

NORTHWEST CORNER OF
EAST HALF OF SOUTHWEST
QUARTER

PLANTED FIELD

SET 1/2" REBAR & CAP ON
WEST BOUNDARY LINE OF
SE 1/4 OF SW 1/4

SET 1/2" REBAR & CAP
AS REFERENCE POINT

NO CORNER SET
PROPERTY CORNER FALLS IN
CENTER OF IRRIGATION LATERAL

9.18' WIDE IRRIGATION LATERAL

METAL BUILDING

PARCEL 1
4.28 ACRES

METAL BUILDING

WEST 1/4 CORNER
SECTION 23
FOUND 5/8" REBAR
C.P. REC. 08JUN82
INSTR. NO. 324498

SW CORNER OF SECTION 23
BRASS CAP FND.
C.P. REC. 4-11-91
INST. NO. 396486

SW CORNER OF SE 1/4
FOUND 5/8" REBAR

DETAIL OF SECTION 23 BREAKDOWN

SET 1/2" REBAR & CAP
AS REFERENCE POINT

NO CORNER SET
PROPERTY CORNER FALLS IN
CENTER OF IRRIGATION LATERAL

BRASS CAP
R/W MARKER FOUND

BASELINE ROAD
(STATE HIGHWAY 30)
(80' RIGHT-OF-WAY)
N 88°41'06" E

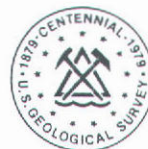
CENTERLINE OF BASELINE ROAD

SOUTH BOUNDARY LINE OF THE
SW 1/4 OF SECTION 23-TWP. 09S- RGE 24E

SOUTH 1/4 CORNER
SECTION 23
FOUND 5/8" REBAR
C.P. REC. 01JUL88
INSTR. NO. 379914

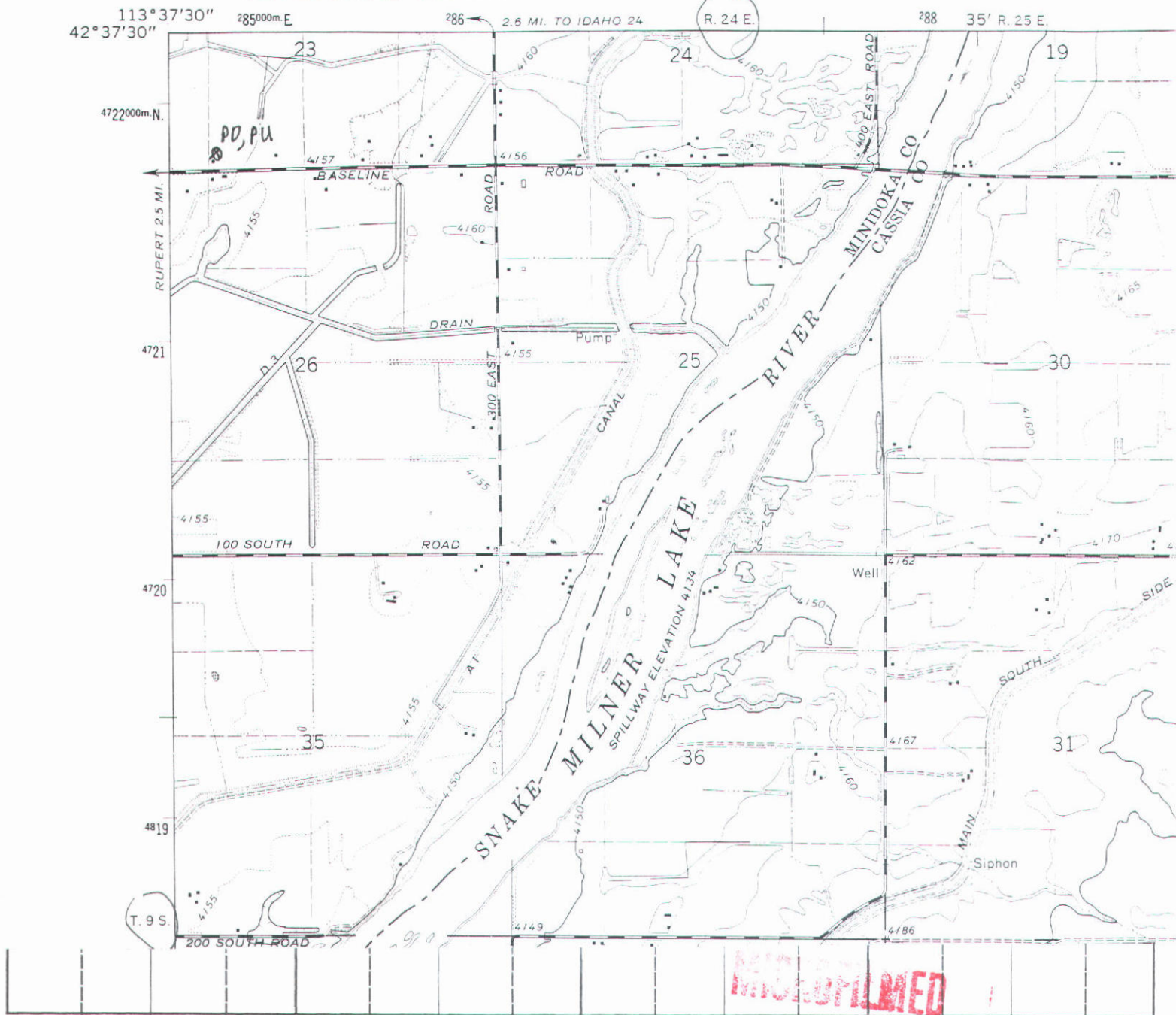
LEGEND

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



3259 11 NW
(RUPERT NW)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Scale: 2 inches equal 1 mile.

MAR 06 1990

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

Russell M. Hubbard
(Applicant)
President

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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DEC 13 1993

Department of Water Resources

A. GENERAL INFORMATION

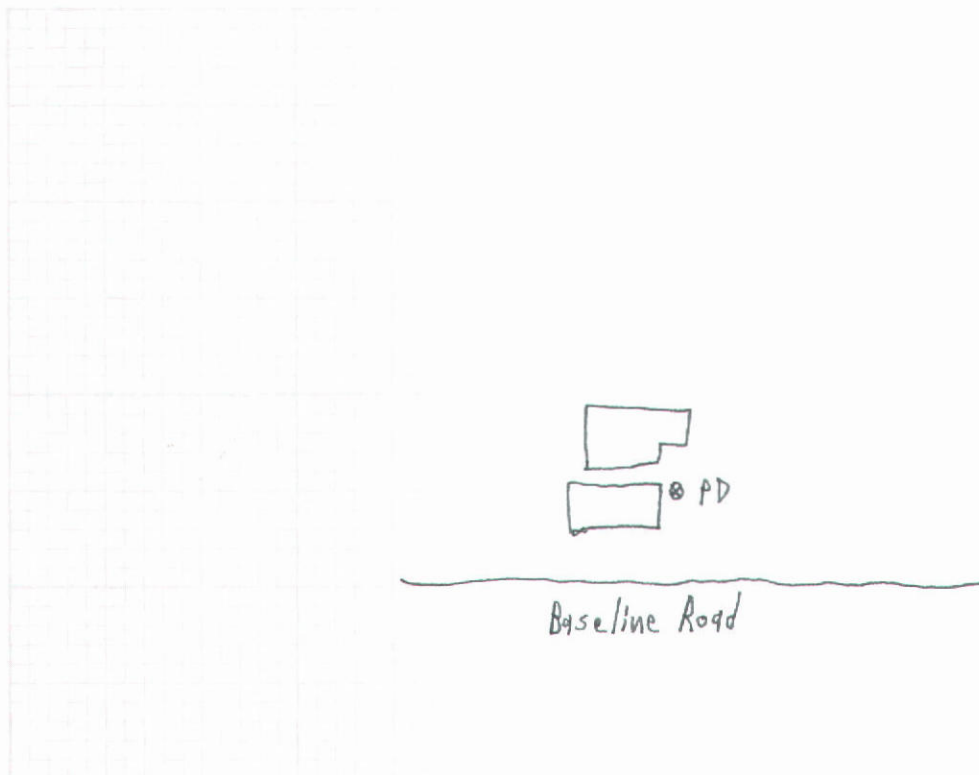
1. Owner: Max Herbold Inc. Permit No. 36-8426
Current Address: P.O. Box 67, Rupert, ID 83350 Phone No. 436-6396
2. Accompanied by: Dennis Herbold (per telecon) EXAM. DATE: 6-25-91
Address: Same Phone No. _____
Relationship to Permit Holder: President
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

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

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JAN 11 1994



T9S, R24E
Sec. 23

JAN 11 1994

36-8426



P/D



P/U

1 1 1994

JAN 1 1 1994

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.

STATE OF IDAHO

..... Cheryl Blauer being first

duly sworn, deposes and says that he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2)

consecutive weeks, commencing with the issue

dated August 3 1989, and ending

with the issue dated August 10 1989

..... Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 10th day of August in the year of 1989, before me, a Notary Public, personally appeared Cheryl Blauer 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.

W. Ross Broadbent
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: 2-1-94

Cost of Publication 24.96
Notary Fee 50
Total Cost 25.46

OK
MB
8/23/89

89-392

NOTICE OF APPLICATION
FOR WATER RIGHT

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

36-08426

MAX HERBOLD INC.

P.O. BOX 67, Rupert, Idaho 83350

Source: GROUNDWATER

Diversion Pt: SESW Sec 23 T 09S R 24E

Use: COMMERCIAL (.200 CFS)

Date Filed: 7/18/1989

In: T09S R24E S23 SESW

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 AUGUST 21, 1989.

R. Keith Higginson, Director
Published in the South Idaho Press on August 3 and 10, 1989.

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AUG 18 1989

MAR 06 1990

Department of Water Resources
Southern Region Office

#33304MC

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
SEP 19 2000
Department of Water Resources
Southern Region

RECEIVED

1. Water Right No(s).: 36-08426

Adjudication Claim No(s).:

SEP 21 2000

2. The following **REQUIRED** information must be submitted with this form:

Department of Water Resources

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Max Herbold, Inc.
10 North 300 West
Burley, Idaho 83318

4. **New Owner/Claimant(s)**

Arrowhead Storages, L.L.C.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P. O. Box 425

City, State and ZIP Code

Rupert, Idaho 83350

New Telephone Number

(208) 436-1209

5. Date you acquired the property

September 5, 2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS Number of homes Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

ARROWHEAD STORAGES, L.L.C.

7. Signature of New Owner
or Claimant(s)

By: Ronald S. Jones
Ronald S. Jones, Member

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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Receipt W027001
\$25.00
9.25.00

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

449412

WARRANTY DEED

FOR VALUE RECEIVED, MAX HERBOLD, INC., the Grantor, does hereby grant, bargain, sell and convey unto ARROWHEAD STORAGES, LLC, an Idaho Limited Liability Company, the Grantee, whose current address is Box 425, Rupert, Idaho, the following described premises, located in Cassia County, Idaho, to wit:

See Attached Exhibit A

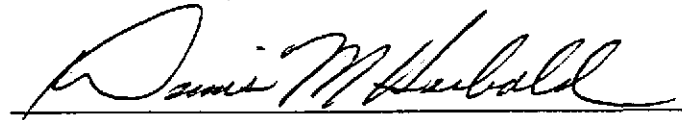
TOGETHER WITH water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water Resources License No. 36-8426

To have and to hold the said premises with their appurtenances to the said Grantee, its heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises, that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 5th day of September, 2000.

MAX HERBOLD, INC.

by


Dennis M. Herbold

STATE OF IDAHO)
) ss.
County of Cassia)

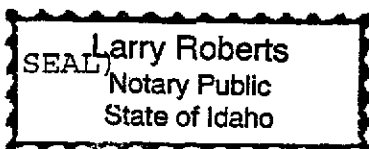
On this 5th day of September, 2000, before me the undersigned notary public in and for said state, personally appeared DENNIS M. HERBOLD, known to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

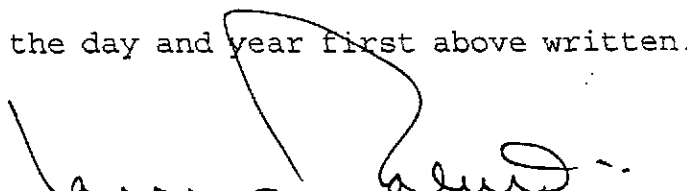
IN WITNESS WHEREOF, I have hereunto set my hand and

MICROFILMED

SEP 8 2003

affixed my official seal the day and year first above written.

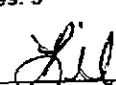




Notary Public
Residing at Burley, ID
My Commission expires 6-30-03

Instrument # 449412

MINIDOKA COUNTY RUPERT, IDAHO
2000-09-06 04:14:44 No. of Pages: 3
Recorded for : BURLEY LAND TITLE
DUANE SMITH Fee: 9.00
Ex-Officio Recorder Deputy



MICROFILMED

OCT 06 2003

DATE: 10MAY00

PROJECT #: 20063 MINIDOKA SITE

CLIENT: MAX HERBOLD

PARCEL 1

TOWNSHIP 09 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA
COUNTY, IDAHO

SECTION 23: A PART OF THE EAST HALF OF THE SOUTHWEST
QUARTER MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE
SOUTHWEST QUARTER (MONUMENTED BY A 5/8" REBAR); THENCE NORTH
00°13'16" WEST ALONG THE WEST BOUNDARY LINE OF THE EAST HALF OF
THE SOUTHWEST QUARTER FOR 40.01 FEET TO A 1/2" REBAR & CAP AT THE
INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY
30 (80 FEET WIDE) AND THE TRUE POINT OF BEGINNING:

THENCE CONTINUING NORTH 00°13'16" WEST ALONG SAID WEST
BOUNDARY LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER FOR
389.61 FEET TO A 1/2" REBAR & CAP;

THENCE NORTH 88°41'06" EAST FOR 468.51 FEET TO A 1/2" REBAR & CAP;

THENCE CONTINUING NORTH 88°41'06" EAST FOR 8.37 FEET TO A POINT AT
THE CENTER OF AN IRRIGATION LATERAL;

THENCE SOUTH 00°13'16" EAST ALONG THE CENTER OF SAID IRRIGATION
LATERAL FOR 389.61 FEET TO A POINT AT THE INTERSECTION WITH THE
NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 30 (80 FEET WIDE);

THENCE SOUTH 88°41'06" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF
STATE HIGHWAY 30 (80 FEET WIDE) FOR 8.37 FEET TO A 1/2" REBAR & CAP;

THENCE CONTINUING SOUTH 88°41'06" WEST ALONG THE NORTH RIGHT-OF-
WAY LINE OF STATE HIGHWAY 30 (80 FEET WIDE) FOR 468.51 FEET TO THE
TRUE POINT-OF-BEGINNING.

PARCEL 1 CONTAINS 4.26 ACRES AND IS SUBJECT TO AN IRRIGATION
LATERAL EASEMENT ALONG THE EAST BOUNDARY LINE.

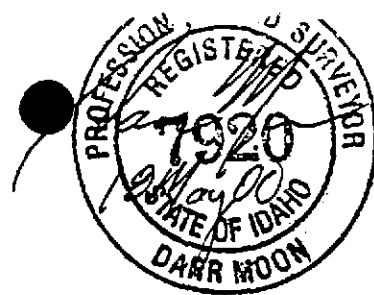


EXHIBIT A

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 36-08426

Priority: July 18, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.8 AF

This is to certify, that MAX HERBOLD INC

PO BOX 67

RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 18, 1989; and has submitted Proof of Beneficial Use on December 1, 1989. An examination indicates that the works have a diversion capacity of .020 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	09/15 to 08/15	0.02 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 23, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 24E 23

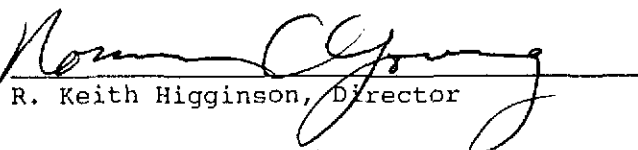
SESW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for humidifiers in 2 potato storage buildings.

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 22nd day of DECEMBER, 1993.

Acting for


R. Keith Higginson, Director

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

DEC 1 1989

Department of Water Resources

Southern Region Office

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. 36-08426

Telephone No. 208-436-6396

Name(s) of Permit Holder(s): MAX HERBOLD INC.

Post Office Address: PO BOX 67 RUPERT IDAHO

Source of Water: GROUND WATER

If ground water, well driller's name: HARRY KING DRILLING Date drilled: 7-18-89 - 8-18-89

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other COMMERCIAL - HUMIDIFICATION
OF POTATO STORAGE

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

Show date water was first diverted and beneficially used under this permit: 9.15.89

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

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

OR

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

Fee Enclosed: \$ 50 (See License Examination Fee Schedule)

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

DENNIS M. HERBOLD

Name

436-6396

Telephone No.

2ND ST & SCOTT AVE. RUPERT, IDAHO

Address

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

Date

11/30/89

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

Dennis M. Herbold

PRESIDENT

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08426

Proposed Priority: July 18, 1989

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **MAX HERBOLD INC.**
P.O. BOX 67
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

09/15 to 08/15

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESW

Sec. 23, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 24E 23

SESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1990.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for humidifiers in potato storages.

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

27th day of November, 1989

R. Keith Higginson
for R. Keith Higginson, Director

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MAR 06 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant MAX HERBOLD INC Phone 208-436-6396
Post office address 2ND ST & SCOTT AVE PO BOX 67 RUPT, IDAHO 83350
2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 23 Township 9S Range 24E B.M. MINIDOKA County; additional
points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount .20 for COMMERCIAL HUMIDIFICATION purposes from SEPT 15 to AUG 15 (both dates inclusive)
(cfs or acre-feet per annum) POTATO STORAGE
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

b. Height of storage dam N/A 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 6 inches; proposed depth of well is APPROX 120 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).

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MAR 06 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 - OPERATE HUMIDIFIERS
IN 2 POTATO STORAGES

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	24E	23												C					

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? MAX HERBOLD INC

b. Who owns the land to be irrigated or place of use? MAX HERBOLD INC

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

12. Remarks: WATER TO BE USED FOR HUMIDIFIER SYSTEMS

IN POTATO STORAGES. There is now a sandpoint for 1 existing
cellar. This well will replace the sandpoint and will serve 2 potato
cellars now.

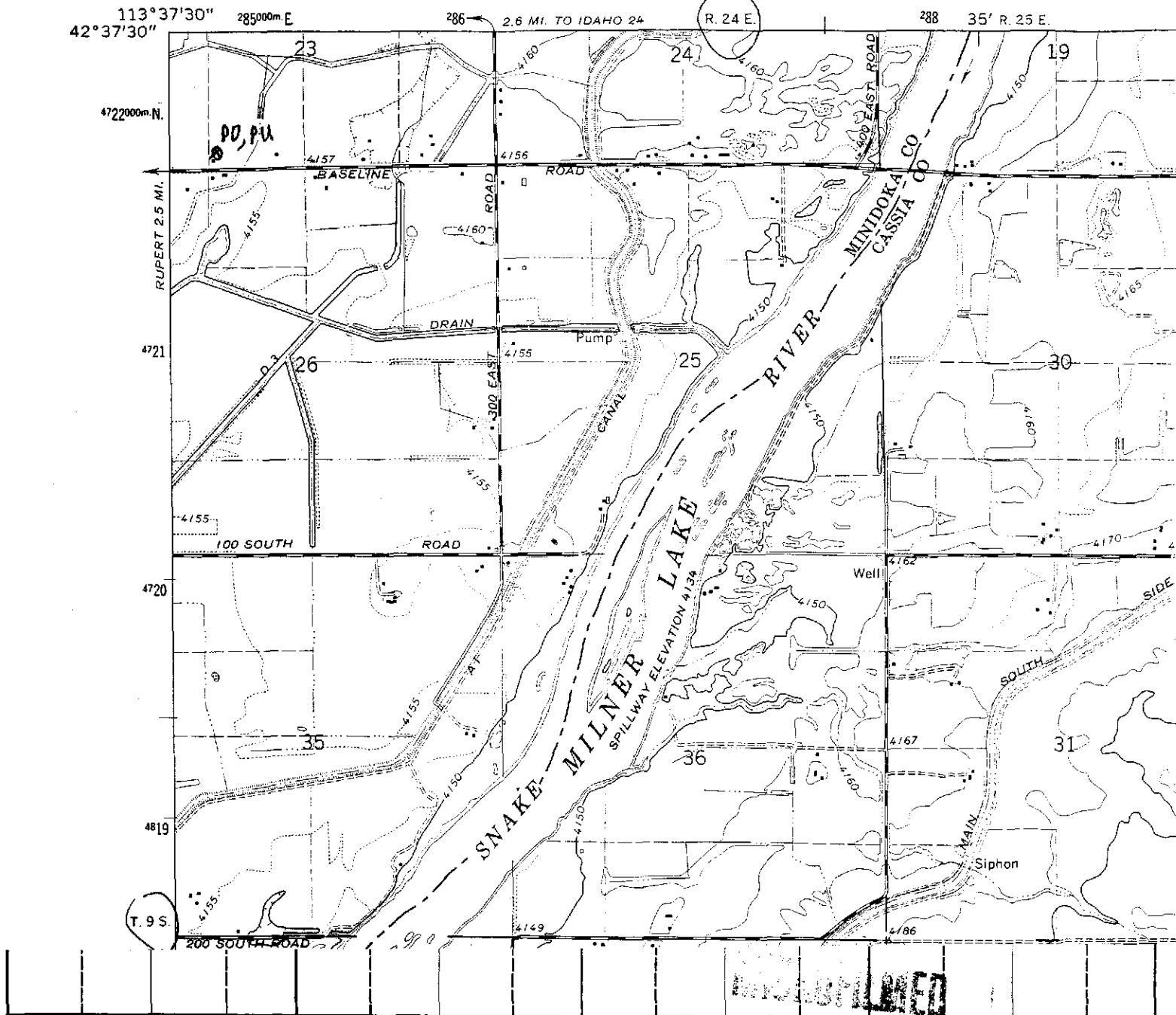
RECORDED

MAR 06 1990

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

3259 II NW
(RUPERT NW)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Scale: 2 inches equal 1 mile.

MAR 06 1990

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

Ramon M. Hubbard
(Applicant)
President

Received by JRP Date 7-18-89 Time 1105 AM Preliminary check by DRJ
Fee \$ 30.00 Receipted by J. E. Stanton # 5008599 Date 7-19-89
Publication prepared by M. Baldwin Date 7/20/89 Published in So. Id. Press
Publication approved M. Baldwin Date 8/23/89

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:

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MAR 06 1990

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OCT 2 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

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

1. Name of applicant MAX HERBOLD INC Phone 208-436-6396
Post office address 2ND ST & SCOTT AVE PO BOX 67 RUPERT, IDAHO 83350
2. Source of water supply UNDERGROUND which is a tributary of N/A
3. Location of point of diversion is E $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ Govt. Lot _____
Sec. 23 Township 9S Range 24E B.M. MINIDOKA County; additional
points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount .20 for COMMERCIAL HUMIDIFICATION POTATO STORAGE purposes from SEPT 15 to AUG 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .20 cubic feet per second and/or (b) 20 acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. N/A
 - b. Height of storage dam N/A 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 6 inches; proposed depth of well is APPROX 120 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).

CORPORATE OFFICERS

DENNIS M. HERBOLD . 215 CIRCLE DR. RUPERT, IDA
PRESIDENT

RICHARD G. NIELSEN ROUTE #3 BOX 241 RUPERT, IDA
VICE/PRES - SEC

sub ch # 06411 MAR 06 1990
\$130.00
7/17/89

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 2, 2000

ARROWHEAD STORAGES LLC
PO BOX 425
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-08426

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 the department if you have questions.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

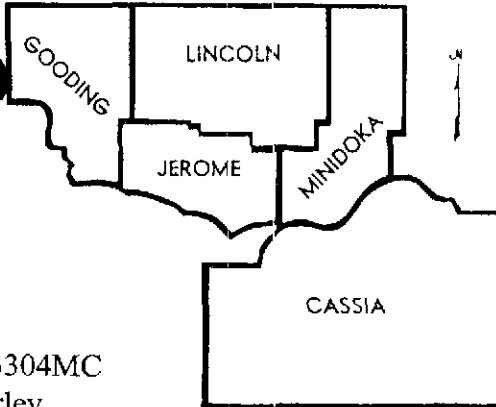
Enclosure

MICROFILMED

OCT 6 2000

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #33304MC
OFFICE: Burley

September 18, 2000

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

SEP 19 2000

Department of Water Resources
Southern Region

Dear Clerk:

Enclosed with this letter please find an original executed Notice of Change of Water Right Ownership with documents attached.

Please make the necessary changes in the records to indicate the new owner as Arrowhead Storages, L.L.C. for future assessments notices.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1188

MICROFILMED

SEP 19 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 22, 1993

MAX HERBOLD INC
PO BOX 67
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08426

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

A faint, circular stamp or seal, possibly a library or archival mark, located in the bottom right corner of the page.

JAN 11 1994

WR0749NP
No. L36-08426

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

DATE: 12/17/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAX HERBOLD INC PO BOX 67 RUPERT ID 83350 (208) 436-6396	07/18/1989	COMMERCIAL	09-15 08-15	0.02 CFS	1.8 AFA
TOTAL DIVERSION:					0.02 CFS	1.8 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.02 CFS

Point(s) of Diversion: T09S R24E S23 SE SW

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09S	24E	23	:																	:
			:																	:
			:																	:

Pou County: MINIDOKA

Remarks: Commercial use is for humidifiers in 2 potato storage buildings.

Dates:	App. Received:	07/18/1989	Priority Date:	07/18/1989
	Proof Due Date:	12/01/1990	Proof Made Date:	12/01/1989
	Exam Made Date:	06/25/1991	Exam Sent to S.O.:	12/10/1993
	Licensed Date:			

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

Audit: 12/17/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 36-8426 Date 12-17-83 Brenda Chapman

	Yes	No	
NAME	<u> </u>	<u> ✓ </u>	Or Address Change?
PRIORITY DATE	<u> </u>	<u> ✓ </u>	Advance? <u> </u> Advanced to: <u> </u>
	<u> </u>	<u> ✓ </u>	Order to Reinstate Needed?
	<u> </u>	<u> ✓ </u>	Incorrect Fee for rate recommended?
SOURCE	<u> </u>	<u> ✓ </u>	Changes? Clarification of Originally Intended source <u> </u>
	<u> </u>	<u> ✓ </u>	Notice of Intent to Void - Source change.
P/D	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u>	<u> ✓ </u>	Overlap(s) <u> </u>
P/U	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u>	<u> ✓ </u>	Overlap(s) <u> </u>
TOTAL CFS	<u> </u>	<u> ✓ </u>	Measurement Done? <u> </u>
			<u>Pump rated at 109pm = .02</u>
			<u>Theoretical = .02 CFS</u>
			Allowable Amount: <u> </u> CAPACITY ONLY
			Capacity of System: <u>.02</u>
TOTAL VOLUME	<u> ✓ </u>	<u> ✓ </u>	Season of Use: <u>330 days PER YEAR</u> / <u>150,000 SACKS</u>
			Calculations: <u>1 GAL PER HR / 1000 SACKS</u>
			<u>150 GAL/PER/HR X 12 X 330 = 594000</u>
			<u>594000 ÷ 325850 = 1.8 gpm</u>
			Flow limit: <u>.02 X 330 X 1.9835 = 13.0</u>
USES	<u> </u>	<u> ✓ </u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u> ✓ </u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u> </u>	<u> ✓ </u>	Special Overlap <u> </u>
	<u> </u>	<u> ✓ </u>	Other <u> </u>
CONDITIONS	<u> </u>	<u> ✓ </u>	Measuring/Locking Devices <u> </u>
	<u> </u>	<u> ✓ </u>	W/Master Control <u> </u> <u> ✓ </u> Water Dist
	<u> </u>	<u> ✓ </u>	Irrigation Overlap <u>7-18-89</u> App Rec'd
	<u> </u>	<u> ✓ </u>	Water Quality <u>10-25-91</u> Exam Made
COMMENTS:	<u>Reduce rate to capacity</u>		

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Commercial</u>	<u>.02</u>	<u>1.8</u>	<u> ✓ </u>
<u> </u>	<u> </u>	<u> </u>	
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER <u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER <u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 13 1993

Department of Water Resources

A. GENERAL INFORMATION

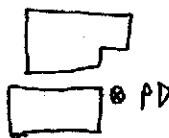
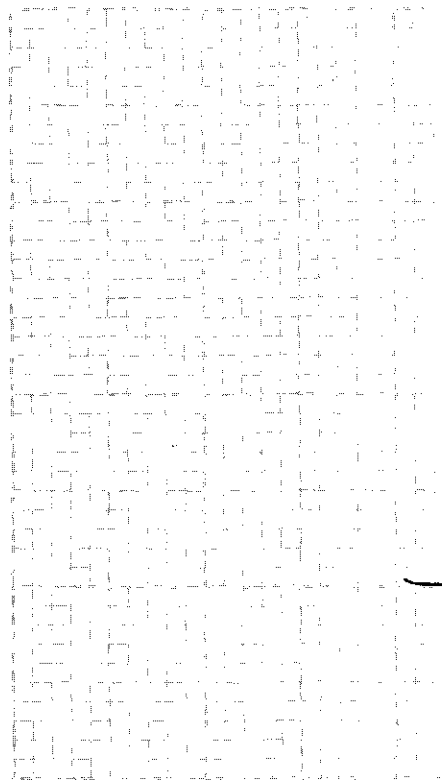
1. Owner: Max Herbold Inc. Permit No. 36-8426
Current Address: P.O. Box 67, Rupert, ID 83350 Phone No. 436-6396
2. Accompanied by: Dennis Herbold (per telecon) EXAM. DATE: 6-25-91
Address: Same Phone No. _____
Relationship to Permit Holder: President
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Baseline Road

Scale: 1" = _____

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

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System Description (continued)

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

Well, pump (submersible pump), motor, mainlines to two 150,000-sack potato cellars

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1/2		Berkeley	

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	23	95	24E	Minidoka	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
95	24E	23												C					

Do not use this space

JAN 11 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured. Pump rated 10 gpm at 40psi & 52' lift by pump installer Henry King of Rupert, ID.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

100 gallons per day x 4 days/month. Allow 0.1 AFA minimum volume

JAN 11 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Well water maintains proper humidity in spud cellars. Usage figures were estimated by Mr. Herbold.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	8-15	12-31	0.02	0.1
	1-1	7-15	0.02	
Totals:			0.02	0.1

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

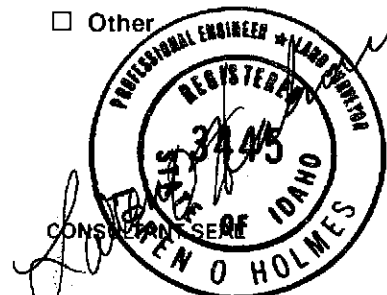
☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date 3/31/93
Field Report Preparation Date 6-27-91



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

JAN 11 1994

300

JAN 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name MAX HERBOLD
Address By 67 RUPERT ID 83350
Owner's Permit No. 36-89-5-054

2. NATURE OF WORK

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

3. PROPOSED USE

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

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other
Thickness Diameter From To
2.50 inches 6 inches + 1 feet 134 feet
inches inches feet feet
inches inches feet feet
inches inches feet feetWas 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 _____ inchesNumber From To
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell 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 30 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded ☐ Solvent
Weld☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 52 feet below land surface.Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other

Discharge G.P.M.

Pumping Level

Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
6	0	2	TOPSOIL		X
	2	28	SAND & GRAVEL		X
	28	86	CLAY		X
	86	91	BASALT GRAY		X
	91	117	BROWN CLAY		X
	117	135	BROWN SAND		X
	135	155	GRAY BASALT	X	

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FEB 27 1990

Department of Water Resources
Southern Region Office

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AUG 31 1989

Department of Water Resources
Southern Region Office

RECEIVED

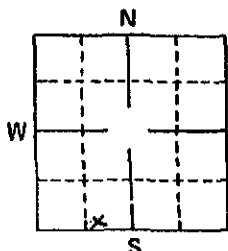
SEP 15 1989

Department of Water Resources

10.

Work started 7-18-89 finished 8-15-89

6. LOCATION OF WELL

Sketch map location must agree with written location.

County _____

Subdivision Name _____

Lot No. _____ Block 11SE 1/4 SW 1/4 Sec. 23, T. 4 N/S, R. 24 E/W.

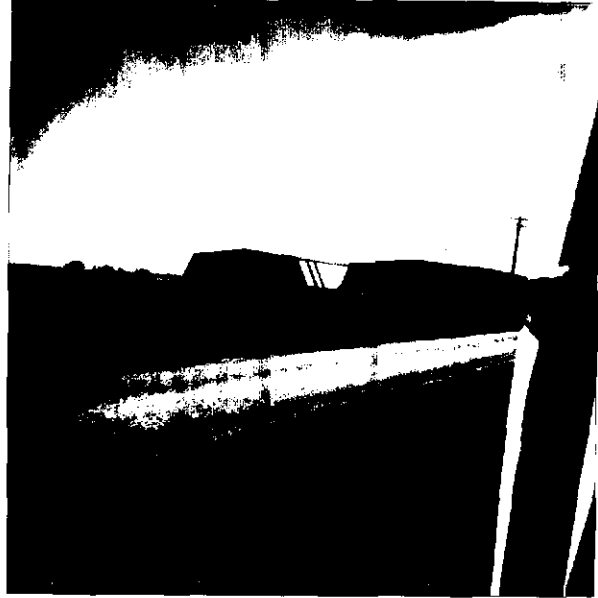
11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name HARRY KING DRILLING Firm No. 88Address RUPERT ID Date 8-28-89Signed by (Firm Official) Harry Kingand
(Operator) Harold Bennett

36-8426



P/D



P/u

JAN 11 1994

February 23, 1990

MAX HERBOLD INC.
P.O. BOX 67
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08426

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

MAILED

MAR 06 1990

1/80

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8426

Date: 2-21-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

- ☒ 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

NA	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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

1. WELL OWNER

Name MAX HERBOLD

Address By 67
RUPERT ID 83350

Owner's Permit No. 36-89-5-054

2. NATURE OF WORK

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

3. PROPOSED USE

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

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other
Thickness Diameter From To
2.50 inches 6 inches + 1 feet 134 feet
inches inches feet feet
inches inches feet feet
inches inches feet feet
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation inches by inches
Number From To
perforations feet feet
perforations feet feet
perforations feet feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name
Type Model No.
Diameter Slot size Set from feet to feet
Diameter Slot size Set from feet to feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel
Placed from feet to feet
Surface seal depth 30 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐
Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port

6. LOCATION OF WELL

Sketch map location must agree with written location.
Subdivision Name MICROFILMED
MAR 06 1990
Lot No. Block No.
County
SE 1/4 SW 1/4 Sec. 23, T. 4 N/S, R. 24 E/W.

7. WATER LEVEL

Static water level 52 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.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other
Discharge G.P.M. Pumping Level Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
6	0	2	TOP SOIL		X
	2	28	SAND & GRAVEL		X
	28	86	CLAY		X
	86	91	BASALT GRAY		V
	91	117	BROWN CLAY		Y
	117	135	BROWN SAND		X
	135	155	GRAY BASALT	X	

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AUG 31 1989
Department of Water Resources
Southern Region Office
SEP 15 1989
Department of Water Resources

10. Work started 7-18-89 finished 8-18-89

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name HARRY KING DRL Firm No. 88
Address RUPERT ID Date 8-28-89
Signed by (Firm Official) Harry King
and
(Operator) Harold Bennett

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
November 27, 1989

MAX HERBOLD INC.
P.O. BOX 67
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. P36-08426

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

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MAR 06 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 06 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

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R. KEITH HIGGINSON
Director

Max Herbold, Inc

OCT 2 1989

PO Box 67

Department of Water Resources
Southern Region Office

Report, ID 83350

9/28/89

SECOND REQUEST

Dear Mr Herbold,

In a letter to you, dated 7/21/89, the Department requested additional information pertaining to application 36-8426. Specifically, we need the names and addresses of the company officers, pursuant to Appropriation Rule 3.3.2.1. Please forward this information as soon as possible so the application can be processed.

Remember, expedited approval of a drilling permit is not authorization to divert water. If you have any questions please contact this office.

Sincerely,
Douglas Jones

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MAR 06 1990

21-Jul-1989

Max Herbold Inc.
P.O. Box 67
Rupert, ID 83350

Re: Application for Permit No. 36-08426

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 8/3 & 8/10/89. 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 see attached list for additional information requirement.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB
Enclosure

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S. Region
5/89

Application No. 36-68426

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

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MAR 06 1990

BURLEY, IDAHO

County of Cassia.

133.

STATE OF IDAHO.

... of Charles Smith being first

duly sworn, deposes and says that he is the

..... of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 7/20/21

consecutive weeks, commencing with the issue

dated August 3 1984 and ending

with the issue dated AUGUST 10 1984

Cheryl Blau

89-392

NOTES

The following applications have been filed to appropriate the public waters of the State of Idaho:

36-08426

MAX HERBOLD INC.
P.O. BOX 67, Rupert, Idaho 83350
Source: CROSBY

Source: GROUNDWATER

Diversion Pt: SESW 23 T 09S R 24E

Use: COMMERCIAL 300 CFS
Date Filed: 7/18/1988

In: T09S R24E S23

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-208A, 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 AUGUST 21, 1989.

Published in the San Francisco News on August 3 and 10, 1934.

STATE OF IDAHO

COUNTY OF

On this 10th day of August, in the year of 1984, before me,
a Notary Public, personally appeared Cheryl Staver,
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.

Myra L. Dunning
Notary Public for Idaho
Residing at *Box 100, Boise*
My commission expires: *12-1-79*

Cost of Publication 24.96

Notary Fee 50

Total Cost 25.46

OK
MB
8/23/89

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AUG 18 1989

MAR 06 1990

Department of Water Resources
Southern Region Office

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

JULY 20, 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 AUGUST 21, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

MAR 06 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MINISTERED

MAR 06 1990

36-08426

MAX HERBOLD INC.
P.O. BOX 67
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESW Sec 23 T 09S R 24E

Use: COMMERCIAL (.200 CFS)

Date Filed: 7/18/1989

In: T09S R24E S23 SESW

RECORDED

MAR 06 1990

89-392

89-392
**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

88-08426

MAX HERBOLD INC. .
P.O. BOX 67, Rupert, Idaho 83350

Source: GROUNDWATER

Diversion Pt: SESW Sec 23 T 09S R 24E

Use: COMMERCIAL (.200 CFS)

Date Filed: 7/18/1989

In: T09S R24E S23 SESW

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 AUGUST
21, 1989.

R. Keith Higginson, Director
Published in the South Idaho Press on Au-
gust 3 and 10, 1989.

OK
SPD
8-2-89

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MAR 06 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 AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

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MAR 06 1990

Drilling permit No. 36-89-5-054

Water right No. 36-08426

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

MAX HERBOLD INC., Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

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

HARRY KING DRILLING CO. ANTICIPATED STARTING
TO DRILL MY WELL 7/18/89 - BUT
FAILED TO NOTIFY ME THAT I NEEDED
A PERMIT UNTIL YESTERDAY 7/13/89.
HOPE THE PERMIT CAN BE EXPEDITED
AS I NEED TO GET THE WELL DRILLED
AND WANT TO KEEP THE WELL DRILLER
ON SCHEDULE.

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

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

Date

7/15/89

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MAR 06 1990

Signature

Applicant

Max Herbold
MAX HERBOLD INC.

Drilling
Permit Award
Copies sent to
owner & Driller
Sep 7-19-89

Drilling Permit No. 36-89-5-054
Water Permit No. 36-08426
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant MAX HERBOLD INC.
2. Address 2ND ST & SCOTT AVE. PO BOX 67
RUPERT, IDAHO 83350 Telephone 208-436-6396
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 23, Twp. 9S, Rge. 24E, County MINIDOKA,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
No. of households _____ No. of livestock _____
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify Commercial
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 6" Maximum depth APPROX 120'
Anticipated bottom hole temperature: COPY OF BID ENCLOSED
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date 7/18/89
7. Well Driller (if known) HARRY KING DRILLING CO.
Address 120 N. MERIDIAN RT#3 BOX 39 RUPERT Ida 83350
8. Applicant's signature [Signature]
Title PRESIDENT MAX HERBOLD
Date 7/15/89

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

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. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. 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.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 19 day of July, 1989.

Signed

Title

Loren O. Hahn
Southern Region Mgt.

Receipt No. 5008599 Received by JS Fee \$100 Date 7-19-89

EXTENSION OF DRILLING PERMIT

Approval Date _____ Extension approved by _____

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

MAR 06 1990