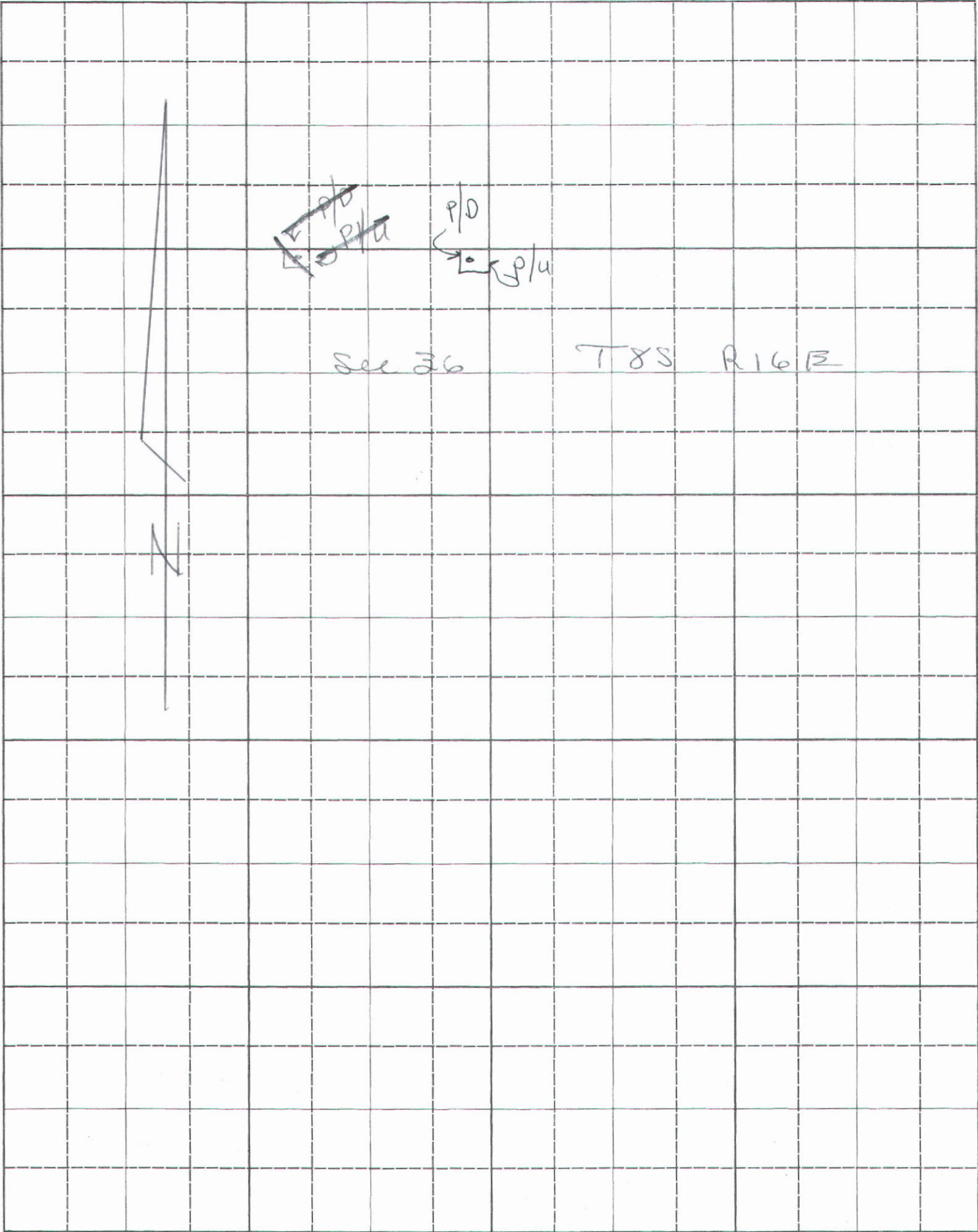


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Blair Capps
(Applicant)
President

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 26 1993

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Glen Capps, Inc Permit No. 36-8176
Current Address: 526 N. Davis, Jerome, IDA 83338 Phone No. 324-5222
2. Accompanied by: Glen Capps EXAM. DATE: 6-6-90
Address: _____ Phone No. _____
Relationship to Permit Holder: owner
3. Source: groundwater tributary to ✓

B. OVERLAP REVIEW

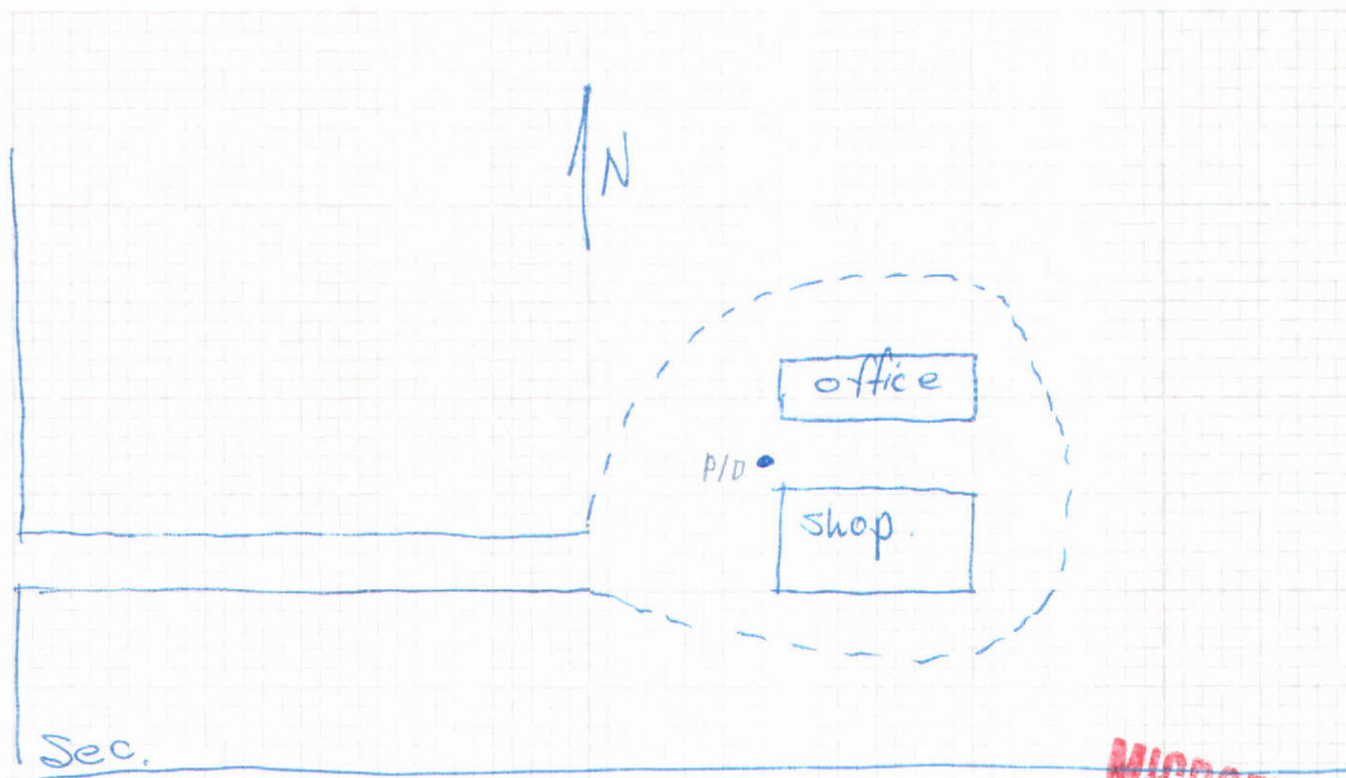
1. Other water rights with same place of use: NO

☐ Copies Attached
2. Other water rights with same point of diversion: NO.

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

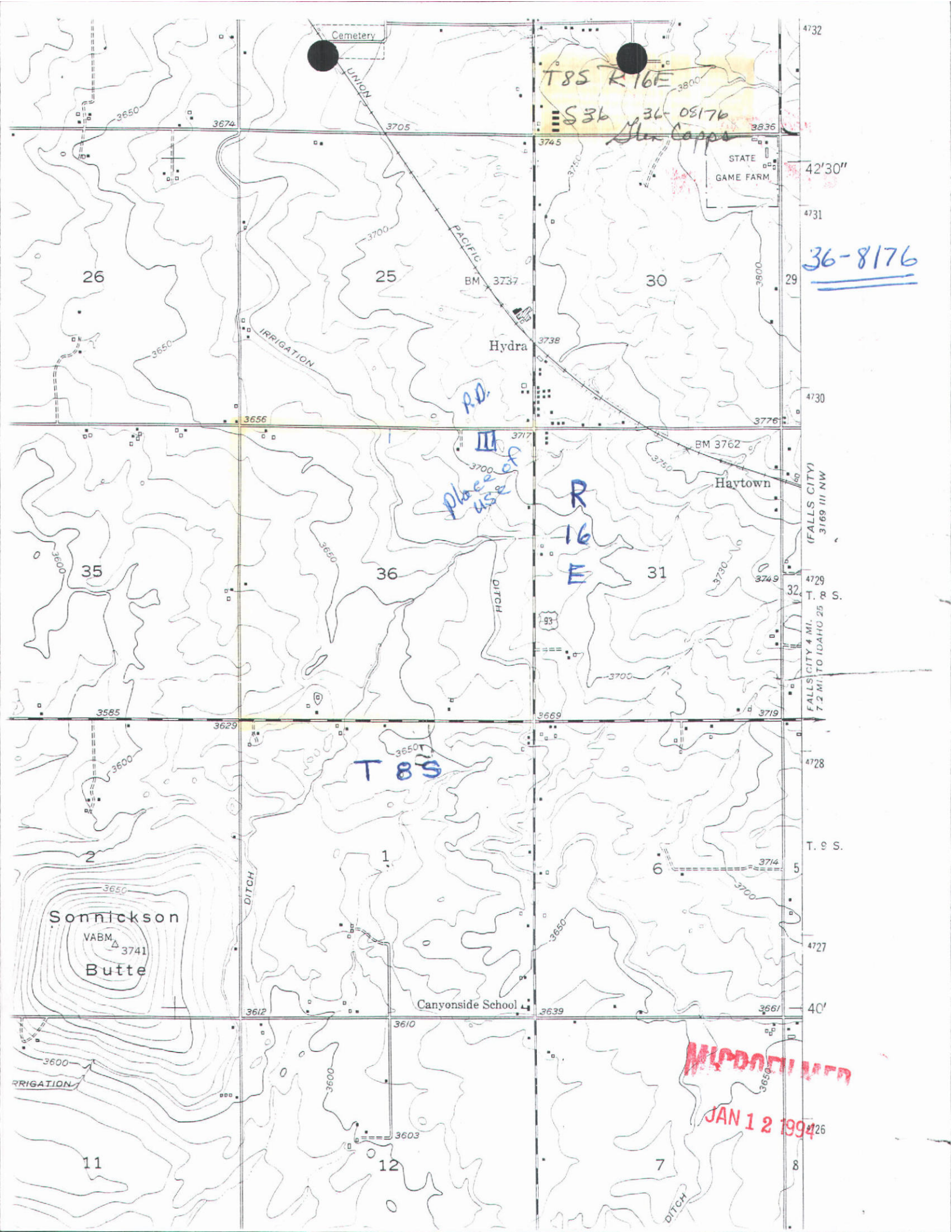
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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).

RECEIVED
JAN 12 1994



Cemetery

UNION

T8S R16E

S36 36-08176

Haytown

STATE
GAME FARM

42'30"

36-8176

FALLS CITY 4 MI.
7.2 MI. TO IDAHO 25
T. 8 S.

T. 9 S.

40'

MODIFIED

JAN 12 1994

26

25

30

29

35

36

31

32

2

1

6

5

11

12

7

8

Sonnicksen
VABM 3741
Butte

Canyonside School

Haytown

Hydra

place of use

R
16
E

RD.

T8S

IRRIGATION

DITCH

DITCH

DITCH

36-08176



well located at Shop & Home.



Pressure Tank & Control Box
for System -

MICROFILMED
JAN 12 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08176

Priority: March 31, 1983

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.3 AF

This is to certify, that GLEN CAPPS INC
526 N DAVIS

JEROME ID 83338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 31, 1983; and has submitted Proof of Beneficial Use on February 7, 1990. An examination indicates that the works have a diversion capacity of .100 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	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.04 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 36, Township 08S, Range 16E
JEROME County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 16E 36 NENE

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right 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 truck washing facility.
6. Domestic use is for 1 home.

RECEIVED

JAN 19 1984

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08176

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 10TH
day of JANUARY, 1994.

Acting for

Norman C. Young
R. Keith Higginson, Director

1994

RECEIVED

FEB 7 1990

No Check
Den Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

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

Permit No. 36-08176 Telephone No. 324-1134Name(s) of Permit Holder(s): Glen Capps IncPost Office Address: 526 N. Davis Jerome, Id. 83338Source of Water: Ground WaterIf ground water, well driller's name: Elsing Date drilled: May 14 1980

Extent of Use:

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

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

Total rate and/or volume for which proof is submitted 15 Gal. per minute cfs _____ acre/feet

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

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

Measuring device: Required? Yes XNo Installed? Yes No

OR

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

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

Name Glen Capps Telephone No. 324-1134Address 526 N. Davis Jerome Id. 83338

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.

MAY 23 1990

Date 2/5/90

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Glen CAPPS INC. Phone 324-5222
Post office address 526 N. DAVIS Jerome, IDA 83338
2. Source of water supply groundwater, which is a tributary of ✓
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 - Township 8S
Range 16E B.M. Jerome County, additional points of diversion if any:

4. Water will be used for the following purposes:

- Amount 0.08 for Domestic purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.08 for Commercial 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:

- a. 0.08 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. well, motor & pump.

- b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

- a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 8S
Range 16E B.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered

(4) Name of municipality to be served , or number of families to be supplied with domestic water 2.

(5) If water is to be used for other purposes describe: WASHING TRUCKS

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

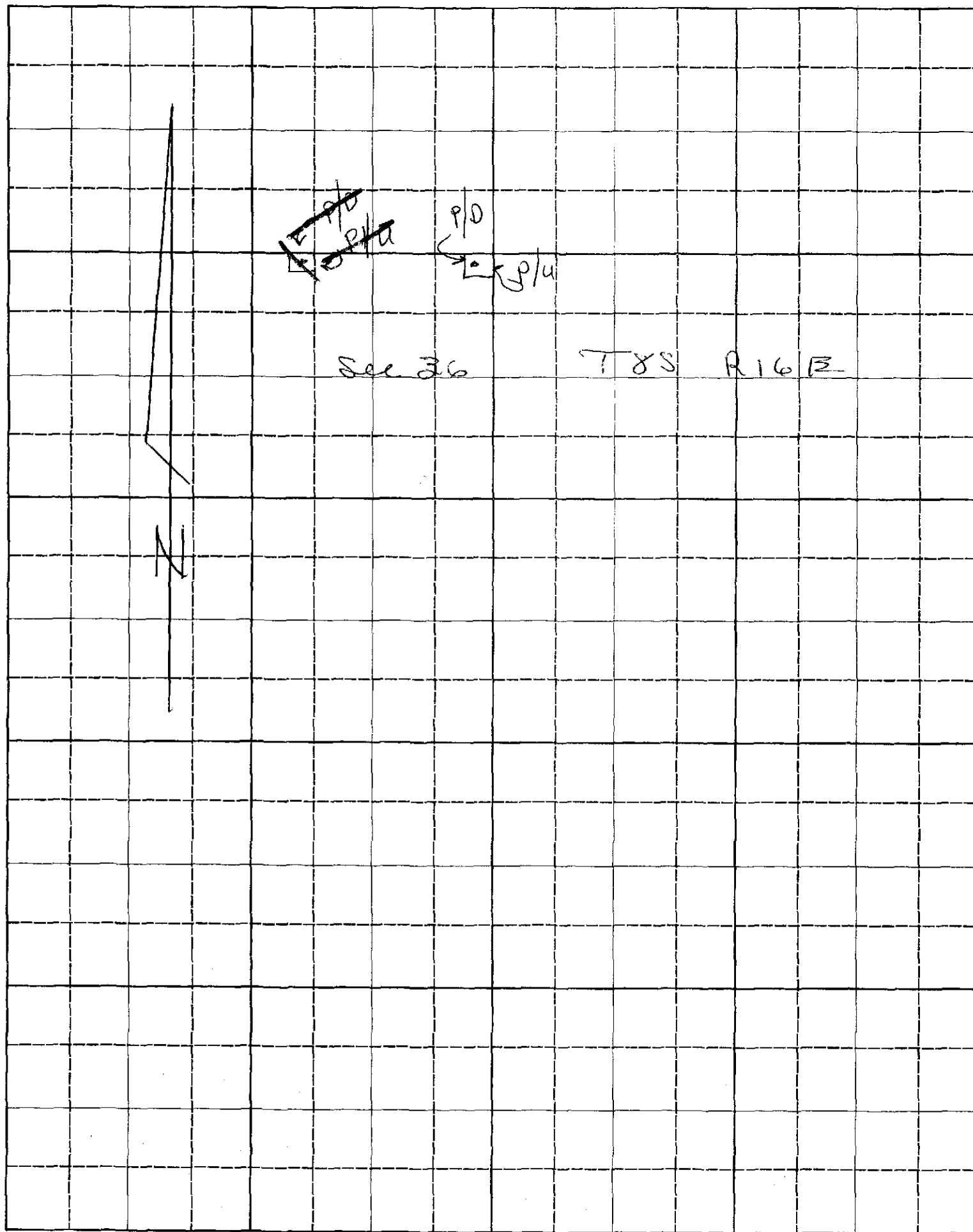
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



Scale: 2 inches equal 1 mile.

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

Blen Capps
(Applicant)
President

Proposed Priority 3/31/83

MICROFILMED

Received by RF Date 3/31/83 Time 11:15 AM

Preliminary check by ST Fee \$ 26140.00
30.00

Receipted by G.F. Date 3/31/83 #26140

Publication prepared by margo Date 1/14/85

Published in north new news

Publication dates 1/23 + 1/30/85

Publication approved margo Date 1/22/85

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM kw

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. 36-8176, and said application is hereby APPROVED.

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 April 1, 1990.
- 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 22nd day of April, 1985.

J. Shu Saxton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 10, 1994

GLEN CAPPS INC
526 N DAVIS
JEROME ID 83338

RE: WATER RIGHT NO. 36-08176

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 be 'J. Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED

JAN 12 1994

WR0749NP
No. L36-08176

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLEN CAPPS INC 526 N DAVIS JEROME ID 83338 (208) 324-5222	03/31/1983	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	0.1 AFA 1.2 AFA
TOTAL DIVERSION:					0.04 CFS	1.3 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.10 CFS

Point(s) of Diversion: T08S R16E S36 NENE JEROME County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE			
				NENE				NENE				NENE				NENE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08S	16E	36	:	C															

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

Pou County: JEROME

Remarks: Commercial use is for a truck washing facility.
Domestic use is for 1 home.

Dates:	App. Received:	03/31/1983	Priority Date:	03/31/1983
	Proof Due Date:	04/01/1990	Proof Made Date:	02/07/1990
	Exam Made Date:	06/06/1990	Exam Sent to S.O.:	11/24/1993
	Licensed Date:			

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

Audit: 01/03/94 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 36-8176

Date 1-4-93

Brenda Chapman

NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐ ☒	Advance? ☐ Advanced to: ☐
	☐ ☒	Order to Reinstate Needed?
	☐ ☐	Incorrect Fee for rate recommended? (PAID NO FEE)
SOURCE	☐ ☒	Changes? Clarification of Originally Intended source
	☐ ☒	Notice of Intent to Void - Source change.
P/D	☐ ☒	Amendment Needed? ☐
	☐ ☒	Overlap(s) ☐
P/U	☐ ☒	Amendment Needed? ☐
	☐ ☒	Overlap(s) ☐
TOTAL CFS	☒ ☐	Measurement <u>5 GAL</u> Theoretical only
		<u>Q = 5 gal / 7 sec = 42.85 gpm = .095 CFS</u>
		Allowable Amount: <u>MAX OF .04 (because of P/U)</u>
		Capacity of System: <u>.10 CFS</u>
TOTAL VOLUME		Season of Use: ☐
	☐ ☒	Calculations:
		<u>500 gal week x 52 = 26000 gal Q = .1 AFA</u>
		<u>Domestic = 1.2</u>
		Flow limit: <u>.04 x 365 x 1.9835 = 28.9</u>
USES	☐ ☒	Change(s) in Nature of Use? ☐
	☐ ☒	Amendment Needed? ☐
REMARKS	☐ ☒	Multiple P/Ds in 1/4 1/4? ☐
	☐ ☒	Special Overlap ☐
CONDITIONS	☐ ☒	Measuring/Locking Devices
	☐ ☒	W/Master Control
	☐ ☒	Irrigation Overlap <u>3-31-83</u> Water Dist
	☐ ☒	Water Quality <u>6-6-90</u> App Rec'd
	☐ ☒	Other ☐ Exam Made
COMMENTS:	<u>Reduced rate</u>	

RECOMMENDED
Commercial
Domestic

CFS
.04
.04

DIV VOL
.1
1.2

LICENSE ☒
1ST AMEND LETTER ☐
2ND AMEND LETTER ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 26 1993

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Glen Capps Inc Permit No. 36-8176
Current Address: 526 N. DAVIS, Jerome, IDA 83338 Phone No. 324-5222
2. Accompanied by: Glen Capps EXAM. DATE: 6-6-90
Address: _____ Phone No. _____
Relationship to Permit Holder: owner
3. Source: groundwater tributary to ✓

B. OVERLAP REVIEW

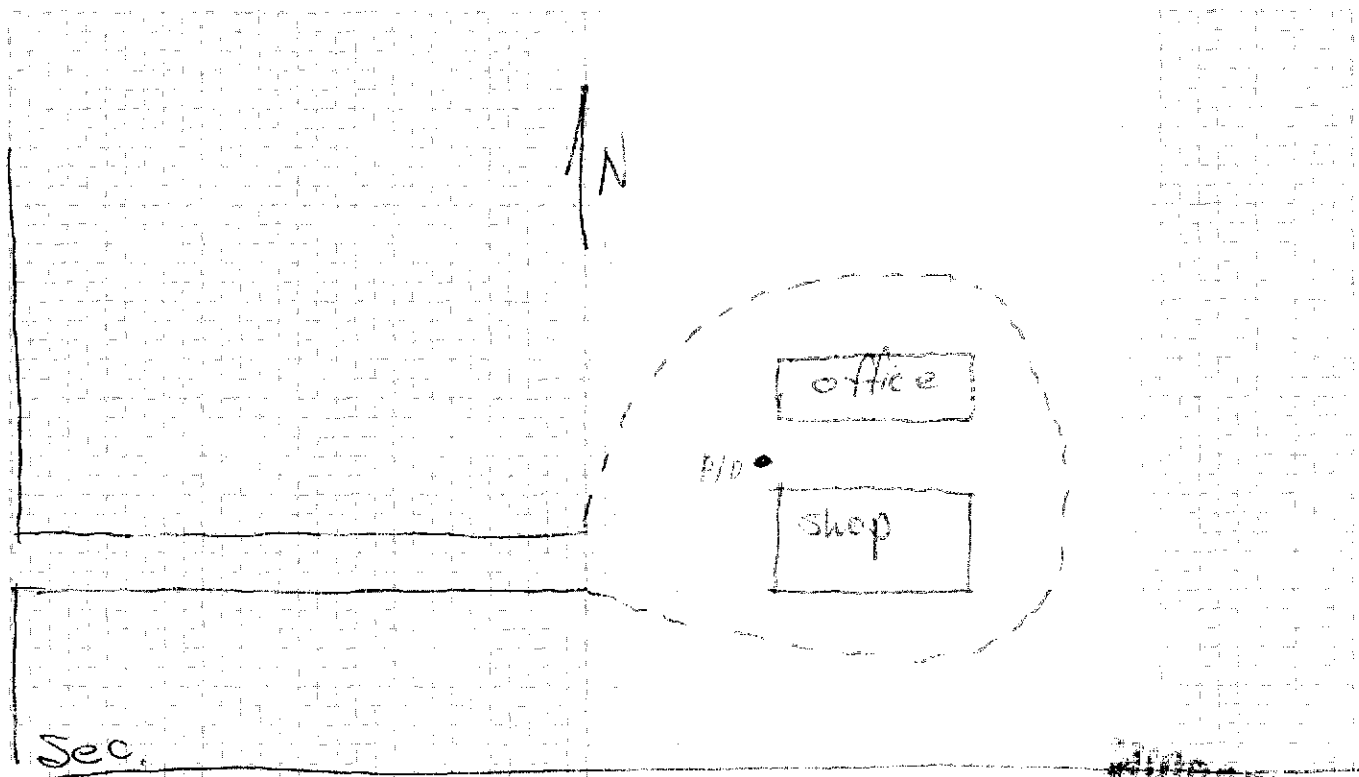
1. Other water rights with same place of use: NO

☐ Copies Attached
2. Other water rights with same point of diversion: NO.

☐ 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).

System Description (continued)

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

(1) Sub-Well 25 gpm pressure tank.
 (1) office - (1) Rest Room w/ wash Basin
 (1) Shop " " " "
 Water is also used to wash pickup trucks
 The office is used as a full time residence.

☐ 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
Sub number 20A	Rite	1 1/2	M-VIP4FO2	—	

*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
		NW	W	E	N	8S	16E	Jerome	

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	
8S	16E	36	X																

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:

5 gal bucket w/ garden hose at 7 sec. = 36 gal/min
= .08 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave 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:

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

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ ~~(500)(365 days)(1.9835)~~ $\cancel{358062.5}$ $\times 2.9$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ ~~358062.5~~ $\cancel{358062.5}$ $\times 1.04 = 1.2 \text{ AFA}$

2. Volume Calculations for Other Uses:

Commercial - estimated 500 gal/wk x 52 wk/yr = 26,000 gal/yr = 0.08 AFA

Allow 0.1 AFA

Domestic - Allow 1.2 AFA 1 home w/4000

H. REMARKS AND OVERLAP REVIEW ANALYSIS

There was a trailer house, but has been move and there is ~~no longer a Domestic use~~. There is a Double Wide Trailer use, as the office Resident does live in this unit.

Measured 0.08 cfs but no exam fee paid - allow 0.04 cfs only.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
~~Domestic~~	Jan 1	Dec 31	0.08, 04	58.0 1.2
~~Commercial~~	Jan 1	Dec 31	0.04	5 0.10
Commercial	Jan 1	Dec 31	0.08, 04	58.0 1.3
Totals:			0.08, 04	58.0 1.3

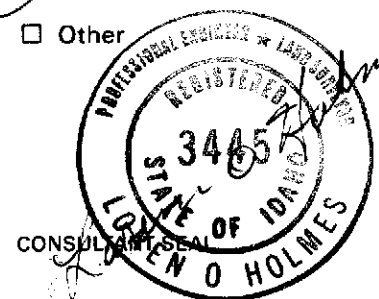
2. Recommended Amendments

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

- ☒ None
☐ Other

J. AUTHENTICATION

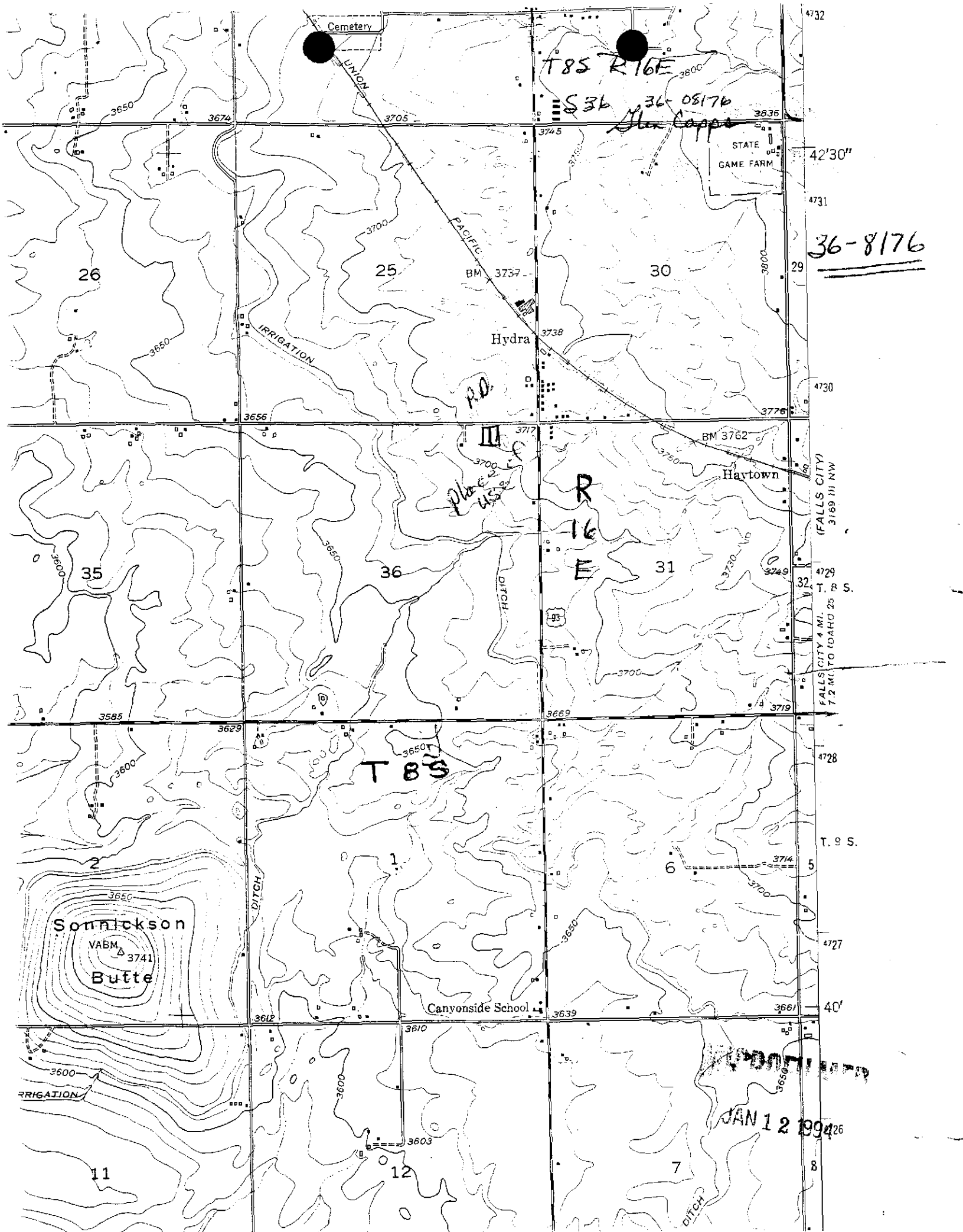
Field Examiner's Name Gary Funderburg
 Signature Gary Funderburg
 Certification Date 3/31/93
 Field Report Preparation Date 1-7-93



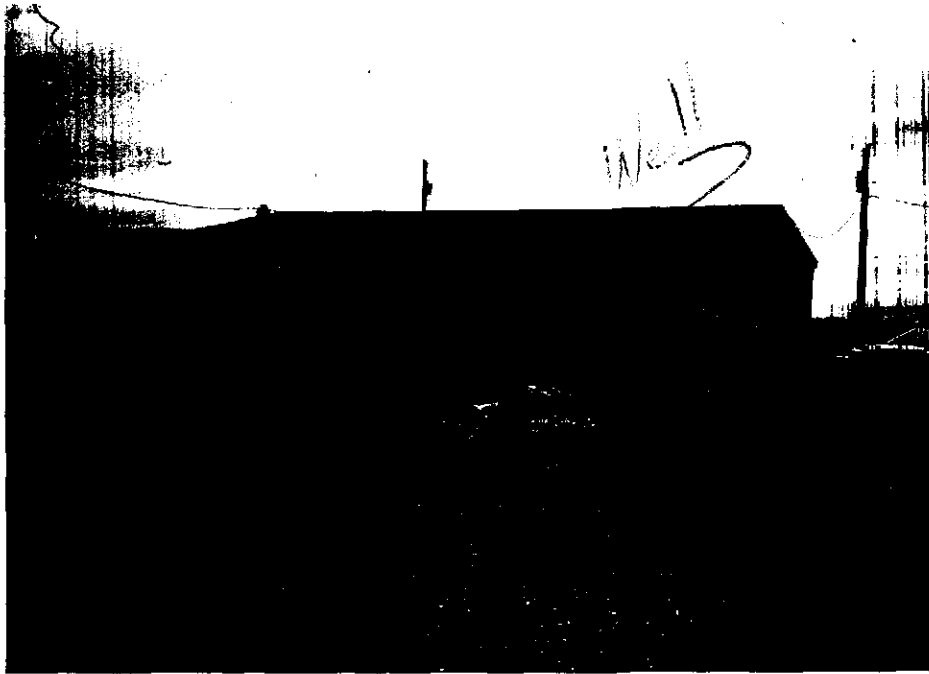
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

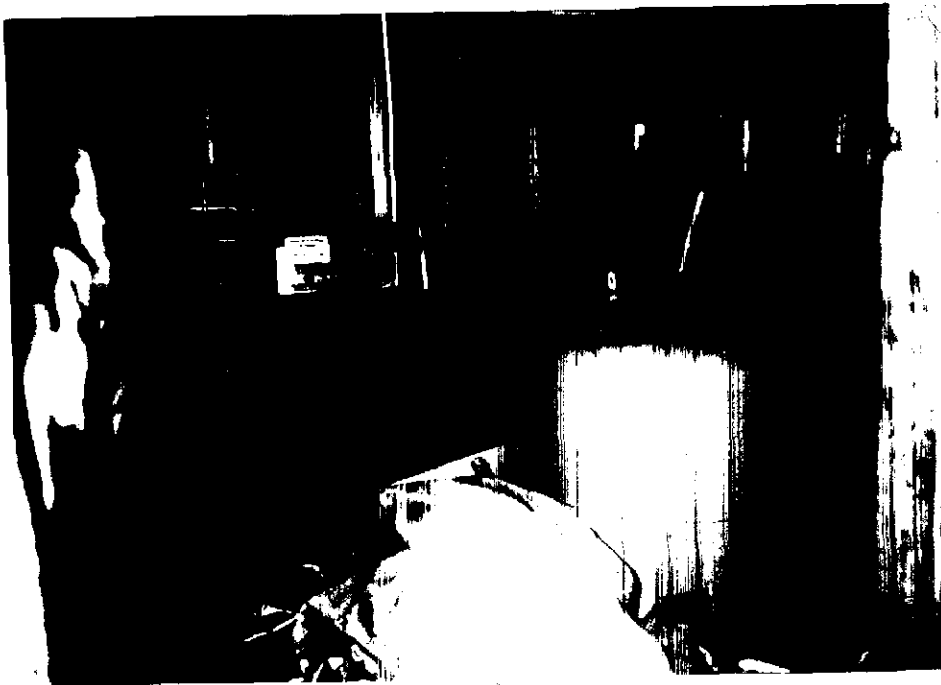
JAN 12 1994



36-08176



well located at Shop & Home.



Pressure Tank & Control Box
for System.

JAN 12 1994

May 15, 1990

GLEN CAPPS INC.
526 N. DAVIS
JEROME, ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08176

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

INDEXED

MAY 23 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8176

Date: 5-10-90

General Considerations:

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

Source of Water:

_____ Surface water
4 _____ 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:

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

Measuring Device:

5 Is a measuring device or access port required?
5 Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable
No well log found

N/A

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138101
January 31, 1990

GLEN CAPPS INC.
526 N. DAVIS
JEROME, ID 83338

PROOF DUE NOTICE
RE: PERMIT NO. 36-08176

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 April 1, 1990. (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

RECEIVED
MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-8176
Name(s) of Permit Holder(s): Glen Capps Inc.
Post Office Address: 526 W. DAVIS Jerome, Id 83338
Tel. No. 374-1341

☒ I hereby certify that construction of diversion works for the above referenced permit began on 3/31/83 (date) and understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

5/23/85
Date

Glen Capps, Inc.
Signature of Permit Holder

Glen Canyon Falls, ID
556 W. Davis
Jerome, Idaho 83328



RECEIVED



MICROFILMED

MAY 23 1990

MAY 28 1988 IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECORDED
INDEXED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GLEN CAPPS, INC.
526 N. DAVIS
JEROME, ID 83338

MAY 01, 1985

RE: PERMIT NO. 36-8176

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8186 526 N. DAVIS,

36-8186
Date Filed: 03-31-1983
Diversion Pt.: NENE Sec. 36 T 08S R 16E

Use: COMMERCIAL (0.08 CFS)
DOMESTIC (0.08 CFS) 2 Homes
In: NENE Sec 36 T 08S R 16E

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8186
MERRITT, VERL D. &/or
ROSEMARY, RT. 2 BOX 2010,
JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 05-17-1983
Diversion Pt.: SESW Sec 14 T 08S R 16E

Use: COMMERCIAL (0.04 CFS)
DOMESTIC (0.04)

In: SESW Sec 14 T 08S R 16E
If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83338 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8197
SEVERSON, ROLAND O. &/or
ELEANOR, RT. 3 BOX 3888, JEROME,
ID 83338

Source: GROUNDWATER
Date Filed: 06-07-1983
Diversion Pt.: SWNW Sec 08 T 09S R 17E

Use: IRRIGATION (0.08 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 09S R 17E FOR
2.5 ACRES

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8202
JANSEN, B. HOWARD, RT. 3 BOX
3835, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06-14-1983
Diversion Pt.: SWSW Sec 08 T 08S R 17E

Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.08 CFS)
In: SWSW Sec 08 T 08S R 17E FOR
5 ACRES - 3 Homes

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8204
HATMAKER, DIANE K. &/or DAVID
P., RT. 4 BOX 4941, JEROME, ID
83338

Source: GROUNDWATER
Date Filed: 06-14-1983

36-8217
THOMPSON, D. R., RT. 2 BOX
2842, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06-30-1983
Diversion Pt.: SENE Sec 28 T 08S R 16E

Use: DOMESTIC (0.08 CFS)
In: SENE Sec 28 T 08S R 16E FOR 3
HOMES

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8229
GOLDING, RICHARD T., RT. 1 BOX
116, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 07-18-1983
Diversion Pt.: NESW Sec 03 T 08S R 16E

Use: COMMERCIAL (0.06 CFS)
In: NESW Sec 03 T 08S R 16E

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8173
FLEENOR, EDWARD, RT. 1,
JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 03-25-1983
Diversion Pt.: NWNW Sec 32 T 07S R 17E

Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.06 CFS)
In: NWNW Sec. 32 T 07S R 17E FOR
1 ACRE FOR 2 HOMES

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8145
L.D.S. - CORP. OF THE PRESI-
DENT, 50 E. NORTH TEMPLE, SALT
LAKE CITY, UT 84150

Source: GROUNDWATER
Date Filed: 02-14-1983
Diversion Pt.: NWSW Sec. 17 T 08S
R 17E

Use: IRRIGATION (0.06 CFS)
DOMESTIC (0.02 CFS)
In: NWSW Sec. 17 T 08S R 17E 2
ACRES

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

36-8166
ALLEN, LELLON &/or HAZEL, RT. 1
BOX 141, HAZELTON, ID 83335

Source: GROUNDWATER
Date Filed: 03-31-1983
Diversion Pt.: LOT 10S - 10T 10S R

AFFIDAVIT PUBLICATION

COPY OF NOTICE
(Paste Here)

State of Idaho,
County of Jerome

SS. *[Signature]*

FEB 1 1985

GORDON G. GLASHANN

Department of Water Resources
Seventh District Office

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 23rd day of January, 1985, and the date of the last publication was on the 30th day of January, 1985.

Subscribed and sworn to before me this 30th

day of January, 1985.
(SEAL)

[Signature: Darla Drott]

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

MICROFILMED

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 207
Number of Insertions 2

207 Lines tabular at 107.64 5¢/Pica
207 Lines straight at 80.73 4¢/Pica
207 Subsequent lines at 80.73 3¢/Pica
TOTAL COST 188.37

Wtc of Application
TITLE OF NOTICE
368174 368177 368204
368180 368202 368217

PLAINTIFF ATTORNEY
36-8229 368145
36-8173 368166

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

No 1970

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JANUARY 17, 1985

North Side News
P. O. Box 468
Jerome, Idaho 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 FEBRUARY 11, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8176-

GLEN CAPPS, INC.

526 N. DAVIS, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 03/31/1983

Diversion Pt: NENE Sec 36 T 08S R 16E

Use: COMMERCIAL (0.08 CFS)
DOMESTIC (0.08 CFS) 2 HOMES

In: NENE Sec 36 T 08S R 16E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN

Director

Published 1/23 & 1/30/85.

MICROFILMED

**Glen Capps, Inc.
applies for water permit**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8176

GLEN CAPPS, INC., 526 N. DAVIS,
JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 03-31-1983

Diversion Pt.: NENE Sec. 36 T 08S R
16E

Use: COMMERCIAL (0.08 CFS)

DOMESTIC (0.08 CFS) 2 Homes

In: NENE Sec 36 T 08S R 16E

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN
Director

PROFILMED

ok
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1/22/85