See below for additional information
By [Signature] Date 5-18-90

ADDITIONAL INFORMATION

App. in TRUST area-DCMI

26-Feb-1990

Herman &/or Dorothy Kreuger
63 N. 300 W.
JEROME ID 83338

Re: Application for Permit No. 36-08505

Dear Applicant (s):

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

This office will be advertising the application in the North Side News on 3/7 & 3/14/90. 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,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

MAY 29 1990

JS:MB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

FEBRUARY 26, 1990

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

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 26, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

NOTIFIED

MAY 29 1990

36-08505

KRUEGER, HERMAN
KRUEGER, DOROTHY
63 N. 300 W.
JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: SESESE Sec 16 T 08S R 16E

Use: STOCKWATER	(.200 CFS)
COMMERCIAL	(.200 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.200 CFS)

Date Filed: 2/23/1990

In: T08S R16E S16 SESE

MICROFILMED

MAY 29 1990

NSN LEGAL

NOTICE OF APPLICATION
FOR WATER RIGHT

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

36-08505

KRUEGER, HERMAN
KRUEGER, DOROTHY
63 N. 300 W.

JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: SESESE Sec 16 T 08S R
16E

Use: STOCKWATER (.200 CFS)

COMMERCIAL (.200 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 2/23/1990

In: T08S R16E S16 SESE

The permit(s) will be subject to all prior
water rights. Protests may be submitted
on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director,
Dept. of Water Resources, 2148 4th
Avenue East, Twin Falls, Idaho 83301 on
or before MARCH 6, 1990.

26 R. Keith Higginson
Director
N13885

Pub: 3-7, 14

mb
3/6/90 NSN 3/6/90
called 3:45 w/ correction
mb

MICROFILMED

MAY 29 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 26, 1990.

R. Keith Higginson, Director

Published 3/07/1990 & 3/14/1990

EXHIBIT 1

1990