

GEOLOGICAL SURVEY

9S 23E Sec 25

113° 45' 7" 30"

275000m E

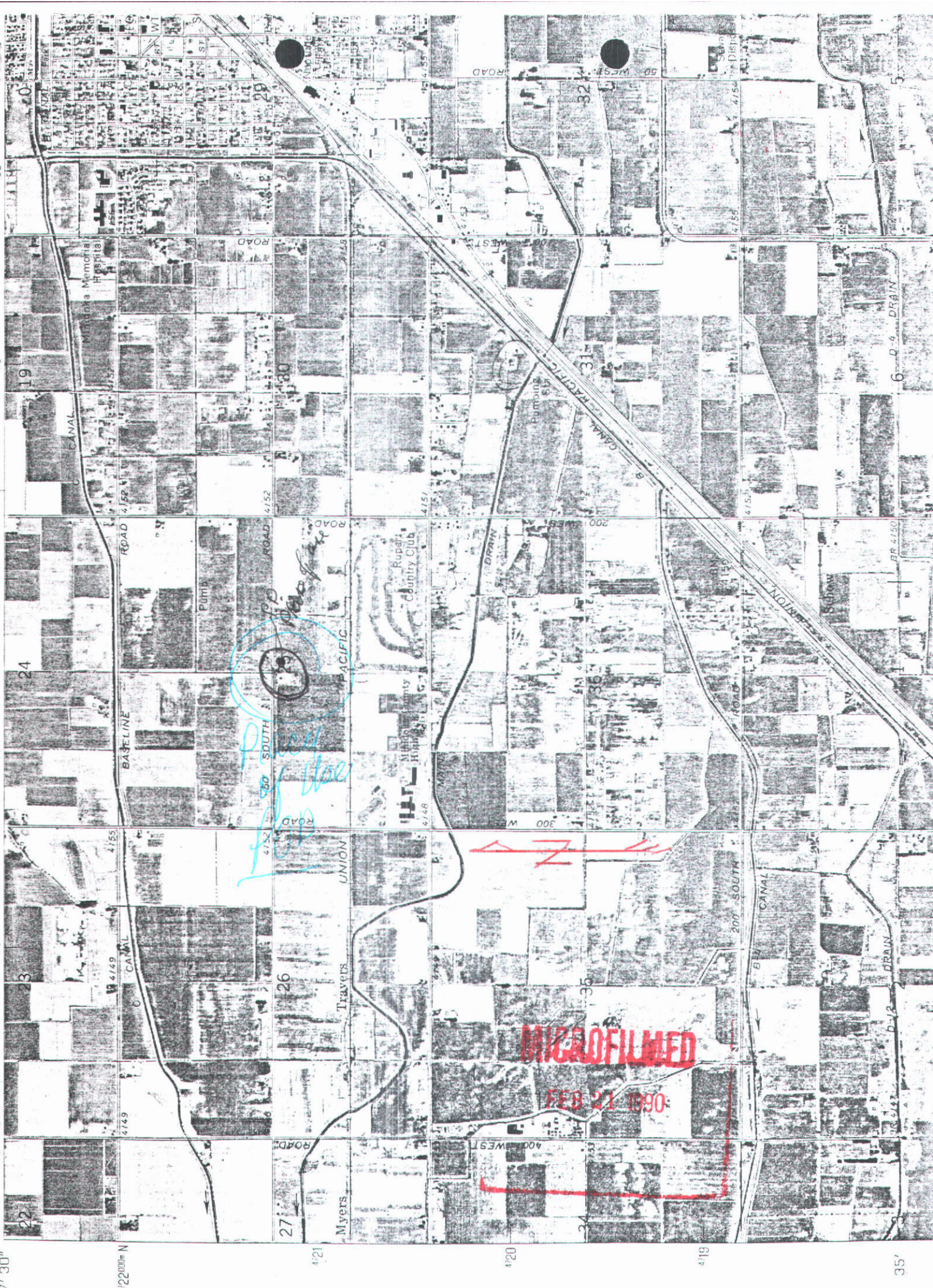
276

277

42' 30"

279

280



MICROFILMED

FEB 21 1990

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
 STATE OF IDAHO)
Lanette Sellers being first

duly sworn, deposes and says that she is the
Clerk of the South Idaho
 Press, a daily newspaper published at Bur-
 ley, Idaho, in the county aforesaid and that
 the paper is of general circulation therein.
 Deponent further states that the printed no-
 tice attached hereto was duly published
 according to law in the regular editions of

The South Idaho Press for Two (2)
 consecutive weeks, commencing with the issue
 dated October 19, 1989, and ending
 with the issue dated October 27, 1989

Lanette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989, before me,
 a Notary Public, personally appeared Lanette Sellers,
 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.

Dale H. Hakey
 Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: 11/1/93

Cost of Publication 24.00
 Notary Fee .50
 Total Cost 24.50

RECEIVED

NOV 16 1989

Department of Water Resources
 Southern Region Office

89-576

**NOTICE OF APPLICATION
 FOR WATER RIGHT**

The Following application(s) have been filed to
 appropriate the public waters of the State of Idaho:
 36-08454

INTERSTATE MFG.

Rt. 2 BOX 390

RUPERT, ID 83350

Source: GROUNDWATER

Diversification Pt: NWNWSE Sec 25 T 09S R 23E

Use: COMMERCIAL (.040 CFS)

Date Filed: 9-14-1989

In: T09S R23E S25 NWSE

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 NOVEM-
 BER 6, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on October
 19 and 26, 1989.

OK
 MB
 11-21-89

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FEB 21 1990

5.0 South Road

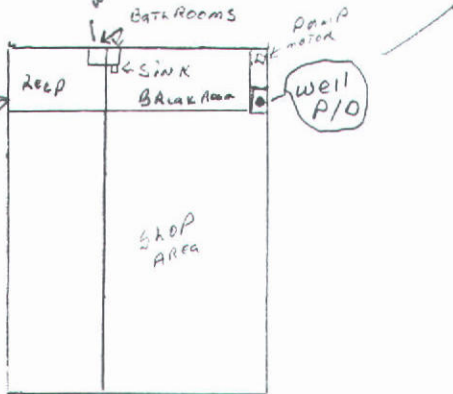
Gate

Water Spigot
For outside use

Please note:

This
Section
of Building
is two
levels.

The lower
level is
an Reception
area, Break-
Room and
The upper
level is offices

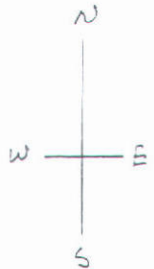


Storage
Shop

Well House
Pump is
not used at this time
SAND POINT
Well

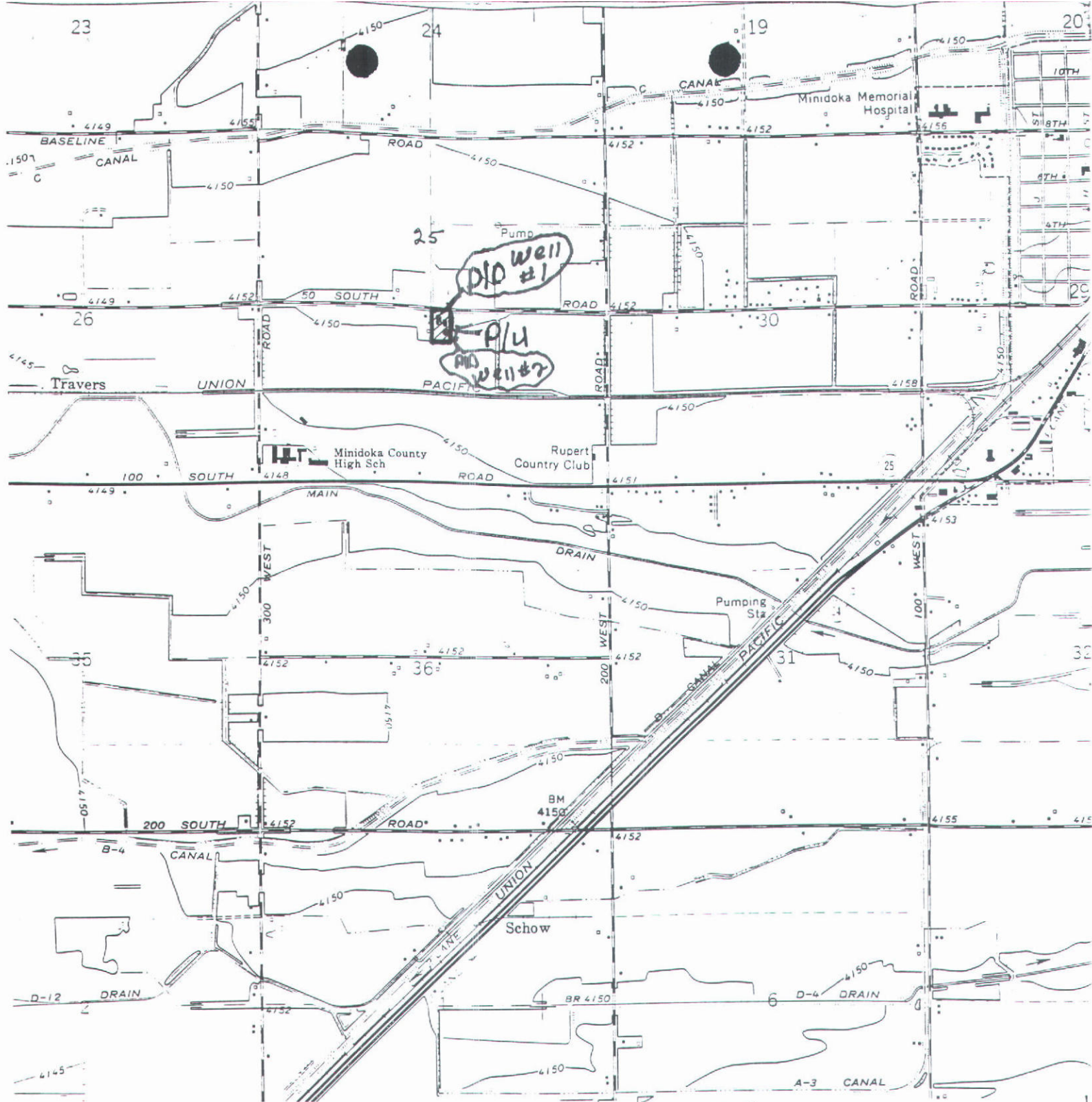
This well was connected
to a Trailer House
that was used as
an office. The
owner intends to
connect the well to
the shop as a
Backup water
supply. The
Trailer was moved
off the site in
1994 and the
office was moved
to the original
Building.

Storage Yard

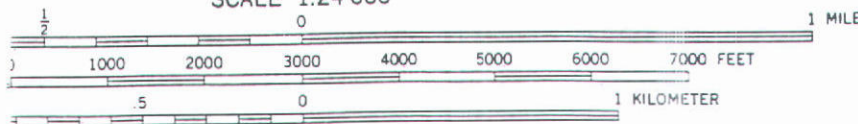


This is the DIVERSION WORKS A PLACE OF
USE FOR THIS PHOTO FILMED

SEP 11 1997



SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

ROAD CLASSIFICATION

Heavy-duty ——— Light-duty ———
Medium-duty ——— Unimproved dirt ———
Interstate Route U.S. Route State

map BB 79

RUPERT, IDAHO
(FORMERLY RUPERT S)
N4230-W11337.5/7

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
BIOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

QUADRANGLE LOCATION

Map photoreinspected 1976
(No major culture or drainage changes observed)

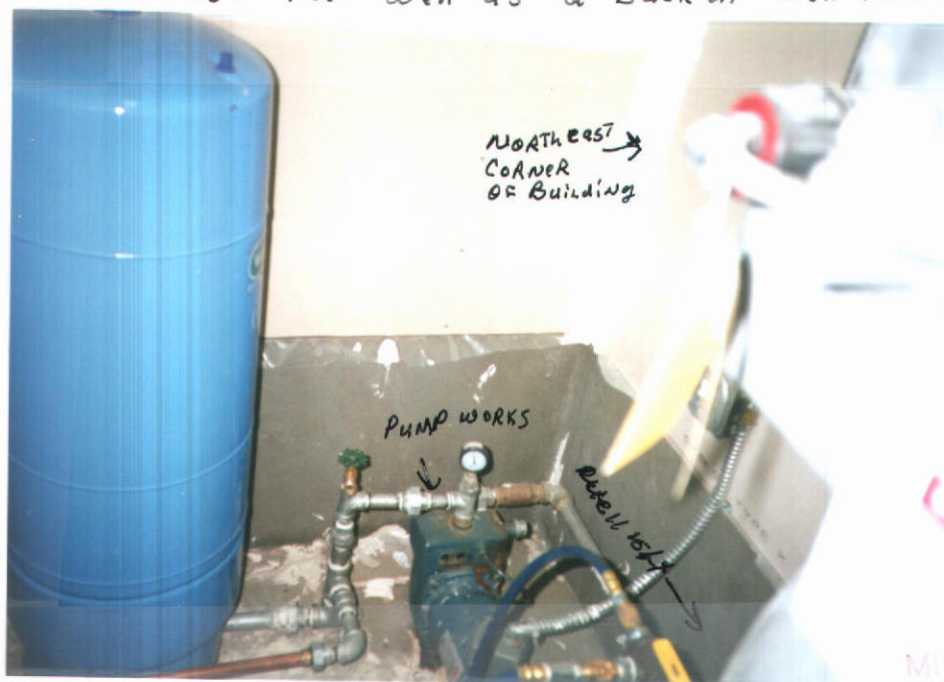
1964
PHOTOINSPECTED
DMA 3269 II SW-VS



This is The Place OF use. The main Building is a Shop where TRUCK Beds and TRAILERS are made and Repaired. The well is a sand point well (approx. 15 ft. deep) and is located approximately 15 ft. south of NORTH WEST CORNER OF The Building. IT is Located under the STAIR well FOR the upstairs OFFICES. There is NO water being used in the STORAGE shed.



This is a picture of the place of use from the back. The box in the foreground is a sand point well that was used for office use in a trailer house. The trailer was moved in 1994 and the well has not been connected to the shop yet. The owner stated he was going to use the well as a backup well for the shop.



This is the pump for this use. The well is a sand point well (approx. 15 ft. deep) located 15 ft. south of the northeast corner. The well was totally enclosed so a picture was not possible.

ML TLMED
1 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08454

Priority: September 14, 1989 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.2 AF

This is to certify, that INTERSTATE MFG
RT 2 BOX 390

RUPERT ID 83350 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 14, 1989; and
has submitted Proof of Beneficial Use on November 6, 1990. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 25, Township 09S, Range 23E
MINIDOKA County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
09S 23E 25 NWSE

CONDITIONS OF APPROVAL AND 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. Commercial use is for a repair shop.

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 27TH
day of AUGUST, 1997.

MICROFILMED

SEP 11 1997

Acting for  KARL J. LREHEN, Director

RECEIVED

NOV 6 1990

No \$ received
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

JH-11-19-90

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.

Permit No. 36-08454Telephone No. 208-436-6654Name(s) of Permit Holder(s): Interstate Mfg. Company Inc.Post Office Address: Route 2 Box 390 Rupert, Idaho 83350Source of Water: GroundwaterIf ground water, well driller's name: Wendell JonesDate drilled: 1978

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other commercialTotal rate and/or volume for which proof is submitted 0.04 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 1978

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

Measuring device: Required? Yes XXNo Installed? Yes No

OR

Flow Measurement Port: Required? Yes XXNo Installed? Yes NoFee Enclosed: \$ -0- (See License Examination Fee Schedule)

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

Wendell Jones208-436-6654 or 208-436-0567

Name

Telephone No.

Route 2 Box 390 Rupert, Idaho 83350

Address

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.

November 2, 1990

Date

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

President-Interstate Mfg., Inc.

DEC 11 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08454

Proposed Priority: September 14, 1989 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **INTERSTATE MFG.**

RT. 2 BOX 390

RUPERT, ID 83350

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

COMMERCIAL

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE

Sec. 25, Township 09S, Range 23E
MINIDOKA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 23E 25

NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 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. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. Commercial use is for a repair shop.

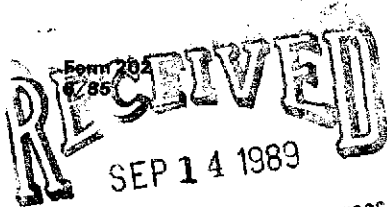
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

28th day of December, 1989

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

FEB 21 1990

Ident. No. 36-08454STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant Interstate Mfg. Phone 436-6654Post office address Rt 2 Box 390 Rupert, Idaho 833502. Source of water supply groundwater Re Phone 6F 10-2-89 which is a tributary of Minidoka Irrigation Dist3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____Sec. 25 Township 9S Range 23E B.M. Minidoka County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 cfs for Commercial shop purposes from 1/1 to 12/31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 Sandpoint Wells with pumps
1 1/2 Hp. pump.

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

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? 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).
(currently in use)

MICROFILMED

FEB 21 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. Commercial Repair Shop

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	
9S	23E	25													C				

Total number of acres to be irrigated 0

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

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

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: Right to Irrigation water from the Minidoka Irr. Dist.

FILED

FEB 21 1990

[illegible]

Richard Cole
(Applicant)

Secretary -
Per Phone Call
10-2-89 GF

Received by B Date 9/14/89 Time 11:13 Preliminary check by _____
Fee \$ 30.00 Received by B # MO04323 Date 9/14/89
Publication prepared by M. Baldwin Date 10/2/89 Published in So. F.D. Press
Publication approved M. Baldwin Date 11-21-89

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

FEB 21 1990



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

August 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

INTERSTATE MFG
RT 2 BOX 390
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08454

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

RECORDED

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

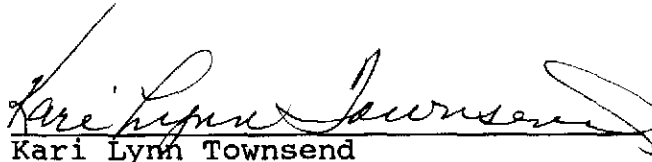
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 36-08454

INTERSTATE MFG
RT 2 BOX 390
RUPERT ID 83350


Kari Lynn Townsend
Secretary

ORIGINAL FILED

SEP 11 1997

MEMORANDUM

TO: File 36-08454

FROM: Sharla Curtis

DATE: August 25, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 36-08454 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

T9S, R23E, S25 - NWSE

The examiner states that the second well has not been added to the system serving the repair shop. Therefore, the license will be issued for only the well serving the place of use as of the time the examination was conducted.

Examiner: Dan Nelson
Exam Date: April 3, 1997

W.C. 8-25-97
389 11 40

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-08454

DATE 8/22/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.04</u>	cfs
Fee limit	<u>N/A</u>	cfs
Measured	<u>—</u>	cfs
Theoretical	<u>.04</u>	cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/ NATURE OF USES

<u>1</u>	Use <u>Comm</u>	cfs <u>.04</u>	Volume Calc <u>.2</u> af
<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
SUBTOTAL		<u>—</u>	<u>.2</u> af

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

Total volume recommended .2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

C/repair shop.

CONDITIONS

— Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo single well

1st Amend Letter N/A

2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 23 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08454

1. Owner: Interstate Manufacturing Company Incorporated Phone No. (208) 436-6654

Current Address: Route 2, Box 390, Rupert, Idaho 83350

2. Accompanied by: Wendell Jones EXAM DATE : April 3, 1997

Address: Route 2, Box 390, Rupert Idaho 83350 Phone No.

Relationship to Permit Holder: Owner

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Method of Determination/Remarks
WELL #1 P/D		N W	N W	S E	25	09S	23E	MINIDOKA	Visual inspection and use of ASCS aerial Photos and USGS Quadrangle map
WELL #2 P/D		N W	N W	S E	25	09S	23E	MINIDOKA	SAME AS ABOVE

2. Place(s) of Use:

Indicate Method of Determination SAME AS ABOVE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	23E	25															C		COMM.

PLEASE NOTE: The use for this permit is commercial.

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SEP 11 1997

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

SEE ATTACHED SHEET.

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES 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
P/D WELL #1	A.O. SMITH CORP	.75 Hp	6C82	STAY RIGHT	MODEL # AND-26
P/D WELL #2	DAYTON MOTOR	.5 Hp	MODEL # 6K946	STAY RIGHT	MODEL # ALO-30

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. **Measurements:** It was impossible to get a measurement for these wells. Since these wells were under .20 cfs a theoretical calculation was done (see attached sheet.

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SEP 11 1997

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is drawn from 2 wells that are both located in the NW 1/4 - NW 1/4 -NW 1/4 of section 25, township 09S, range 23E. Well # 1 is located under the northwest corner of the main building. The well is a sand point well and is approximately 15 feet deep. Well # 2 is located southeast of the storage shed. This well is currently not being used. It was originally used for a trailer house that was used as an office.

The water for this permit is used only in the main building. In this building there are 2 bathrooms and one wash-up sink. There is also an outside spigot but no substantial outside uses. There are maximum of 15 employees that work at this business at certain times. The average number of employees varies from 10 to 15. The employees use bottled water for drinking water and none of the water is used for drinking purposes. The use for this water is a commercial use. This company builds and repairs truck beds and trailers. All of the work done in this shop is to the customer specifications on a order basis and their is no inventory.

Well #2 was used for an office in a trailer house that set to the south of the well, but this well is not currently being used in this place of use. The trailer was removed in 1994 and the owner is planning to connect this well to the main shop as a back-up source of water. Therefore, I am recommending that this well be included in the permit as long as the well is connected to the main shop by the year 1999.

PLEASE NOTE: This is not the original building for this company. The original building burned down in January 20, 1997 and has been rebuilt. The original building only had one bathroom but did have the same number of employees and when combined with the office in the trailer there is now the same number of bathrooms that is in the new building. Therefore, the water consumption is the same amount as it was with the other building and the office in the trailer house.

Have conditions of permit approval been met? X yes no

MICROFILMED

SEP 11 1997

F. FLOW CALCULATIONSYES Additional Computation Sheets Attached

Measured Method:

Well # 1 = .04 cfs (See attached theoretical sheet)

Well # 2 = .02 cfs (See attached theoretical sheet >)

Total diversion rate = .06 cfs

PLEASE NOTE: The permit called for .04 cfs therefore the diversion rate will be limited to .04 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\text{N/A}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\text{N/A}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\text{N/A}}$

B

2. Volume Calculations for Other Uses:

.2 afa (See attached Calculation sheet)

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
<u>COMMERCIAL</u>	<u>JAN. 01</u>	<u>DEC. 31</u>	<u>.04 CFS</u>	<u>.2 AFA</u>

Totals: .04 CFS .2 AFA

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

I. AUTHENTICATIONField Examiner's Name Daniel A. Nelson Date 4-10-97Reviewer _____ Date CRONIN

SEAL

SEP 11 1997

RECOMMENDATIONS:

I recommend that this permit be licensed under the following conditions:

1. That this water right be licensed for commercial use with a diversion rate of .04 cfs and a annual volume of .2 afa.
2. That this water right be licensed with both wells as the point of diversion whereas the trailer house was used as an office in 1994 it is within the five year forfeiture period. Therefore, the owner should be required to connect well #2 to the shop within the next two years or loose well #2 as a point of diversion.
3. That this right be licensed with the uses of the new shop whereas the number of employees has not changed from the old shop. The only use for this business is the bathrooms and a wash-up sink.

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GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-08454
DATE: 4-3-97
BY: Daniel A. Nelson

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

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

$$Q = \frac{(8.8) (75 \text{ HP}) (0.70)}{[(15 \text{ FT}) + (5.0 \times 2.31)]} = \frac{4.62}{136.5} = 0.04 \text{ CFS}$$

<u>LIFT FROM:</u>	<u>PSI FROM:</u>	<u>NOTES ON PUMP:</u>
measurement ()	measurement ()	Motor Make, Serial or ID
owner (X)	owner ()	A. OSMITH CORP serial # 6CR2
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ()	owner gage (X)	Stay Right model AND-26
Booster (Y) (N)		
REMARKS This is a SAND POINT well and there was		
NOT a way TO Access the well TO measure the depth.		

ANNUAL VOLUME ANALYSIS

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

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL = (.....) X (1.98) X (.....)
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(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 IS NECESSARY ()

Well #1

WORLDWIDE
SEP 11 1997

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-08454
DATE: 4-3-97
BY: Daniel A. Nelson

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

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

$$Q = \frac{(8.8) (\dots 5 \text{ H.P.} \dots) (0.70)}{[(\dots 15 \text{ FT.} \dots) + (\dots 50 \text{ PSI} \dots \times 2.31)]} = \frac{3.08}{130.5} = 0.02 \text{ CFS}$$

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

REMARKS

ANNUAL VOLUME ANALYSIS

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

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL = (.....) X (1.98) X (.....)
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(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 IS NECESSARY ()

Well #2

NOV 11 1997

SEP 11 1997

CALCULATIONS FOR VOLUME WATER USE

ESTIMATED CALCULATIONS FOR WATER USE FOR EMPLOYEES:

**CALCULATIONS USING NON-IRRIGATION WATER REQUIREMENTS - TABLE 3
FIELD EXAMINER'S HANDBOOK):**

15 GAL/DAY PER PERSON PER SHIFT

THERE ARE 15 EMPLOYEES WORKING ONE SHIFT.

**15 GAL/DAY X 15 EMPLOYEES X 5 DAYS/WEEK X 52 WEEKS/YEAR = 58500
GAL/YEAR**

58500 GAL/YR / 325850 = .2 ANNUAL ACRE FEET

MICROFILM

SEP 11 1972

5.0 SOUTH ROAD

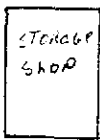
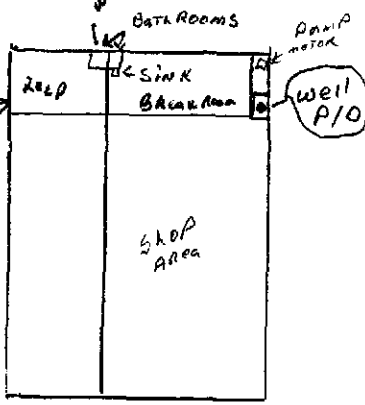
Gate

Water Spigot
For outside use

Please Note:

THIS
SECTION
OF Building
is Two
Levels.

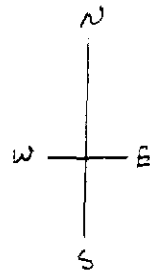
The Lower
level is
an Reception
area & Break-
Room and
The upper
level is Offices



Well House
Pump is
NOT used at this time
SAND POINT
Well

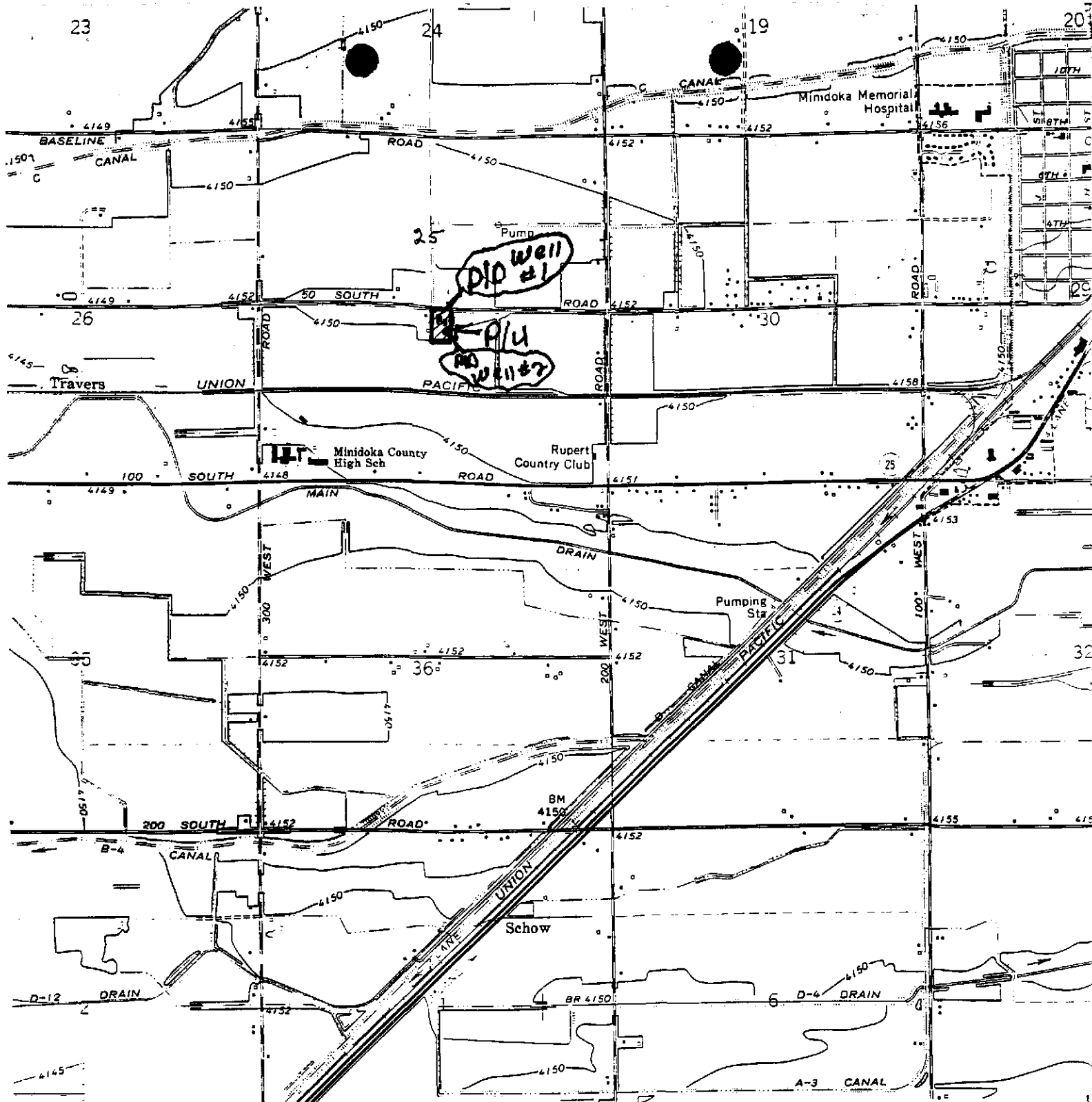
This well was connected
TO a TRAILER House
THAT was used as
an OFFICE. The
OWNER INTENDS TO
CONNECT the well TO
the SHOP as a
BACK UP WATER
SUPPLY. The
TRAILER was moved
OFF the site in
1994 and the
OFFICE was moved
TO the ORIGINAL
Building.

STORAGE YARD

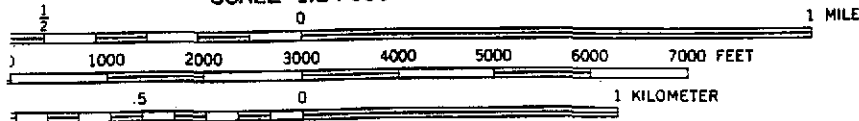


This is the DIVERSION WORKS A PLACE OF
USE FOR THIS PERMIT.

SEP 11 2005



SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

ROAD CLASSIFICATION

Heavy-duty ——— Light-duty ———
Medium-duty ——— Unimproved dirt ———
○ Interstate Route ○ U.S. Route ○ State

MAP BB 79

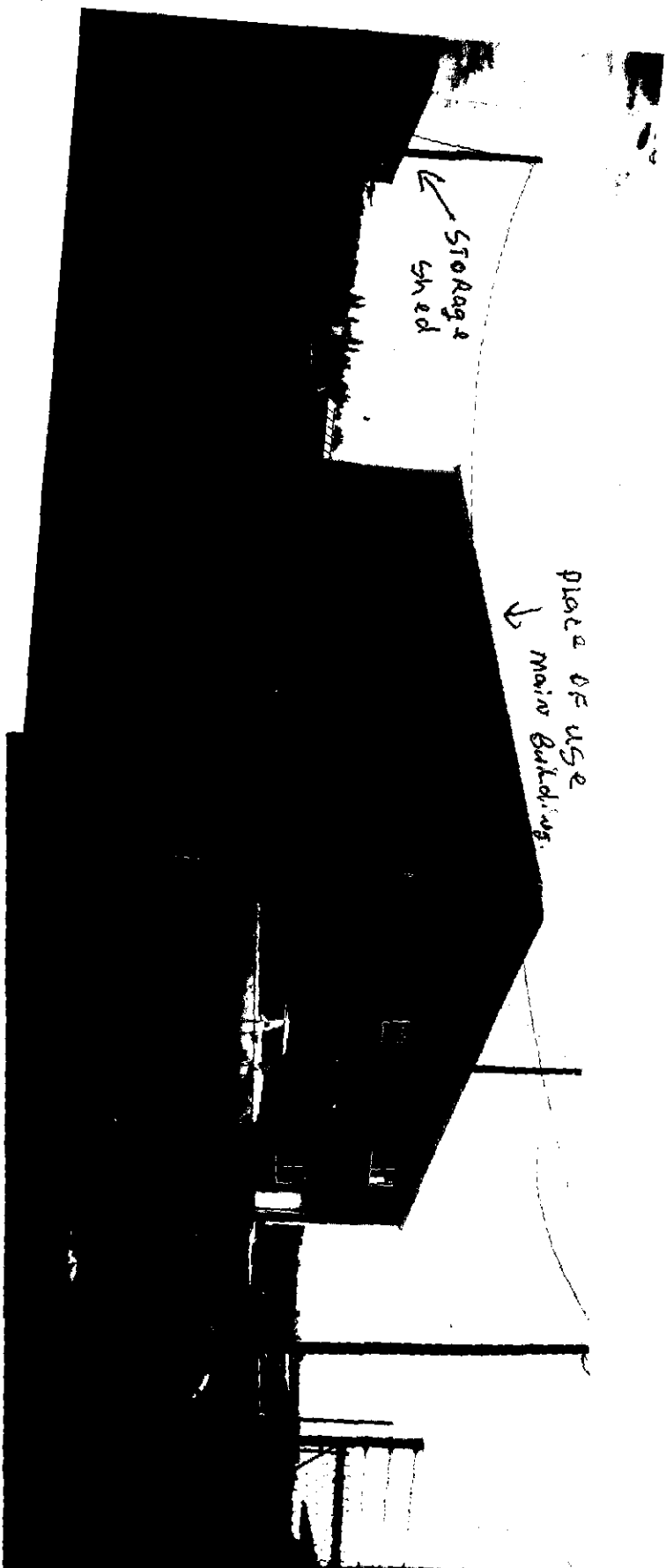
RUPERT, IDAHO
(FORMERLY RUPERT S)
N4230-W11337.5/7

QUADRANGLE LOCATION

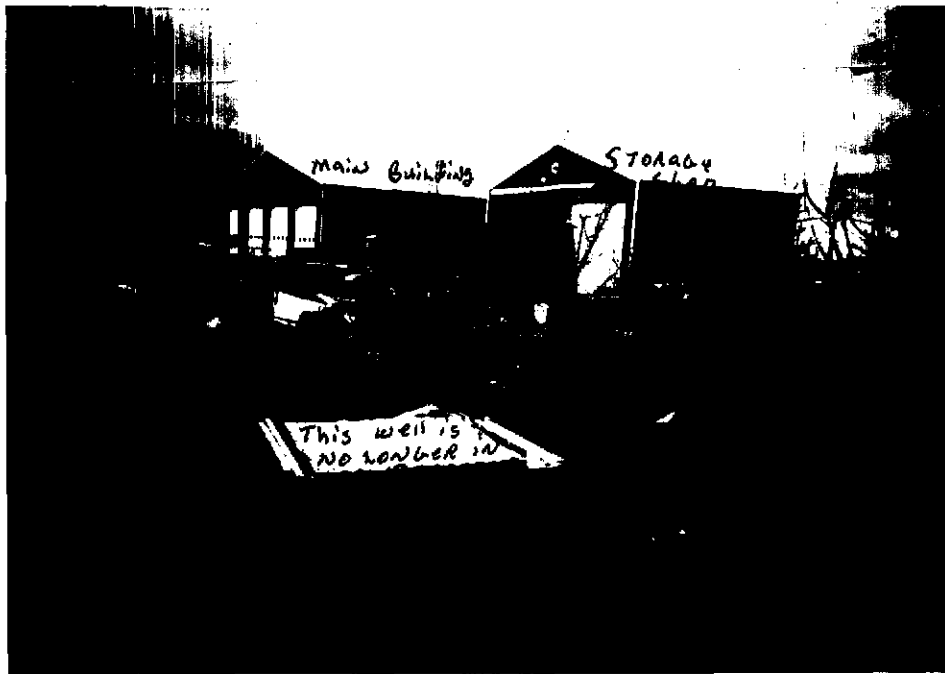
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Map photoreinspected 1976
(No major culture or drainage changes observed)

1964
PHOTOINSPECTED
DMA 3269 II SW-VE



This is the Place of use. The main Building is a Shop where Truck Beds and Trailers are made and repaired. The well is a sand point well (approx. 15 ft. deep) and is located approximately 15 ft. south of north west corner of the building. It is located under the stair well for the upstairs offices. There is no water being used in the storage shed.



This is a picture of the place of use from the back. The box in the foreground is a sand point well that was used for office use in a trailer house. The trailer was moved in 1994 and the well has not been connected to the shop yet. The owner stated he was going to use the well as a backup well for the shop.



This is the pump for this use. The well is a sand point well (approx. 15 ft. deep) located 15 ft. south of the northeast corner. The well was totally enclosed so a picture was not possible.

November 23, 1990

INTERSTATE MFG.
RT. 2 BOX 390
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08454

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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DEC 11 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8454

Date: 11-19-90

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 1978
NA 2. drilling permit
NA 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

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	
	-
	=
	+
	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138591

October 31, 1990

INTERSTATE MFG.
RT. 2 BOX 390
RUPERT, ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-08454

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 January 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

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DEC 11 1990

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

INTERSTATE MFG.
RT. 2 BOX 390
RUPERT, ID 83350

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

RE: PERMIT NO. P36-08454

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.

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.

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

RECORDED

FEB 21 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

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FEB 21 1990

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

OK point of
Div.
SignatureINITIAL REVIEW BY ND DATE 9/30/89 APPLICATION NUMBER 36-08454REQUIRED 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

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

NOV 29 1989

Department of Water Resources

PROCESSING Yes ☒ No ☐ 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 11/6/89
☒ 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. 01-POS
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 9/14/89
By Larry O'Hara Date 11/21/89

STATE OFFICE REVIEW

POS, P23

P16

4604

See below for additional information

By tw Date 12-22-89

ADDITIONAL INFORMATION

App. in TRUST area - DCM I

03-Oct-1989

Interstate Mfg.
c/o Vicki Cole, Secretary
Rt. 2 Box 390
Rupert, ID 83350

Re: Application for Permit No. 36-08454

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 10/19 & 10/26/89. 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



FEB 21 1990

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

OCTOBER 2, 1989

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 NOVEMBER 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
FEB 21 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

FEB 21 1990

36-08454

INTERSTATE MFG.
RT. 2 BOX 390
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NWNWSE Sec 25 T 09S R 23E

Use: COMMERCIAL (.040 CFS)

Date Filed: 9/14/1989

In: T09S R23E S25 NWSE

MICROFILMED

FEB 21 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 6, 1989.

R. KEITH HIGGINSON, Director

Published 10/19/1989 & 10/26/1989

RECEIVED

FEB 21 1990

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

WATER RIGHT
DATA ENTRY LOG

[illegible]