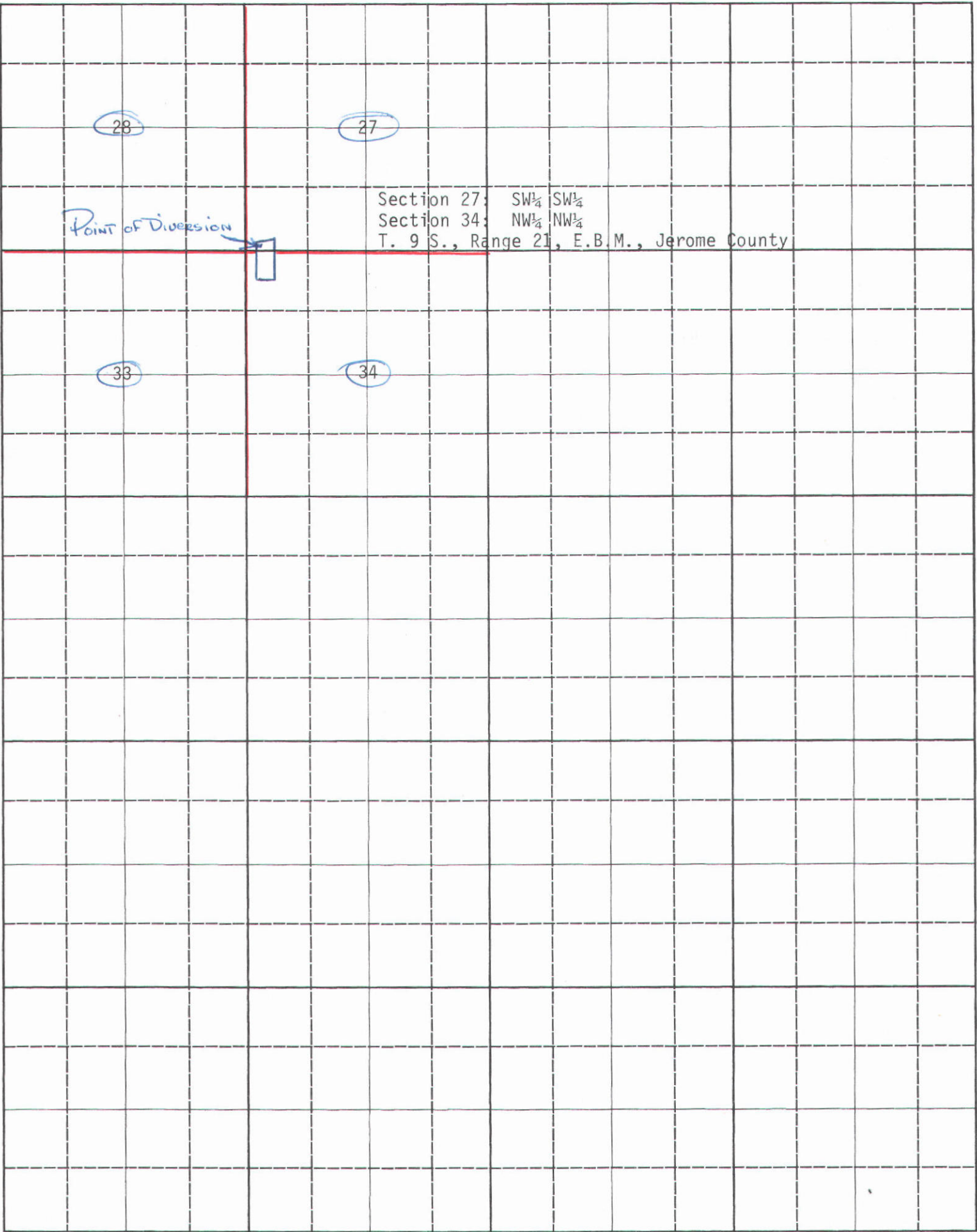


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Managing agent for
DAIRY HEIFER INVESTMENT GROUP
Vice Pres. of Operations for Aurora Capital
Grant Osterhout

[Signature]
(Applicant)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

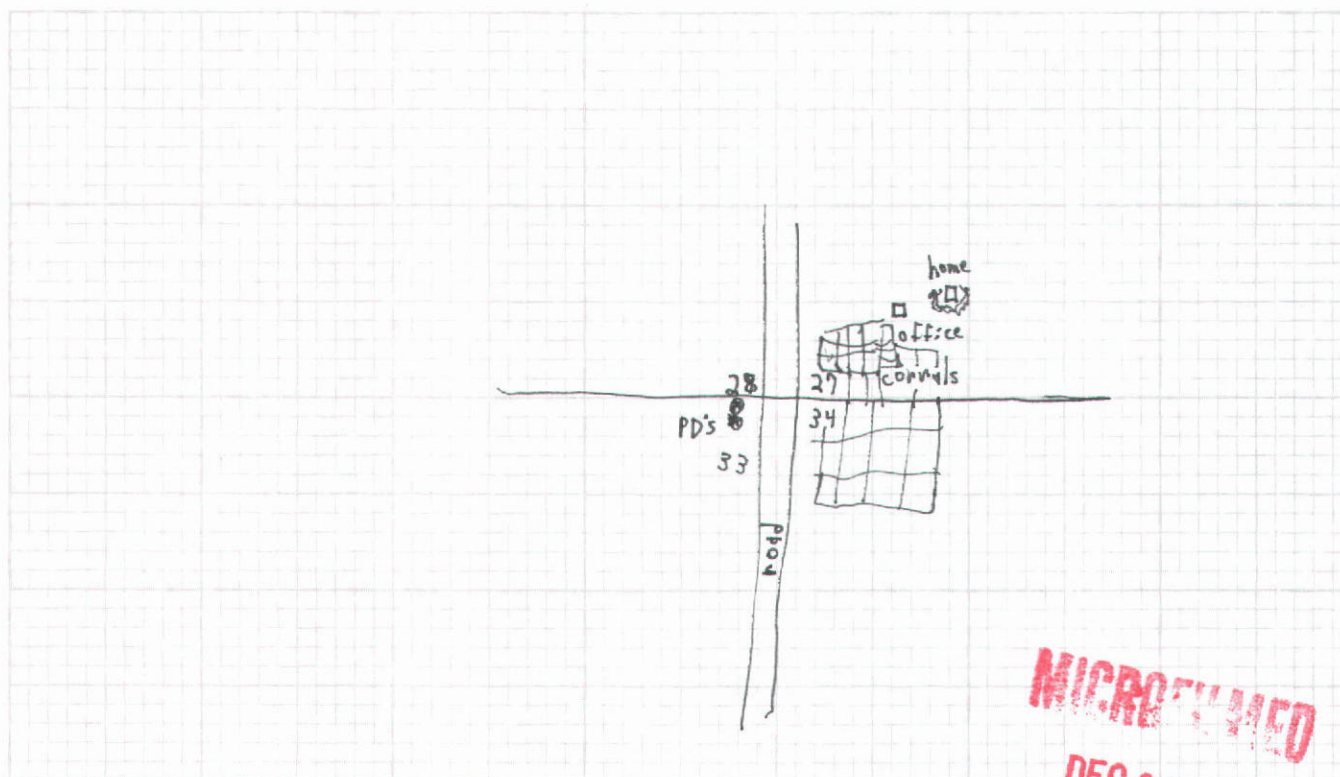
1. Owner: Dairy Heifer Investment Group Permit No. 36-8163
Current Address: 2709 E. 800 S, Hazelton, ID 83335 Phone No. 438-5437
2. Accompanied by: Grant Osterhout Duwayne Kent EXAM. DATE: 5-20-90 5-16-91
Address: Same Phone No. _____
Relationship to Permit Holder: Manager
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: 36-8014 _____
_____ ☐ 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

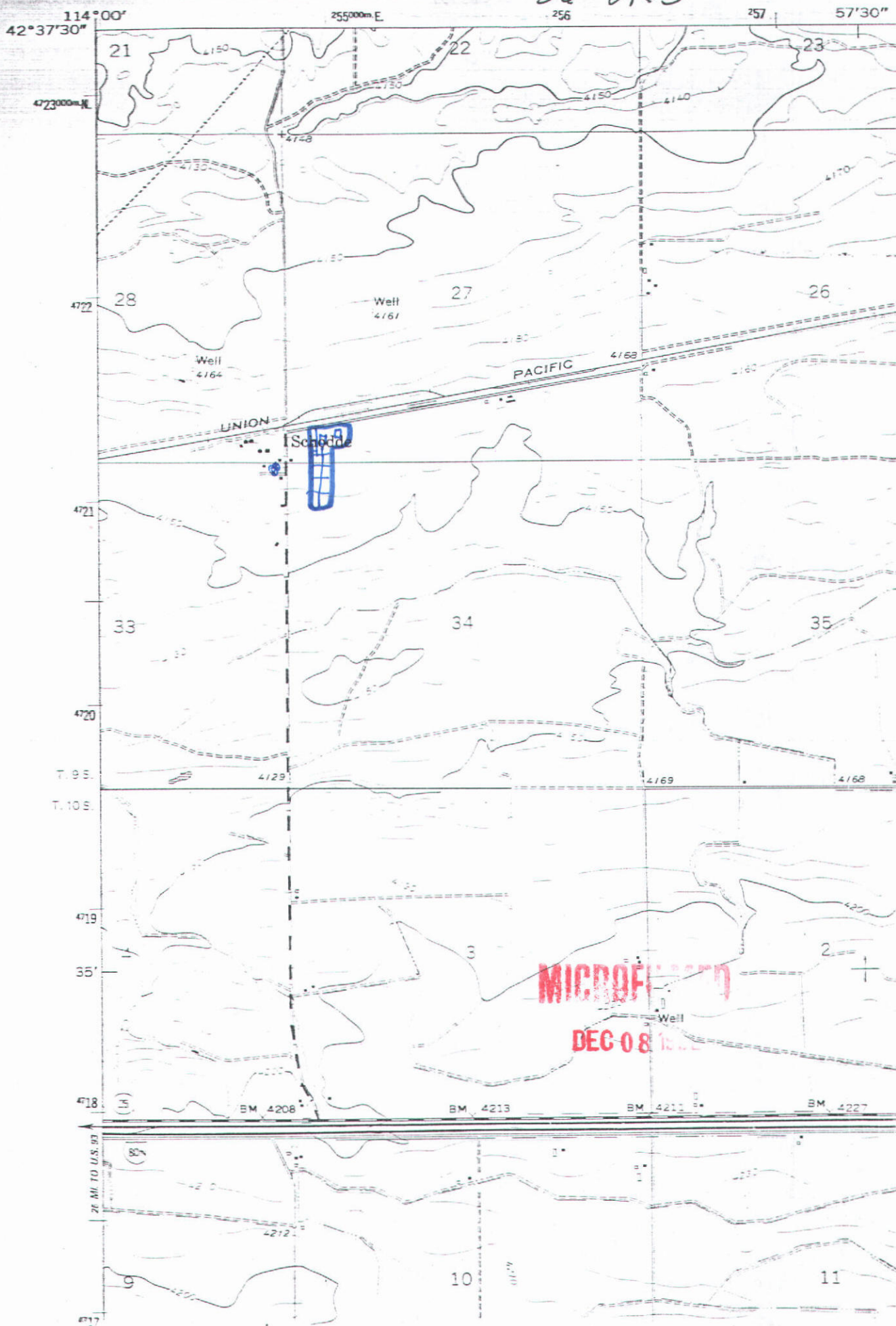


Scale: 1" = _____

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).

36-8163

3169 11 NE
(HAZELTON NE)





5 hp pump



25 hp pump

Office



APPROVED
DEC 08 1992

36-8163



Feedlot

Home east of
Office



UNRECORDED
DEC 08 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08163

Priority: April 13, 1983

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.3 AF

This is to certify, that DAIRY HEIFER INVESTMENT GROUP
2709 E 800 S

HAZELTON ID 83335

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 15, 1983; and has submitted Proof of Beneficial Use on May 30, 1990. An examination indicates that the works have a diversion capacity of .330 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>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 33, Township 09S, Range 21E
JEROME County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 21E 27

SWSW

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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Two points of diversion are located within NENE, S33, T09S, R21E. Domestic use is for 1 home and office.

RECEIVED

DEC 08 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 36-08163

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 24TH
day of November, 1992.

Acting for *R. Keith Higginson*
R. Keith Higginson, Director

RECEIVED

DEC 08 1992

State of Idaho
Department of Water Resources

RECEIVED

NOV 04 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08163

Department of Water Resources

APPROVED

Date of Priority: April 13, 1983

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.3 AF

Comes now

DAIRY HEIFER INVESTMENT GROUP

2709 E 800 S

HAZELTON ID 83335

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08163, and requests that the permit be changed as follows:

Source: GROUNDWATER ✓

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.3 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NENE , Sec. 33, Township 09S, Range 21E JEROME County	

PLACE OF USE: DOMESTIC
TWN RGE SEC

09S 21E 27 SWSW

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Hazelton, this 3 day of November, 19 92.



(Signature)

RECEIVED

DEC 08 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08163

FOR DEPARTMENT USE ONLY

Preliminary check by 28 Fee = \$20.00 Received by J. H. Carson # 608504 Date 11-5-92

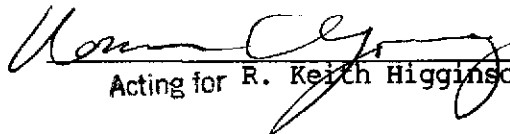
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-08163 with the following;

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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Two points of diversion are located within NENE, S33, T09S, R21E. Domestic use is for 1 home and office.

Witness my hand this 24th day of NOVEMBER, 1992.


Acting for R. Keith Higginson, Director

DEC 08 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-8163 IN THE)
NAME OF DAIRY HEIFER INVESTMENT GROUP) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 30, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-8163 be REINSTATED and the priority advanced to April 13, 1983.

Dated this 11th day of June, 1990.

MICROFILMED

JUN 21 1990


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
APPROVED
MAR 14 1978
Department of Water Resources
Southern District Office

1. Name of applicant Dairy Heifer Investment Group Phone 734-6347

Post office address c/o Aurora Capital Corp., P.O. Box 2469, Twin Falls, ID 83301

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 9 S.

Range 21 E. B.M. Jerome County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .66 cfs for stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .10 cfs for domestic purposes from Jan. 1 to Dec. 31 (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. .76 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Well, pump and electric motor.

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 10" inches; proposed depth of well is 450 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: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 9 S.
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34

Range 21 E. B.M.

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

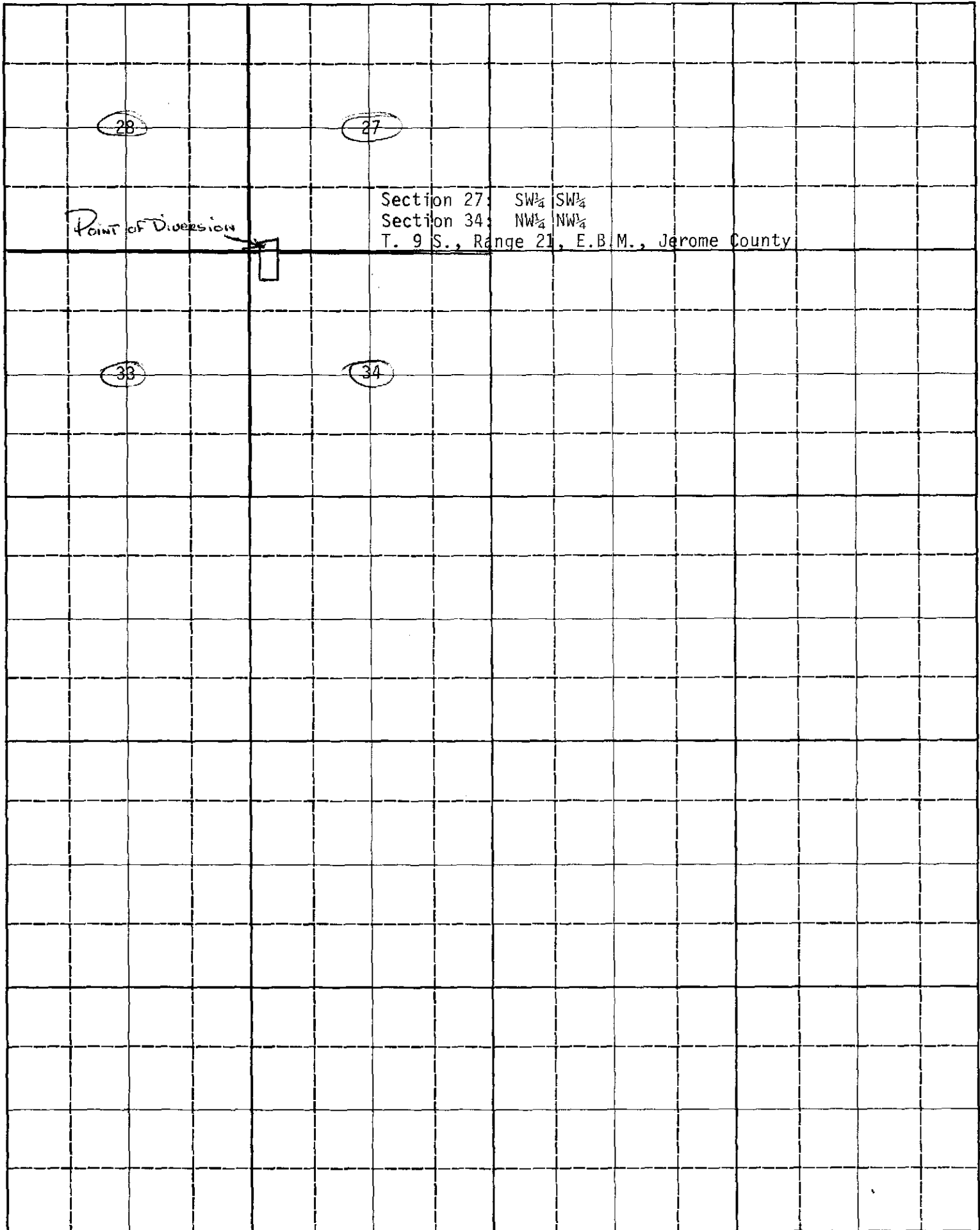
(3) List number of each kind of livestock to be watered Dairy and beef - 3,000 head

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

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

MICROFILMED

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.

Managing Agent for
DAIRY HEIFER INVESTMENT GROUP
Vice Pres. of Operations for Aurora Capital
Grant Osterhout

(Applicant)

Proposed Priority 3/15/83Received by maey Date 3/15/83 Time 11:30aPreliminary check by TGB Fee \$ 45⁰⁰Receipted by maey Date 3/15/83 # 26086Publication prepared by maey Date 2/22/85Published in north side newsPublication dates 3/6 + 3/13/85Publication approved maey Date 3/15/85Protests 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. 36-8163, 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 May 1, 19 90.
- 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.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 15th day of May, 1985.

J. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

GORDON O. GLASMANN

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 6th day of March

1985, and the date of the last publication was on the 13th

day of March, 1985.

Subscribed and sworn to before me this 14th

day of March, 1985.
(SEAL)

36-8222

MILLER, TED &/or FELICE
CANTONE, JANE
STONE, BARBARA,
C/O Barbara Stone, Rt. 2 Box 2532,
JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06/29/1983
Diversion Pt: SWNE Sec 33 T 08S R

16E
Use: STOCKWATER (0.8333 CFS)
In: SWNE Sec 33 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8224

MILLER, TED &/or FELICE
CANTONE, JANE
LOPEZ, KAREN &/or JOHNNY
C/O Karen and Johnny Lopez, Rt. 2 Box 2595, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06/29/1983
Diversion Pt: NENE Sec 33 T 08S R

16E

Use: IRRIGATION (0.06 CFS)
STOCKWATER (0.17 CFS)
COMMERCIAL (0.17 CFS)
DOMESTIC (0.04 CFS)

In: NENE Sec 33 T 08S R 16E FOR 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8225

MILLER, TED &/or FELICE
STONE, BARBARA
CANTONE, JANE
C/O Barbara Stone, Rt. 2 Box 2532,
JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06/29/1983
Diversion Pt: NENW Sec 32 T 08S R

16E

Use: IRRIGATION (0.06 CFS)
STOCKWATER (0.66 CFS)
DOMESTIC (0.06 CFS)

In: NENW Sec 32 T 08S R 16E FOR 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

3-6-2tc

NOTA

36-8175
K & W DAIRY, RT. 3, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 04/11/1983
Diversion Pt: NWSW Sec 11 T 09S R

16E

Use: STOCKWATER (0.78 CFS)
COMMERCIAL (1.58 CFS)

In: NWSW Sec 11 T 09S 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8193

SKEEN, A. DALE &/or KAREN L.,
RT. 4, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 05/24/1983
Diversion Pt: NESE Sec 35 T 08S R

19E

Use: IRRIGATION (0.06 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)

In: NESE Sec 35 T 08S R 19E FOR 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8196

THORN CREEK GRAZING ASSOC.,
RT. 1, GOODING, ID 83330

Source: GROUNDWATER
Date Filed: 05/26/1983
Diversion Pt: NWNE NWSE Sec 22 T

09S R 17E

Use: COMMERCIAL (11.00 CFS)
In: NWNE SWNE NWSE Sec 22 T

09S R 17E

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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8215

VAN HOLLAND, ARTHUR, RT. 6
BOX 6335, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06/22/1983
Diversion Pt: SWNW Sec 03 T 09S R

17E

Use: COMMERCIAL (0.11 CFS)
DOMESTIC (0.04 CFS)

In: SWNW Sec 03 T 09S R 17E

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 MARCH 25, 1985.

A. KENNETH DUNN, Director

COPY OF NOTICE

(Pas

36-8139

36-8155

36-8164

36-8174

PLAINT

36-8196

36-8215

DE

36-822

PL

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

36-8139

MCCORD, LLOYD, RT. 2 BOX 2470,

JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 01/21/1983

Diversion Point: NWNW Sec 29 T

08S R 16E

Use: STOCKWATER (0.44 CFS)

DOMESTIC (0.08 CFS)

In: NWNW Sec 29 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8155

BARRYMORE ESTATES SUB-DIVISION WATERUSERS, C/O Gene Anderson, Rt. 6, Box 6305, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 03/04/1983

Diversion Pt: SESE Sec 04 T 09S R

17E

Use: STOCKWATER (0.04 CFS)

DOMESTIC (0.25 CFS)

In: NESE SESE Sec 04 T 09S R 17E

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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8163

DAIRY HEIFER INVESTMENT GROUP, C/O Aurora Capital Corp., P.O. Box 2469, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 03/15/1982

Diversion Pt: SWSW Sec 27 T 09S R

21E

Use: STOCKWATER (0.66 CFS)

DOMESTIC (0.10 CFS)

In: SWSW Sec 27 T 09S R 21E

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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8166

VAN BEEK, JACK, RT. 3, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 04/07/1983

Diversion Pt: NENE Sec 10 T 09S R

16E

Use: STOCKWATER (0.65 CFS)

COMMERCIAL (1.30 CFS)

In: NENE Sec 10 T 09S 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8167

MARCO RANCHES, INC., RT. 3, JEROME, ID 83338

Source: SPRING trib. to SNAKE RIVER

Date Filed: 03/30/1983

Diversion Pt: SWSE Sec 15 T 09S R

16E

Use: STOCKWATER (0.05 CFS)

In: SWSE Sec 15 T 09S 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

36-8174

SHEWMAKER BROS., INC., RT. 2 BOX 2205, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 04/14/1983

Diversion Pt: SENW Sec 08 T 08S R

16E

Use: STOCKWATER (0.33 CFS)

In: SENW NESW Sec 08 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 MARCH 25, 1985.

A. KENNETH DUNN, Director

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 24, 1992

DAIRY HEIFER INVESTMENT GROUP
2709 E 800 S
HAZELTON ID 83335

RE: WATER RIGHT NO. 36-08163

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

DEC 08 1992



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

October 27, 1992

DAIRY HEIFER INVESTMENT GROUP
2709 E 800 S
HAZELTON ID 83335

RE: WATER RIGHT NO. 36-08163

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
DEC 08 1992

LICENSE REVIEW CHECKLIST

Permit # 36-8163

Date 10-22-92
28

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? <u>DONE</u>
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☒	☐	Disagree with Actual Measurement? <u>.06 cfs (DOM)</u>
	☒	☐	Disagree with Theoretical? _____
	☐	☒	Limited by Capacity? <u>.33 cfs</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season
			<u> </u> Season Recommended
	☐	☒	Disagree with Examiner's Calculations? <u>1.3 afa (DOM)</u>
	☐	☒	Limited by Flow? _____
SOURCE	☐	☒	Changes? Clarification of <u>Originally Intended</u> source _____
	☐	☒	Notice of Intent to Void.
P/D	☒	☐	Verify with Map
	☐	☒	Amendment Needed? <u>Change S10SW, S27 to NENE, S33</u>
	☐	☒	Is Overlap Analysis a Consideration? <u>36-8014 for .26 cfs + .06 cfs = .32 cfs < .33 cfs (Capacity)</u>
P/U	☐	☒	Verify with Map
	☐	☒	Amendment Needed? <u>Drop NWNW, S34</u>
	☐	☒	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use? <u>Drop STOCK</u>
	☐	☒	Amendment Needed? _____
REMARKS	☒	☐	Multiple P/Ds in 1/4 1/4? <u>2/NENE</u>
	☒	☐	Non-Irr. Uses <u>DOM/1 Home + office</u>
	☐	☒	Special Overlap Condition _____
	☐	☒	Other _____
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	☐	☒	Overlap
	☐	☒	Water Quality
			DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Reduced uses, rate Amend P/D

License 10-Day 15-Day ☒ Special Correspondence

WR0749NP
No. L36-08163

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

DATE: 10/22/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAIRY HEIFER INVESTMENT GROUP 2709 E 800 S HAZELTON ID 83335 (208) 438-5437	04/13/1983	DOMESTIC	01-01 12-31	0.06 CFS	1.3 AFA
TOTAL DIVERSION:					0.06 CFS	1.3 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.33 CFS

Point(s) of Diversion: T09S R21E S33 NE NE

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
09S	21E	27	:					:					:					:					:

Pou County: JEROME

Other Water Rights Listing Overlapping Place(s) of use:
36-02248 36-02249 36-07688

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

Remarks: Two points of diversion are located within NENE, S33, T09S, R21E.
Domestic use is for 1 home and office.

Dates: App. Received: 03/15/1983 Priority Date: 04/13/1983 (Priority Date Advanced.)
Proof Due Date: 05/01/1990 Proof Made Date: 05/30/1990 (Proof Received Late.)
Exam Made Date: 05/16/1991 Exam Sent to S.O.: 09/28/1992
Licensed Date:

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

Audit: 10/22/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

Blair Hayden
36-8163
Permit No.

RECEIVED

SEP 29 1992

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 6-11-90 TP (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☒ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index 6-11-90 TP (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed JF Stanton 5-17-91 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent MTS 5-22-91 (Initial and date)

Exam Reviewed by Manager of Regional Office SL 9/24/92 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

DEPARTMENT OF WATER RESOURCES

LICENSING EXAMINATION

CHECKLIST

WATER RIGHT 36-8163

REVIEWER MTS

DATE 5-22-92

RULE 5, EXAMINATION FOR BENEFICIAL USE; (FIELD EXAM ITEM IN PARENTHESES)

1,2. ✓ (H,I1) 1,3. ✓ (C3,C4) 1,4. ✓ (C1,H) 1,5. NA (H)
 1,6. *^(H) (H) 1,7. NA (C2) 1,8. NA (C6) 1,9. NA (C2,C6)
 1,10. NA (I1) 1,11. NA (C3,I1) 1,12. *^H (H) 1,13. ✓ (I1)
 1,14. NA (D,E) 1,15. ✓ (I1) 1,16. ✓ (I2) 1,17. NA (C2)

fee = \$100 = 1.0 of met

RULE 6, MEASUREMENT TECHNOLOGY; (FIELD EXAM ITEM IN PARENTHESES)

1,1. ✓ (D,E,I1) 1,2. ^{OK}NA (G,I1) 2. NA (D,E) 3. NA (D,E)
 4. ✓ (D,E) 5. ✓ (D,E)

RULE 7, DRAWINGS, MAPS, PHOTOS, SCHEMATIC DIAGRAM; (ALL ITEM C2)

1,1. ✓ 1,2. NA 1,3. ✓ 1,4. ✓
 1,5. ✓

RULE 5,2. FIELD REPORT ACCEPTABILITY (STATE OFFICE REVIEW)

2,1. _____ 2,2. _____ 2,3. _____ 2,4. _____

REVIEWER _____ DATE _____

N/A = NOT APPLICABLE

* = SEE ITEM _____ IN BENEFICIAL USE REPORT

** = SEE ATTACHMENT NO. _____

*** = SEE REMARKS ATTACHED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 36-8163

1. Owner: Dairy Heifer Investment Group

Phone No. 438-5437

Current Address: 2709 E. 800 S, Hazelton, ID 83335

2. Accompanied by: ~~Frank Osterhout~~ Duwayne Kent

EXAM. DATE: ~~5-30-90~~ 5-16-91

Address: Same

Phone No. _____

Relationship to Permit Holder: Manager

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

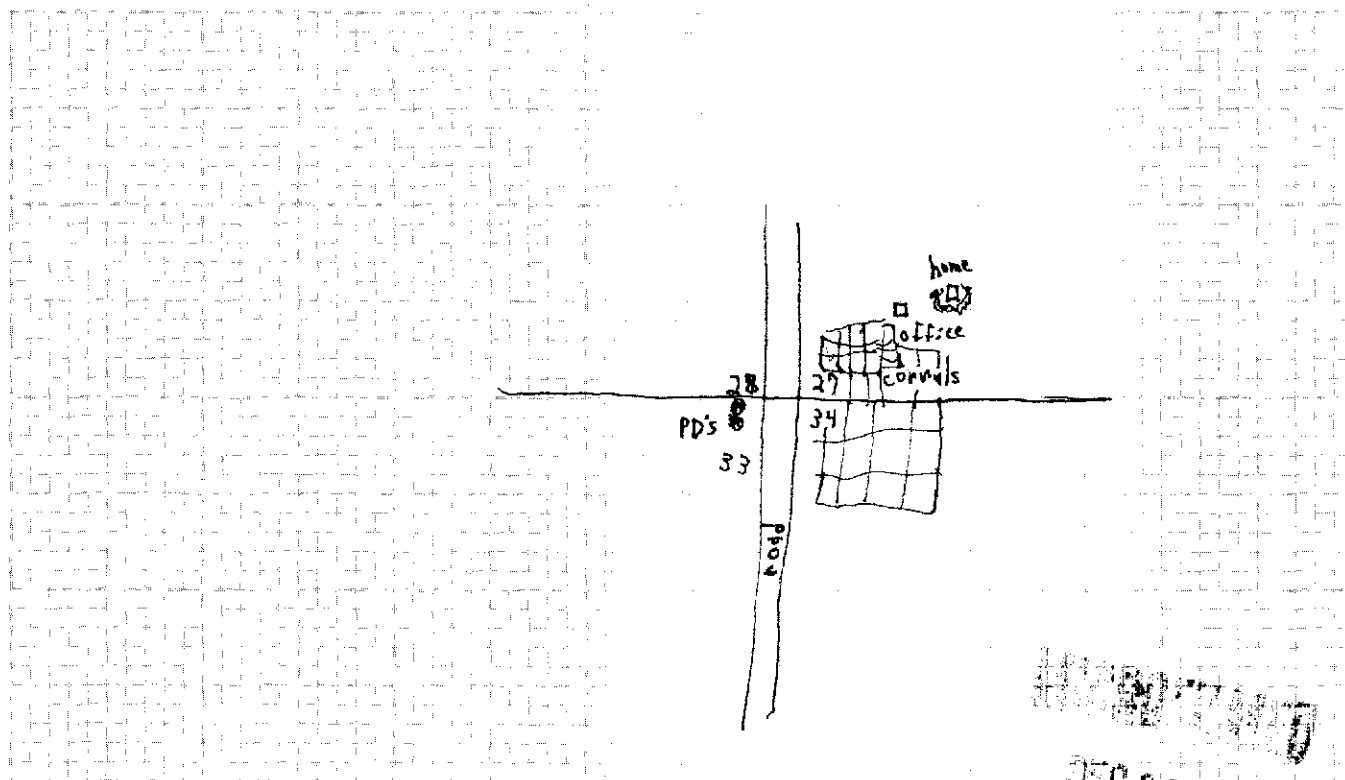
2. Other water rights with same point of diversion: 36-8014

☐ 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).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

System Description (continued)

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

Well & submersible pump. Lines to 1 home, office, feedlot. Also backup well.

☐ 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
Main Well		20			
Backup Well	Franklin	5			

*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
✓			NE	NE	33	95	21E	Jerome	2 points

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	21E			27								D, #						
✓					~~34~~				N										

REPRODUCED

Do not use this space

DEC 08 1992

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, Main pump rated 150 gpm at 45 psi & 334' lift by Smith Drilling.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Allow 0.04 cfs for home & 0.02 cfs for office = 0.06 cfs

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:

Domestic - 1 home w/ lawn + 1 office (no lawn), 1.2 AFA/home + 50 gpd/office = 1.2 + 0.06 = 1.26 AFA

~~*Stockwater 3000 range x 0.0134 AFA/hd = 40.2 AFA*~~

Allow 1.3 AFA

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Original intent was to drill a well in Sec. 27 to supply this facility. This was not done due to the dairy buyout program, however, the two wells in Sec. 33 supply Sec. 27 at this time. Corrals will handle up to 3000 cattle, but are not in use at this time (last use was 1986). Extension of time submitted in April was denied, so proof was filed to cover existing development. Same wells serve Permit 36-8014 in Sec. 28 & 33. Not to exceed 0.33 cfs when combined with Rt. 36-8014. Loren feels that only cropland is protected from forfeiture during federal set-aside programs, so I am not recommending stockwater use under this permit. Any use that was developed ceased more than 5 years ago, so has probably been forfeited.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.06	1.30 cfs
~~Stockwater~~	~~1-1~~	~~12-31~~	~~0.33~~	~~40.2~~
Totals:			~~0.33~~ 0.06	4.46 1.3 cfs

2. Recommended Amendments

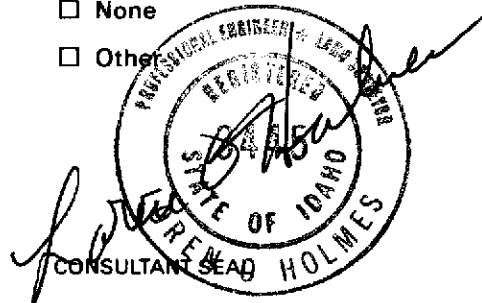
- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name J.E. Stanton
Signature J.E. Stanton
Certification Date 3/20/92
Field Report Preparation Date 5-17-91 4-22-92

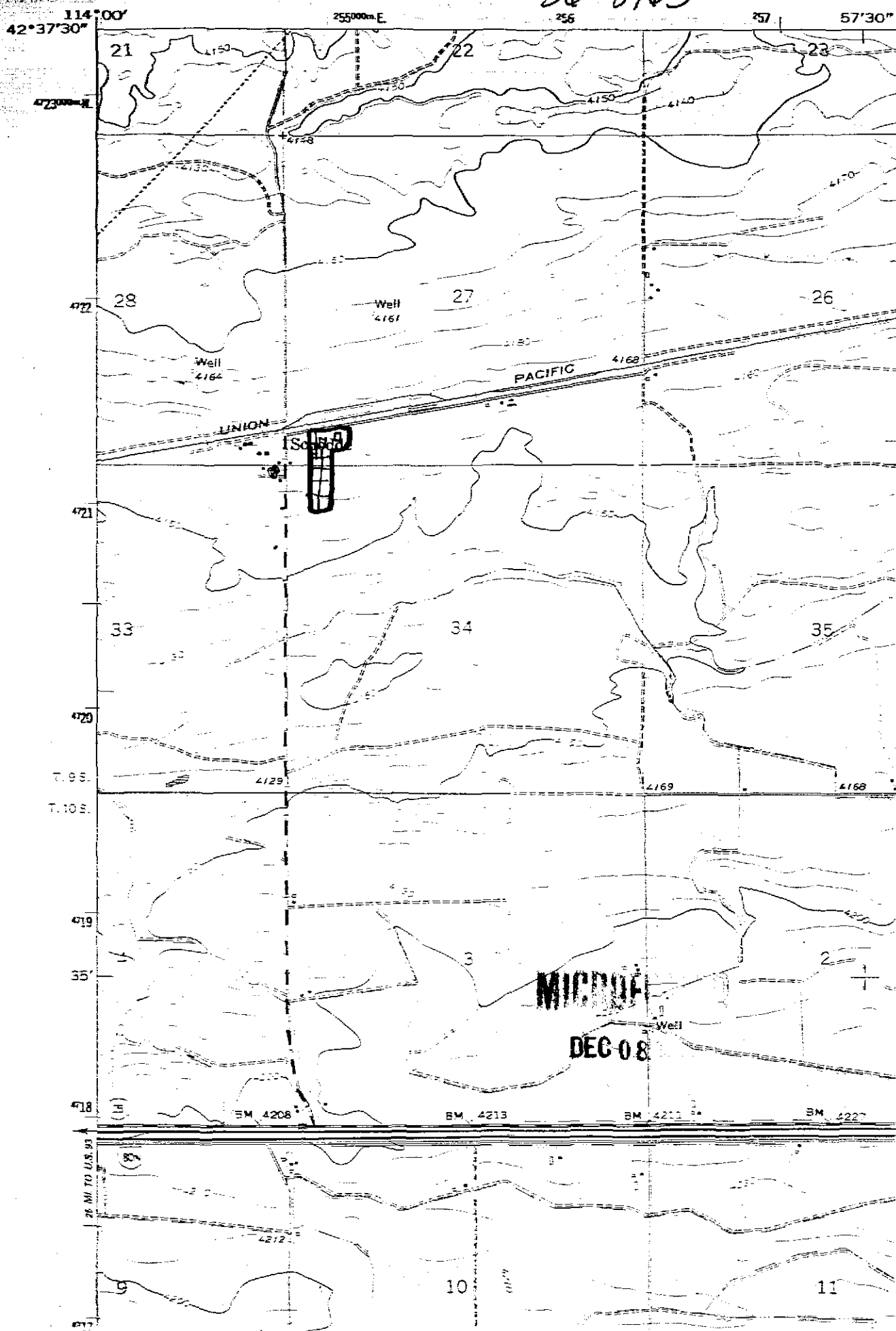


K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

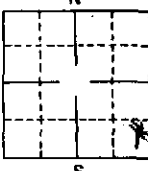
08 1992

36-8163
256



WELL DRILLER'S REPORT

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

1. WELL OWNER Name <u>Aurora Capital</u> Address <u>Twin Falls</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>334</u> feet below land surface. Flowing? ☐ Yes ☒ No Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____																																																																																																																																																																																									
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA NONE ☐ Pump ☐ Bailer ☐ Air ☐ Other _____																																																																																																																																																																																									
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☒ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) _____		9. LITHOLOGIC LOG																																																																																																																																																																																									
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		<table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>12</td><td>0</td><td>6</td><td>Top Soil Sand Gravel</td><td></td><td>X</td></tr><tr><td></td><td>6</td><td>17</td><td>Med Hard Gray Basalt</td><td></td><td></td></tr><tr><td>12/10</td><td>17</td><td>22</td><td>Hard Gray Basalt</td><td></td><td></td></tr><tr><td>10</td><td>22</td><td>38</td><td>Hard Gray Basalt w/sm.breaks</td><td></td><td></td></tr><tr><td></td><td>38</td><td>42</td><td>Med Hard Gray Basalt w/trace cinders</td><td></td><td></td></tr><tr><td></td><td>42</td><td>47</td><td>Med Hard Gray Basalt w/lg.breaks/crevices</td><td></td><td></td></tr><tr><td></td><td>47</td><td>62</td><td>Med Soft w/lg.breaks-crevices</td><td></td><td></td></tr><tr><td></td><td>62</td><td>68</td><td>Med Hard w/lg.breaks</td><td></td><td></td></tr><tr><td></td><td>68</td><td>80</td><td>Hard</td><td></td><td></td></tr><tr><td></td><td>80</td><td>88</td><td>Med Hard</td><td></td><td></td></tr><tr><td></td><td>88</td><td>100</td><td>Med Soft w/lg.breaks - Crevices</td><td></td><td></td></tr><tr><td></td><td>100</td><td>120</td><td>Med Hard w/lg.breaks- crevices</td><td></td><td></td></tr><tr><td></td><td>120</td><td>132</td><td>Med Hard w/lg.breaks</td><td></td><td></td></tr><tr><td></td><td>132</td><td>140</td><td>Med Hard w/lg.breaks w/soft spots</td><td></td><td></td></tr><tr><td></td><td>140</td><td>160</td><td>Med Hard w/lg.breaks-crevices</td><td></td><td></td></tr><tr><td></td><td>160</td><td>196</td><td>Med Hard w/sm.breaks</td><td></td><td></td></tr><tr><td></td><td>196</td><td>211</td><td>Med Hard w/lg.breaks</td><td></td><td></td></tr><tr><td></td><td>211</td><td>216</td><td>Hard</td><td></td><td></td></tr><tr><td></td><td>216</td><td>220</td><td>Med Hard w/lg.breaks</td><td></td><td></td></tr><tr><td></td><td>220</td><td>240</td><td>Med Hard w/lg.breaks-crevices</td><td></td><td></td></tr><tr><td></td><td>240</td><td>268</td><td>Med Hard w/small breaks</td><td></td><td></td></tr><tr><td></td><td>268</td><td>280</td><td>Med Hard w/lg.breaks w/crevices</td><td></td><td></td></tr><tr><td></td><td>280</td><td>320</td><td>Med soft w/lg.breaks -crevices</td><td></td><td></td></tr><tr><td></td><td>320</td><td>340</td><td>Med Hard w/lg.breaks-crevices</td><td></td><td>X</td></tr><tr><td></td><td>340</td><td>360</td><td>Med Hard w/lg.breaks Crevices</td><td>X</td><td>Trace</td></tr><tr><td></td><td>360</td><td>377</td><td>Med Hard w/lg.breaks crevices</td><td>Trace</td><td></td></tr><tr><td></td><td>377</td><td>392</td><td>Hard Rock</td><td></td><td></td></tr><tr><td></td><td>392</td><td>400</td><td>Med Hard w/small breaks</td><td></td><td>X</td></tr><tr><td></td><td>400</td><td>420</td><td>Med Hard w/lg.breaks</td><td></td><td>X</td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	12	0	6	Top Soil Sand Gravel		X		6	17	Med Hard Gray Basalt			12/10	17	22	Hard Gray Basalt			10	22	38	Hard Gray Basalt w/sm.breaks				38	42	Med Hard Gray Basalt w/trace cinders				42	47	Med Hard Gray Basalt w/lg.breaks/crevices				47	62	Med Soft w/lg.breaks-crevices				62	68	Med Hard w/lg.breaks				68	80	Hard				80	88	Med Hard				88	100	Med Soft w/lg.breaks - Crevices				100	120	Med Hard w/lg.breaks- crevices				120	132	Med Hard w/lg.breaks				132	140	Med Hard w/lg.breaks w/soft spots				140	160	Med Hard w/lg.breaks-crevices				160	196	Med Hard w/sm.breaks				196	211	Med Hard w/lg.breaks				211	216	Hard				216	220	Med Hard w/lg.breaks				220	240	Med Hard w/lg.breaks-crevices				240	268	Med Hard w/small breaks				268	280	Med Hard w/lg.breaks w/crevices				280	320	Med soft w/lg.breaks -crevices				320	340	Med Hard w/lg.breaks-crevices		X		340	360	Med Hard w/lg.breaks Crevices	X	Trace		360	377	Med Hard w/lg.breaks crevices	Trace			377	392	Hard Rock				392	400	Med Hard w/small breaks		X		400	420	Med Hard w/lg.breaks		X
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5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness _____ inches Diameter _____ inches From _____ feet To _____ 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 <u>18</u> Material used in seal: ☐ Cement grout ☒ Puddling clay ☐ Well cuttings 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 _____		10. Work started <u>5/18/82</u> finished <u>5/24/82</u>																																																																																																																																																																																									
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>TWIN FALLS</u> <u>JEROME</u> SE 1/4 SE 1/4 Sec. 28, T. 9S, R. 21E NW.		11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>SMITH DRILLING & PUMP CO. INC.</u> 11 Address <u>Jerome</u> Date <u>5/28/82</u> Signed by (Firm Official) _____ and (Operator) <u>Dennis C. Hunt</u>																																																																																																																																																																																									



5 hp pump



25 hp pump

Office



RECEIVED
OCT 1962

36-8163



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UNRECORDED

DEC 08 1992

June 19, 1990

DAIRY HEIFER INVESTMENT GROUP
C/O AURORA CAPITAL CORP.
P.O. BOX 2469
TWIN FALLS, ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08163

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

MICROFILMED

JUN 21 1990

RECEIVED

MAY 30 1990

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
MAY 31 1990

For Office Use Only
Amt. of Fee \$ 100.00
Date 5-30-90
Receipt No. 5013364
Received by J. E. Hinton
J. E. Hinton 6-13-90

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

Permit No. 26-8163 Telephone No. 438-5437

Name(s) of Permit Holder(s): Dairy Heider Investment Group

Post Office Address: 2709 E. 800 S., Hazelton, ID 83335

Source of Water: Groundwater

If ground water, well driller's name: Smith Drilling & Pump Co. Date drilled: 5-24-82

Extent of Use:
Domestic 1 (No. of households) + office Irrigation _____ (No. of acres)
Stockwater 3000 ^{range} (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.33 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1982

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: \$ 100.00 (See License Examination Fee Schedule)

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

Grant Osterhout
Name Telephone No.

Same
Address

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

Date 5/30/90 Signature [Signature] (and title if on behalf of a company or organization)

MICROFILMED

JUN 21 1990

1/00

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8163

Date: 6-5-90

General Considerations:

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

Source of Water:

☒ Surface water
☒ Groundwater
1. well log in file 1982
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:

*needs flow measurement - repair \$100.00
1 Household. Stockwater*

Priority Calculation:

Date proof received	<u>May 30, 1990</u>	<u>150</u>
Date proof due	<u>May 1, 1990</u>	<u>- 121</u>
No. of days late		<u>= 29</u>
Priority date	<u>Mar 15, 1983</u>	<u>+ 74</u>
NEW PRIORITY DATE	<u>April 13, 1983</u>	<u>= 103</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 24, 1990

Dairy Heifer Investment Group
2709 E. 800 S.
Hazelton, ID 83335

Gentlemen:

Re: Permit No. 36-8163

LAPSE NOTICE

Enclosed is a copy of your request for extension of time which you have submitted to the Department in connection with the above-referenced permit. Under the provisions of Sec. 42-204, Idaho Code, we cannot approve the request since there has been no demonstration of due diligence.

Also you are hereby notified that under the provisions of Sec. 42-218a, Idaho Code, Permit No. 36-8163 lapsed since the Department could not approve the request for extension of time you submitted.

For the undeveloped portion, I suggest that you file a new application within one year of the time you actually intend to develop a water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Please feel free to contact our regional office, if you wish to have assistance in completion of the new application.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure: Ext. of Time

CERTIFICATION OF MAILING

I hereby certify that on 5-24-90
this document was
deposited in the United States mail,
postage prepaid, addressed to the
individual named above.

MICROFILMED

JUN 21 1990

RECEIVED

APR 24 1990

Department of Water Resources
Southern Region OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

For Office Use Only

\$15 FEE Received by J. G. StettinDate 4-24-90Receipt # 5012167RECEIVED
APR 25 1990

The Idaho Department of Water Resources will consider this form as a request that the Department of Water Resources grant an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-8163Name(s) of Permit Holder: Dairy Heifer Investment GroupPost Office Address: 2709 E 800 S HAZLETON, IDAHO 83335Telephone No. 438-5427Date Proof is Due: 5/1/90

Describe what work has been completed toward the development of this water right: NONE
(This must be filled out! If no work has been completed, show "none".)

Costing \$ 21,000 0

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Financial Problems

Permit holder(s) request an extension to 5-1, 1993.
(1 yr. minimum)

(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED for the permit holder to proceed with diligence toward the completion of the project, pursuant to Section 42-204, Idaho Code.

JUN 21 1990

Signed this 7th day of May, 19 90.

DIRECTOR

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 36-8163Reviewed by [Signature]Date 5-4-90

BASIC INFORMATION

[Signature] Date stamp received
[Signature] Extension received timely (not too early not too late)
[Signature] Fee received and receipted
[Signature] Name and signature same as permit
[Signature] Address change

BASIS FOR EXTENSION REQUEST

 Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?
 Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

 Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Deny No work accomplished toward the development of a water right*

1/4 Reinstate Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

 Change proof due date _____ Address change
 Priority date change _____



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,

MICROFILMED

JUN 21 1990

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

138218
February 28, 1990

DAIRY HEIFER INVESTMENT GROUP
C/O AURORA CAPITAL CORP.
P.O. BOX 2469
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 36-08163

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 May 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

APR 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DAIRY HEIFER INVESTMENT GROUP
C/O AURORA CAPITAL CORP.
P.O. BOX 2469
TWIN FALLS, ID 83301

MAY 21, 1985

RE: PERMIT NO. 16-8163

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR A FLOW MEASUREMENT PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE FLOW MEASUREMENT PORT.

YOU SHOULD BE AWARE THAT THE GROUND WATER 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 GROUND WATER 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 FOR INTERFERENCE.

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.

MICROFILMED

RE: PERMIT 36-8163

PAGE 01
MAY 21, 1985

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

8163

GROUP

APPLICATION FOR PERMIT ANALYSIS SHEET

DAIRY HEIFER INVESTMENT

INITIAL REVIEW BY: T.G. Blau

APPLICATION NUMBER: 36-8163

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☐ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: merga Date: 3/5/85

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. BB-77
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. Final date for protests: 3/25/85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/15/85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01
☒ 3/15/85 Date of priority recommended.
Special conditions of approval or cover letter. 01C, 9C, 26

app. released in 3rd S.E. dismissal

By: ADM

Date: 4/15/85

MICROFILMED

STATE OFFICE REVIEW:

LO3, LO5, L17

26 04 01C

- ☐ See attached sheet for more information.

By: KW

Date: 5/13/85

RECEIVED
APR 19 1985

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1941 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

March 5, 1985

Gary Burkett
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Applications for Permit Nos. 36-8196, 36-8163, 36-8175,
36-8171, 37-8115, 47-7872, 47-7917

Dear Mr. Burkett:

Please find enclosed copies of the above referenced applications
for permits for your information and files.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MAILED 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 22, 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 MARCH 25, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECORDED
INDEXED

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:

36-8163

DAIRY HEIFER INVESTMENT GROUP

C/O AURORA CAPITAL CORP., P.O. BOX 2469, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 03/15/1982

Diversion Pt: SWSW Sec 27 T 09S R 21E

Use: STOCKWATER (0.66 CFS)
DOMESTIC (0.10 CFS)

In: SWSW Sec 27 T 09S R 21E NWNW Sec 34 T 09S R 21E

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 MARCH 25, 1985.

A. KENNETH DUNN

Director

Published 3/6 & 3/13/85.