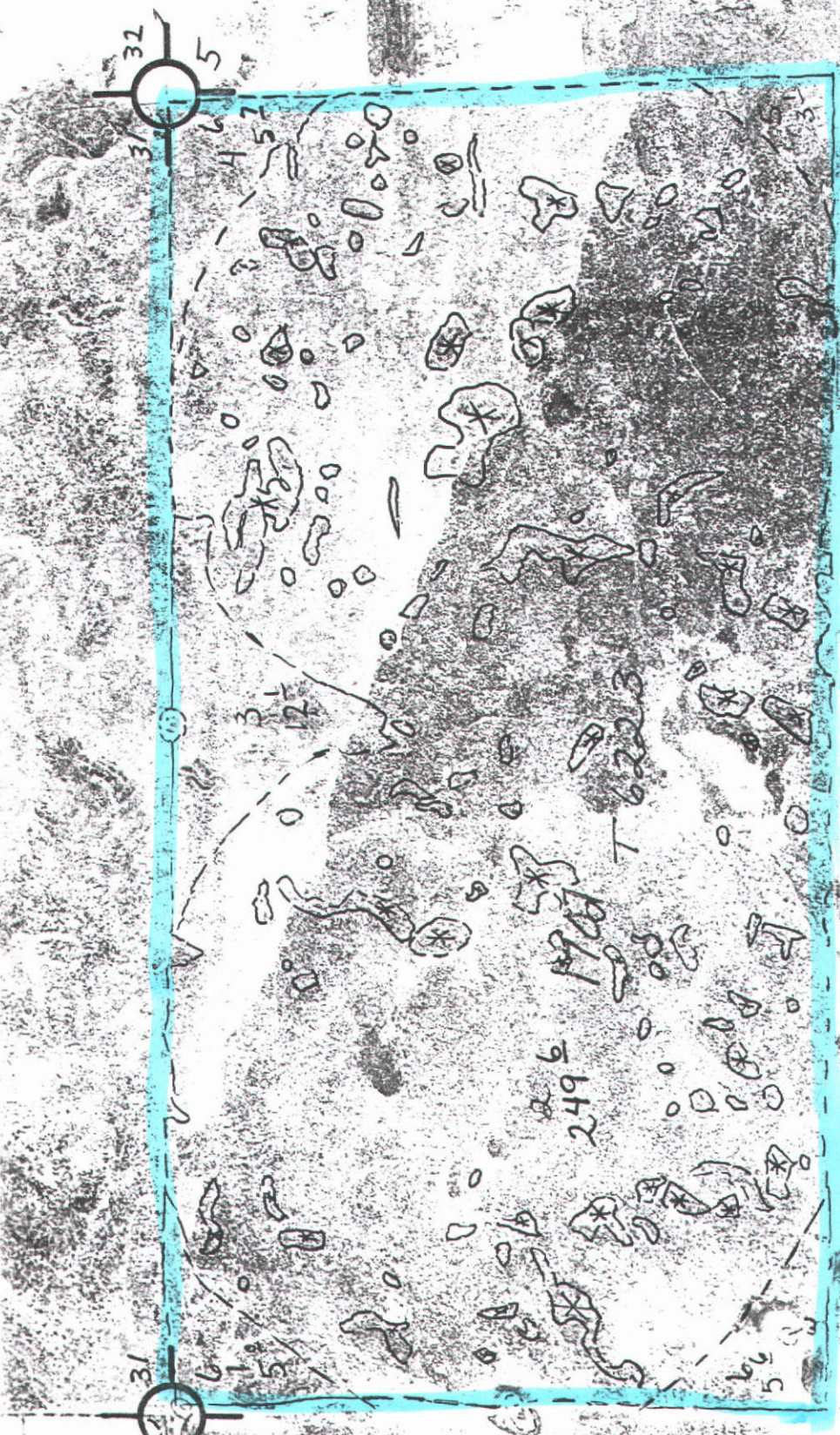




T95 R 21 E

MICROFILMED
JUN 08 1999

1112

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

Map grid showing township and range information:

T
9
S

R 21 E

well

MICROFILMED

MAR 22 1990

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.

Douglas R. Schlotopp
(Applicant)

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

Patty Nance G. Manager., 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 2X consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3rd day of Jan, 1990, and the date of the last publication was on the 10 day of Jan, 1990.

Subscribed and sworn to before me this 10 day of Jan, 1990.
(SEAL)

Norma De Voe
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line

Number of Lines in Notice

Number of Insertions 2X

Lines tabular at 380.25 6¢/Pica

Lines straight at 19.00 5¢/Pica

Subsequent lines at 15.21 4¢/Pica

TOTAL COST 34.23

COPY OF NOTICE

(Paste Here)

Applegate Trust Water Right
TITLE OF NOTICE
Douglas R. Kohntopp

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. of Water Res.
FILE TO
Boise

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
36-07958
KOHNTOPP, DOUGLAS R.
RT. 4
JEROME, ID 83338
Source: GROUNDWATER
Diversión Pt: LOT 2 (NWNE) Sec 6 T
09S R 21E
Use: IRRIGATION (6.400 CFS)
Total Diversión (6.400 CFS)
Date Filed: 1/09/1981
In: T09S R21E S06 Lot 1 (NENE) LOT 2
(NWNE) SWNE SENE
Lot 3 (NENW) Lot 4 (NWNW) Lot 5
(SWNW) SENW
320.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, Idaho 83720 on or before JANUARY 22, 1990.
R. Keith Higginson
Director
N44132
Pub: 1-3 & 10, 1990

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica

7-8 pt. per line tabular.....6¢/Pica

7-8 pt. per line successive
insertions.....4¢/Pica

MICROFILMED

MAR 22 1990

No 3634

44132

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

E. L. LANGDON
ASST. PUBLISHER

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

each week for Two consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 5th day of March,
1981, and the date of the last publication was on the 12th
day of March, 1981.

Subscribed and sworn to before me this 17th
day of March, 1981.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho
COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 36
Number of Insertions 2

Lines tabular at 4c / Pica
36 Lines straight at 14.04 3c / Pica
36 Subsequent lines at 9.36 2c / Pica

TOTAL COST 23.40

COPY OF NOTICE

(Paste Here)

#36-7958

TITLE OF NOTICE

PLAINTIFF ATTORNEY

Kohntopp
DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application has been submit-
ted for permit to appropriate the public
waters of the State of Idaho:

36-7958

KOHNTOPP, DOUGLAS R., RT. 4,
JEROME, IDAHO 83338

Source: GROUNDWATER

Date Filed: 01-09-1981

Amount: 6.40 CFS

Diversion Point: LOT 02 (NWNE) Sec
06 T 09S R 21E, JEROME Co.

Use: IRRIGATION (6.40 CFS) from
03-15 to 11-15

Place of Use: LOT 01 (NENE) LOT 02
(NWNE) SWNE SENE LOT 03 (NENW)
LOT 04 (NWNW) LOT 05 (SWNW)
SENE Sec 06 T 09S R 21E FOR 320
ACRES

Diversion Means: WELL AND PUMP
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. Nor-
th, Twin Falls, Idaho 83301 and receiv-
ed on or before MARCH 23, 1981.

C. STEPHEN ALLRED
Director
3-5-2tc

MAR 19 1981

Department of Water Resources
Southern District Office

RECEIVED

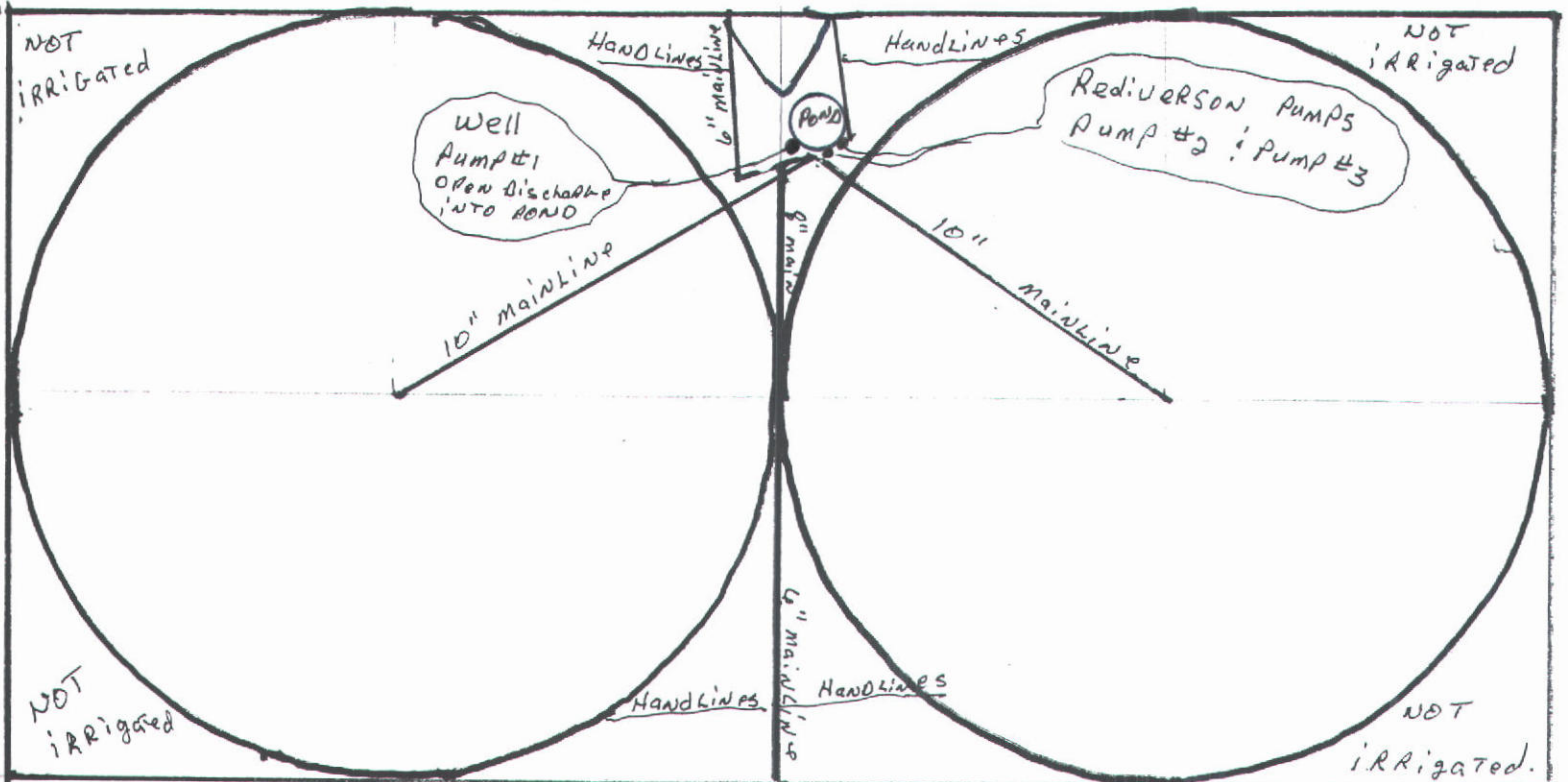
MICROFILMED

No

264

MAR 22 1990

SECTION 6

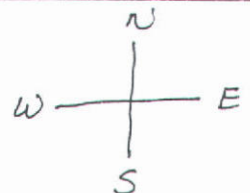


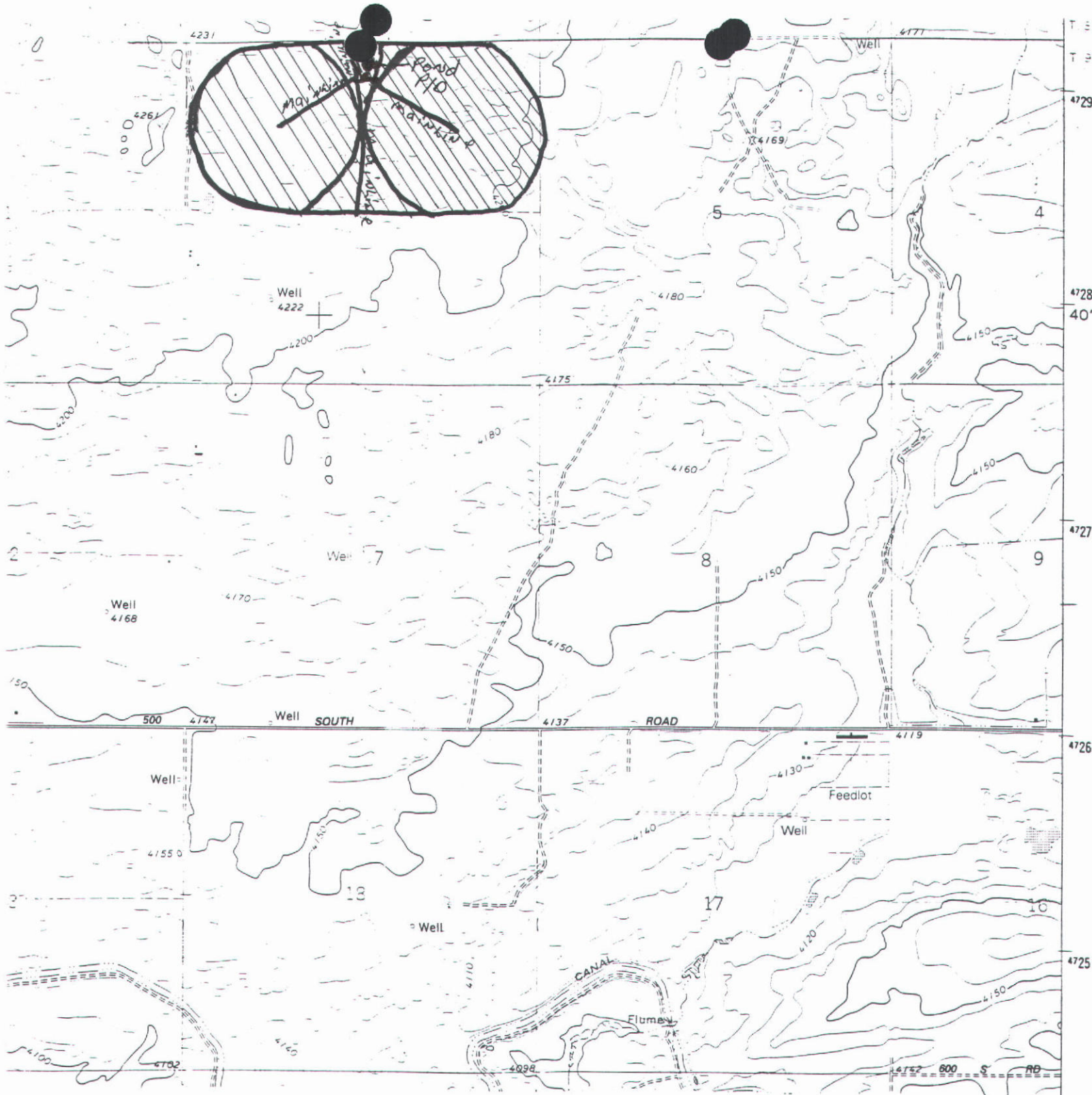
DIVERSION WORKS

Scale approx 8" to the mile

MICROFILMED

FEB 25 1937





Township N^o 9 South, Range N^o 21 East of T^h

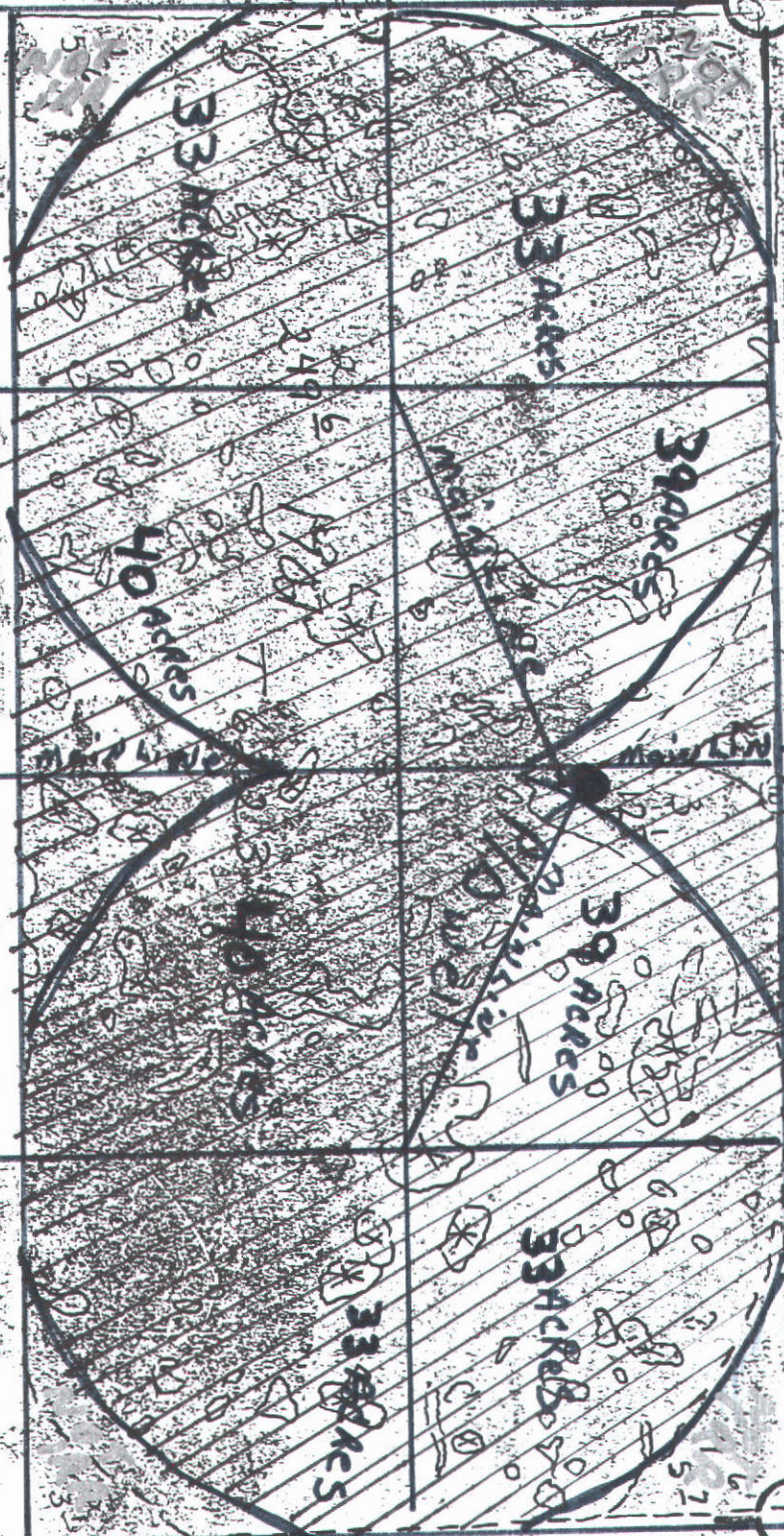
G f e d c

(Reserved) N 29:56' E.

	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
4154	3992	3987	3982	3959	3965	3971	3977	3951	3937	3923	3909	3902	3902	3902	3902	3902
4160	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
4162	64001															
4165	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4167	64072															
4169	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4171	64072															
4172	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4173	64072															
4174	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4175	64072															
4176	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
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4183	64072															
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4191	64072															
4192	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4193	64072															
4194	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4195	64072															
4196	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4197	64072															
4198	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
4199	64072															
4200	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80

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FEB 25 1937 h

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ACK
ACTION
PORT

MICROFILMED

FEB 25 1997



MICROFILMED
FEB 25 1997

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MICROFILMED

FEB 3-5 1957

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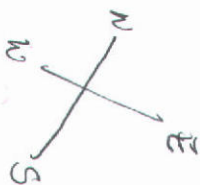
13

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18



MICROFILMED

FEB 25 1987

This is the well and diversion works for 36-07958. The water is drawn from the well by pump #1 and pen #1's chatted into the pond. Pump #1 is a 400HP motor set up on a float system to prevent pond overflow. Pump #2 and pump #3 draw water from the pond and distribute it into the mainlines which irrigates the inside corners with handlines and the middle with 2 center pivots.

pipe
A

Main line
to Handlines
FOR SOUTH
INSIDE CORNERS

← EAST
Center
Pivot

West Center Pivot
Handline
main line
to north

pipe
A

6.2.1985

Permissible Place OF USE

MICROFILMED

FEB 25 1987

RECEIVED

RECEIVED

MAY 26 1999

MAY 21 1999

STATE OF IDAHO Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: 36-07958
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Forrest P. Hymas, as Chapter 12 Trustee
Re: Kohntopp property

4. New Owner/Claimant(s) Wade Prescott or Gwenna Prescott
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
 New Mailing Address 136 E 400 N
 City, State and ZIP Code Jerome, ID 83338
 New Telephone Number (208) 324-7943

5. Date you acquired the property April 29, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 290 Number and type of stock _____
 Diversion rate in CFS 5.800 Number of homes 0 Other uses _____

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

7. Signature of New Owner or Claimant(s) Wade Prescott Gwenna Prescott

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

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

MICROFILMED

JUN 08 1999

INSTRUCTIONS

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

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

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

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

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

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

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

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

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

MICROFILMED
JUN 08 1998

J-28318

992274

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

RECORDED AT THE REQUEST
Title & Escrow, Inc.

APR 30 3 54 PM '99

JEROME COUNTY, IDAHO

FEES 3.00 DEP 13**TRUSTEE'S DEED**

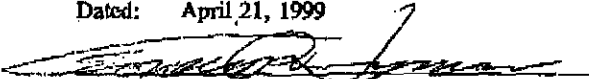
For Value Received **FORREST P. HYMAS**, as **CHAPTER 12 TRUSTEE**, hereinafter called the Grantor, does hereby grant, bargain, sell, and convey unto **WADE PRESCOTT and GWENNA PRESCOTT**, husband and wife, whose address is:

136 East 400 North, Jerome, ID 83338, the following described premises in Jerome County, Idaho, to-wit:

Township 9 South, Range 21 East, Boise Meridian, Jerome County, Idaho
Section 6: Lots 1 through 5; S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

together with their appurtenances.

Dated: April 21, 1999


FORREST P. HYMAS, as CHAPTER 12 TRUSTEE

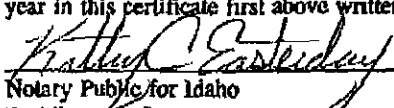
* * * * *

STATE OF IDAHO

County of TWIN FALLS

On this 21st day of APRIL, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **FORREST P. HYMAS**, known to me to be the **CHAPTER 12 TRUSTEE** that executed this instrument and acknowledged to me that he executed the same as such trustee.

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


Notary Public for IdahoResiding at: ESCALAMy Commission expires: 1-29-2001

KATHY C. EASTERDAY
NOTARY PUBLIC
STATE OF IDAHO

MICROFILMED
JUN 08 1999

A. SETTLEMENT STATEMENT

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

OMB NO. 2502-0265



B. TYPE OF LOAN				6. FILE NUMBER J-28318		7. LOAN NUMBER		8. MORTGAGE INS CASE NUMBER	
1. ☐ FHA 2. ☐ FmHA 3. ☐ Conv. Unis. 4. ☐ VA 5. ☐ Conv. Ins.									
C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals. 5.0 10-96 (2/J-28318)									
D. NAME AND ADDRESS OF BUYER WADE PRESCOTT GWENNA PRESCOTT				E. NAME AND ADDRESS OF SELLER FORREST P. HYMAS, as Chapter 12 Trustee Re: Kohntopp property				F. NAME AND ADDRESS OF LENDER	
G. PROPERTY LOCATION LOTS 1 THROUGH 5; S1/2NE1/4; SE1/4NW1/4 SECTION 6 T. 9 SOUTH R.21 EAST JEROME COUNTY, IDAHO				H. SETTLEMENT AGENT LAND TITLE AND ESCROW, INC. PLACE OF SETTLEMENT 237 NORTH LINCOLN JEROME, ID 83338				I. SETTLEMENT DATE April 29, 1999	
J. SUMMARY OF BUYER'S TRANSACTION					K. SUMMARY OF SELLER'S TRANSACTION				
100. GROSS AMOUNT DUE FROM BUYER					400. GROSS AMOUNT DUE TO SELLER				
101. Contract Sales Price 180,000.00					401. Contract Sales Price 180,000.00				
102. Personal Property					402. Personal Property				
103. Settlement Charges to BUYER (line 1400) 183.00					403.				
104.					404.				
105.					405.				
Adjustments for items paid by SELLER in advance					Adjustments for items paid by SELLER in advance				
106. City/town taxes to					406. City/town taxes to				
107. County taxes to					407. County taxes to				
108. Assessments to					408. Assessments to				
109.					409.				
110.					410.				
111.					411.				
112.					412.				
120. GROSS AMOUNT DUE FROM BUYER 180,183.00					420. GROSS AMOUNT DUE TO SELLER 180,000.00				
200. AMOUNTS PAID BY OR IN BEHALF OF BUYER					500. REDUCTIONS IN AMOUNT DUE TO SELLER				
201. Deposit or earnest money 1,000.00					501. Excess Deposit (see instructions)				
202. Principal Amount of New Loan(s)					502. Settlement Charges to SELLER (line 1400) 12,694.04				
203. Existing Loan(s) Taken Subject to					503. Existing Loans Taken Subject to				
204. DEPOSIT WITH LENDER					504. Payoff of first mortgage loan				
205.					505. Payoff of second mortgage loan				
206.					506.				
207.					507. (Deposit disbursed as proceeds)				
208.					508.				
209.					509.				
Adjustments for items unpaid by SELLER					Adjustments for items unpaid by SELLER				
210. City/town taxes to					510. City/town taxes to				
211. County taxes 01-01-99 to 04-30-99 595.35					511. County taxes 01-01-99 to 04-30-99 595.35				
212. Assessments to					512. Assessments to				
213.					513.				
214.					514.				
215.					515.				
216.					516.				
217.					517.				
218.					518.				
219.					519.				
220. TOTAL PAID BY/FOR BUYER 1,595.35					520. TOTAL REDUCTION AMOUNT DUE SELLER 13,289.39				
300. CASH AT SETTLEMENT FROM/TO BUYER					600. CASH AT SETTLEMENT TO/FROM SELLER				
301. Gross Amt Due from BUYER (line 120) 180,183.00					601. Gross Amount Due to SELLER (line 420) 180,000.00				
302. Less Amt Paid by/for BUYER (line 220) (1,595.35)					602. Less Reductions Due SELLER (line 520) (13,289.39)				
303. CASH [X] FROM [] TO BUYER 178,587.65					603. CASH [X] TO [] FROM SELLER 166,710.61				

The undersigned hereby acknowledge receipt of a completed copy of pages 1&2 of this statement & any attachments referred to herein.

BUYER Wade Prescott
WADE PRESCOTTBUYER Gwenna Prescott
GWENNA PRESCOTTSELLER FORREST P. HYMAS,SELLER as Chapter 12 TrusteeMICROFILMED
JUN 08 1999

HUD-1 (3-86) RESPA, HB 4305.2



T95 R. D. E

MICROFILMED
JUN 08 1999

117

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07958

Priority: January 9, 1981

Maximum Diversion Rate:

5.80 CFS

Maximum Diversion Volume:

1160.0 AF

This is to certify, that DOUGLAS R KOHNTOPP

1078 STATE HWY 25

JEROME ID 83338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1981; and has submitted Proof of Beneficial Use on October 26, 1993. An examination indicates that the works have a diversion capacity of 6.220 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>
IRRIGATION	04/01 to 10/31	5.80 CFS	1160.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 6, Township 09S, Range 21E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	21E	6	Lot 1(NENE) 33	Lot 2(NWNE) 39	SWNE 40	
			SENE 33	Lot 3(NENW) 39	Lot 4(NWNW) 33	
			Lot 5(SWNW) 33	SENW 40		290

Total number of acres irrigated: 290

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

MICROFILMED

FEB 25 1997

State of Idaho
Department of Water Resources

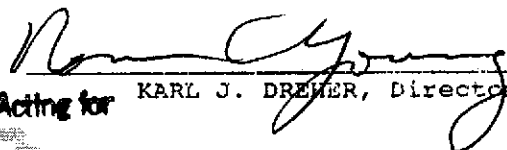
WATER RIGHT LICENSE

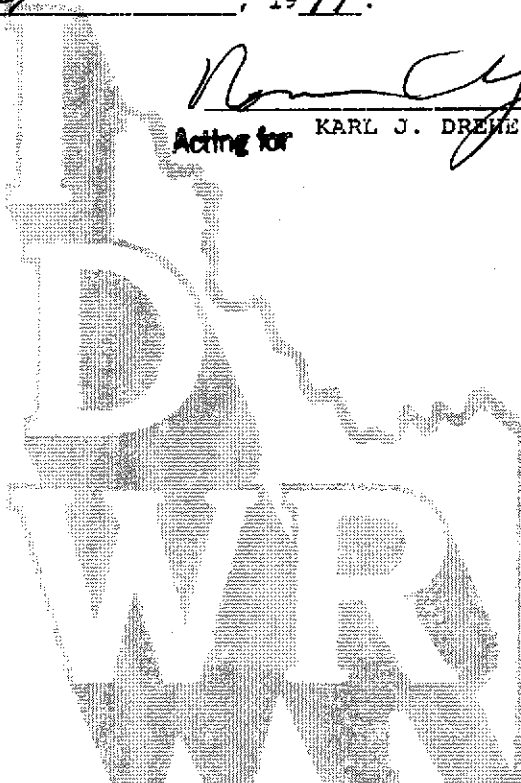
WATER RIGHT NO. 36-07958

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

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 21ST day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director



MICROFILMED

FEB 25 1997

RECEIVED

OCT 27 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 250.00Date 10-26-93Receipt No. 5016331Receipt by J. F. [Signature]

OCT 26 1993

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

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-07958 Telephone No. 324-53422. Name(s) of Permit Holder(s): Douglas R. Kohnstopp3. Mailing Address: 1078 State Hwy 25, Jerome, ID 833384. Source of Water: GroundwaterIf GROUNDWATER, Well Driller's Name: Elsing Drilling Date Drilled: 4-12-93

OPTIONAL:

Pump horsepower: 400 Pressure (psi): 0 Dynamic pumping level (ft.): 3605. Extent of Use (as authorized by the permit): Relief Pumps - 2 75 hp, 85 psiDomestic 320 (No. of households) Stockwater 320 (No. and type of stock)Irrigation 320 (No. of acres) Other 3206. Total rate and/or volume for which proof is submitted 6.4 cfs OR acre/feet

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

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

OR

Flow Measurement Port: Required? Yes ☒ No ☒ Installed? Yes ☒ No ☒8. Fee Enclosed: \$ 250.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to accompany the Department representative during field examination of the water system.

Name

Telephone No.

Address

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

Date

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

NOV 22 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-07958

Proposed Priority: January 9, 1981 Maximum Diversion Rate: 6.40 CFS
This is to certify, that **DOUGLAS R. KOHNTOPP**
RT. 4
JEROME, ID 83338

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	6.40 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 2(NWNE), Sec. 6, Township 09S, Range 21E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	21E	6	LOT 1(NENE) 40	LOT 2(NWNE) 40	SWNE 40	
			SENE 40	LOT 3(NENW) 40	LOT 4(NWNW) 40	
			LOT 5(SWNW) 40	SENE 40		320

Total number of acres irrigated: 320

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1995**.
2. Subject to all prior water rights.
3. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
8. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

MICROFILMED

MAR 22 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 36-07958

CONDITIONS/REMARKS:

9. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
10. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

19th day of March, 1990.

for J. New Saxton
R. Keith Higginson, Director

MICROFILMED

MAR 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Douglas R. Kohntopp Phone 324-5342

Post office address Rt. 4, Jerome, Idaho 83338

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

3. Location of point of diversion is Lot 2
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6 Township 9S

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

4. Water will be used for the following purposes:

Amount 6.40 for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 6.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and 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 24 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ 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 _____

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

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MAR 22 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	21E	6	Lt 1 40	Lt 2 40	40	40	Lt 3 40	Lt 4 40	Lt 5 40	40									320

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above. none

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

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

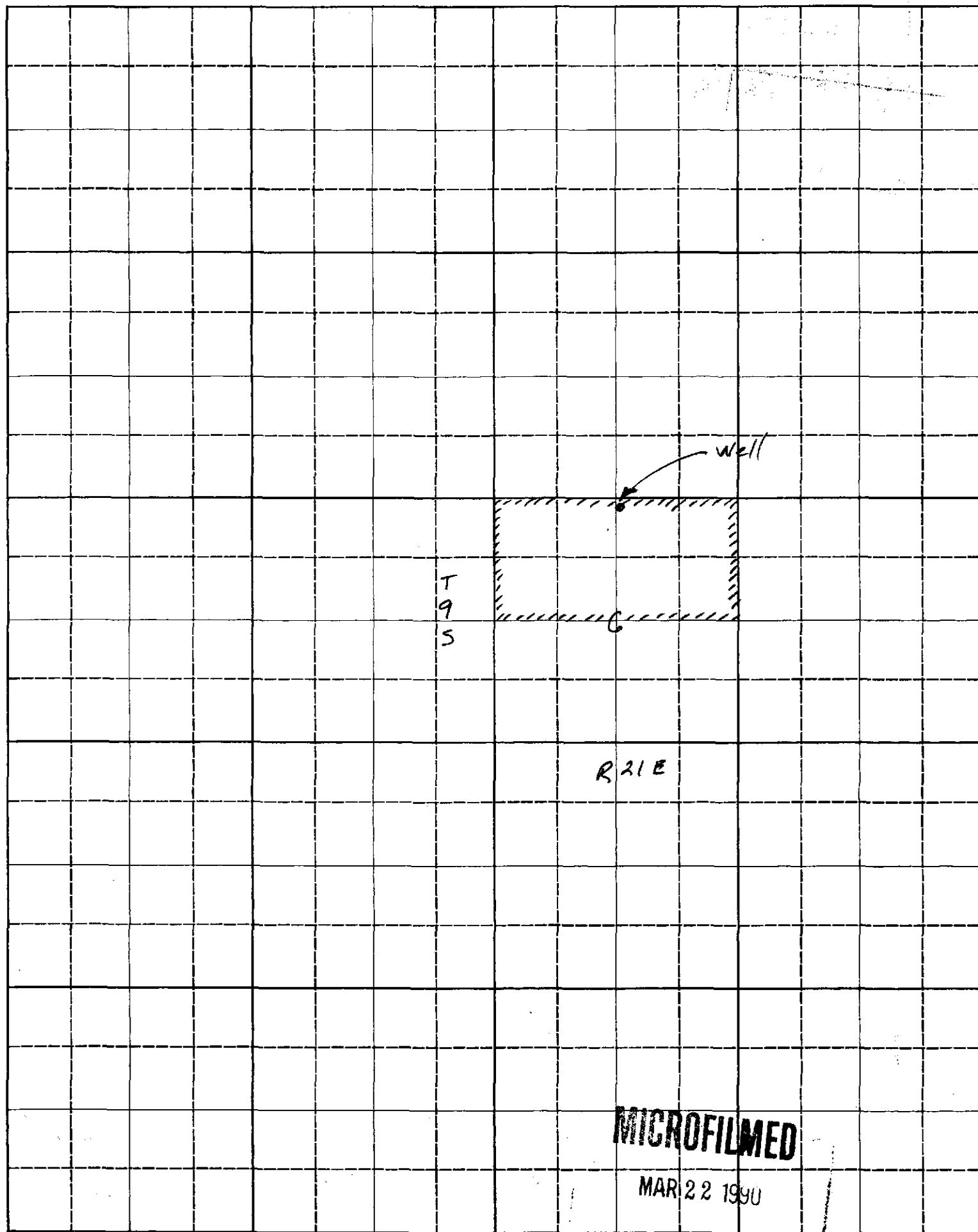
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Desert Land Entry - I# 16996

MICROFILMED

MAR 22 1990

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.

Douglas R. Kolntopp
(Applicant)

Received by sk Date 1/9/80 Time 2:00 pm
Preliminary check by J Fee \$ 165.⁰⁰ # 16757
Receipted by marya Date 1/9/81
Publication prepared by marya Date 2/13/81
Published in northside news
Publication dates 3/5 + 3/12/81
Publication approved marya Date 3/2/81
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by TH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

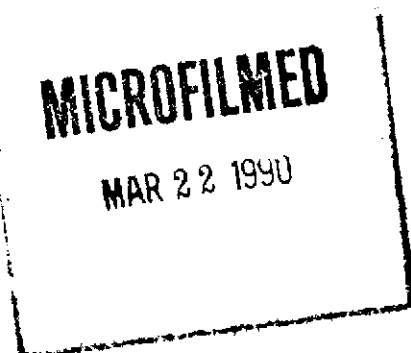
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this _____ day of _____, 19 ____.

Director



AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

Patty Nance G. Manager. 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 2X consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3rd day of Jan, 1990, and the date of the last publication was on the 10th day of Jan, 1990.

Subscribed and sworn to before me this 10 day of Jan, 1990.
(SEAL)

Norma De Voe
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line

Number of Lines in Notice

Number of Insertions 2X

MICROFILMED

MAR 22 1990

Lines tabular at 34.25 6¢/Pica
Lines straight at 19.25 5¢/Pica
Subsequent lines at 15.21 4¢/Pica
TOTAL COST 34.23

COPY OF NOTICE

(Paste Here)

Applicable Trust Water Right
TITLE OF NOTICE
Douglas R. Kohnopp

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. of Water Res.
FILE TO
Boise

NOTICE OF APPLICATION FOR TRUST ADJUSTMENT

38-07900
KOHNTOPP, DOUGLAS R.
RT. 4
JEROME, ID 83338
Source: GROUNDWATER
Diverson Pt: LOT 2 (NWNE) Sec 6 T
09S R 21E
Use: IRRIGATION (6,400 CFS)
Total Diverson (6,400 CFS)
Date Filed: 1/09/1991
In: T09S R21E S06 Lot 1 (NENE) LOT 2 (NWNE) SWNE SENE
Lot 3 (NENW) Lot 4 (NWNW) Lot 5 (SWNW) SENW
320.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, Idaho 83720 on or before JANUARY 22, 1990.

R. Keith Higginson
Director
N44132

Pub: 1-3 & 10, 1990

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

Nº 3634

44132

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

#36-7958

TITLE OF NOTICE

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

PLAINTIFF ATTORNEY

Kohntopp
DEFENDANT

PLAINTIFF

Dept of Water
BUT TO

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 Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 5th day of March 1981, and the date of the last publication was on the 12th day of March, 1981.

L. L. Langdon

Subscribed and sworn to before me this 17th

day of March, 1981.
(SEAL)

Darla Bratt

NOTARY PUBLIC

RECEIVED

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

MAR 19 1981

Department of Water Resources
Southern District Office

Numer of Picas per Line 13
Number of Lines in Notice 36
Number of Insertions 2

Lines tabular at 4c / Pica

36 Lines straight at 14.04 3c / Pica

36 Subsequent lines at 9.36 2c / Pica

TOTAL COST 23.40

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

38-7958

KOHNTOPP, DOUGLAS R. RT. 4, JEROME, IDAHO 83338

Source: GROUNDWATER

Date Filed: 01-09-1981

Amount: 6.40 CFS

Diversion Point: LOT 02 (NWNE) Sec 06 T 09S R 21E, JEROME Co.

Use: IRRIGATION (6.40 CFS) from 03-15 to 11-15

Place of Use: LOT 01 (NENE) LOT 02 (NWNE) SWNE SENE LOT 03 (NENW) LOT 04 (NWNW) LOT 05 (SWNW) SENW Sec 06 T 09S R 21E FOR 320 ACRES

Diversion Means: WELL AND PUMP

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 23, 1981.

C. STEPHEN ALLRED
Director
36-21c

MICROFILMED

Nº 264
MAR 22 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WADE PRESCOTT
GWENNA PRESCOTT
136 E 400 N
JEROME ID 83338

RE: Water Right 36-07958

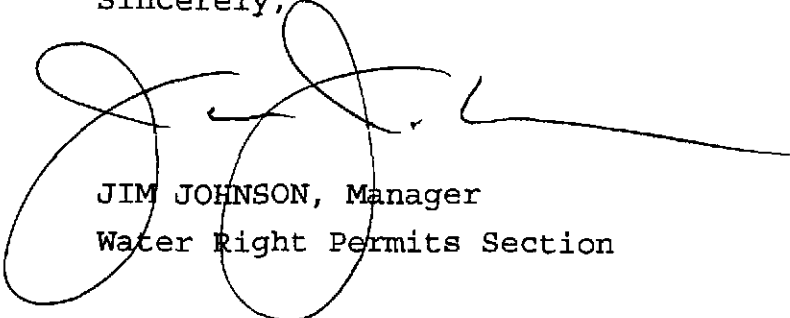
Dear Mr. & Mrs. Prescott:

The Department is in receipt of the correspondence changing the ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer-generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED
JUN 08 1999



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24TH 1997

DOUGLAS R KOHNTOPP
1078 STATE HWY 25
JEROME IDAHO 83338

RE: WATER RIGHT NO. 36-07958

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

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

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FEB 27 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

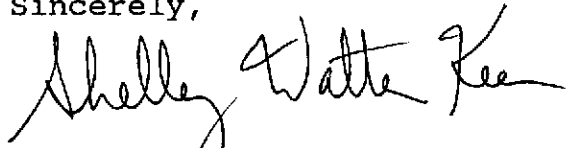
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Southern Region

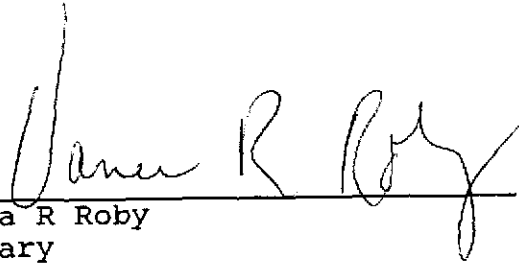
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 36-07958

DOUGLAS R KOHNTOPP
1078 STATE HWY 25
JEROME IDAHO 83338



Vanessa R Roby
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-07958

DATE 2/14/97

REVIEWER: SHARLA

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

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>6.4</u> cfs
Fee limit	<u>7.0</u> cfs <u>\$250⁰⁰</u>
Measured	<u>6.22</u> cfs
Theoretical	<u>6.77</u> cfs <u>6.84</u>

Recommended Total Div Rate 5.80 cfs

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u> Use	<u>Int.</u>	Volume Calculation
		<u>290 x 4 =</u> af
		<u>1160.0</u> af
		<u>—</u> af
		<u>—</u> af
		<u>—</u> af
	SUBTOTAL	<u>1160.0</u> af

Flow rate 5.80 cfs X 214 days X 1.98 ~~af~~ = 2457.6 af
 Total volume recommended 1160.0 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

R31 Overlap

— Use-specific conditions R55, R56

Advancement of Priority Date Required — yes — no

SRBA Claim Filed N/A
 Adjustment Memo —

1st Amend Letter N/A
 2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 11 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-07958

1. Owner: Douglas R. Kohntopp Phone No. (208) 324-5342

Current Address: 1078 State Highway 25 Jerome, Idaho 83338

2. Accompanied by: Douglas R. Kohntopp EXAM DATE : 6-27-96

Address: same as above Phone No. same as above

Relationship to Permit Holder: OWNER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
WELL (PUMP #1)	#2	N W	N W	N E	6	09S	21E	TWIN FALLS	VISUAL INSPECTION AND ASCS AERIAL PHOTO.

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	06	lot 1	lot 2			lot 3	lot 4	lot 5										
			33	39	40	33	39	33	33	40									290 AC

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FEB 25 1997

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

SEE ATTACHED SHEET.

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

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

YES Photo of diversion System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PUMP #1 (WELL)	US MOTORS	400 Hp	DUTY SERIAL # 108168	WEL LINE	PUMP NUMBER LP93094
PUMP #2 (REDIVERSION)	GENERAL ELECTRIC TRI-CLAD	75 Hp	No. NH6023236	IE TOP OF THE LINE	UNKNOWN
PUMP #3 (REDIVERSION)	GENERAL ELECTRIC TRI-CLAD	75 Hp		IE TOP OF THE LINE	UNKNOWN

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic Portable Flow Meter	Tyme Flyte	149744	TF*P	N7H5506		April, 1996

2. Measurements: SEE POLYSONIC READING SHEET

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FEB 25 1987

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit comes from a well located in the NW 1/4 of the NW 1/4 of the NE 1/4 (Lot 2) of Section 6 of Township 09S Range 21E. The water is pumped by a 400 Hp motor into a pond directly to the north of the well. The water in the pond is picked up by 2 - 75 Hp which pumps into the systems mainlines. The mainlines split into four directions. Two sections of the mainline travel to two center pivots one in the NE 1/4 of section 6 and one in the NW 1/4 of section 6. The third mainline travels north and south irrigating the northeast corner and the southeast corner of the western center pivot and the southwest corner of the eastern pivot. The fourth mainline travels north to irrigate the northwest corner of the eastern center pivot. All the corners are irrigated with handlines.

The well in this system is set up on a float system to maintain the level of the pond. This is done because the pump on the well pumps 6.21 cfs while the rediverson pumps only put out 5.71 cfs (see work sheet for theoretical flows for pumps #2 and #3).

RECOMMENDATIONS:

I recommend that this permit be licensed as a primary water right since there is not any other water available for this ground. This diversion can not exceed 5.80 cfs or cannot exceed .02 cfs per acre. This permit also must not exceed 1160 afa in a years time.

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

MICROFILMED

FEB 25 1957

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Polysonic readings -- $2786.5 / 448.8 = 6.21$ cfs (see polysonic readings sheet for ave. gpm)**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 290 \text{ acres} \times 4.0 \text{ irr.} = 1160 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 5.80 \text{ cfs} \times 214 \text{ D} \times 1.9835 = 2461.92$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1160 \text{ afa (Vir)}$$

B

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
	From	To	Q (cfs)	[B V (afa)	
Irrigation	April 1	Oct. 31	5.80 cfs		1160 afa
Totals:			5.80 cfs		1160 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Daniel A. Nelson Date 7-2-96

Reviewer _____ Date _____

SEAL

MICROFILMED

FEB 25 1997

POLYSONIC READINGS

PERMIT #: 36-07958

WELL (PUMP #1)

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THE MAIN POINT OF DIVERSION.
THIS IS FOR PUMP #1 ON THE MAPS.

FLOWS IN GALLONS PER MINUTE (GPM)

2792.00
+ 2785.00
+ 2789.00
+ 2790.00
+ 2773.00
+ 2790.00
16719.00

16719.00 / 6 = 2786.50 AVERAGE GPM

MODE SELECT
INPUT

OUTER DIAMETER
12.8902 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2311 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
10.204 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

06-27 09:4500 *R
+002.90 % A12

MODE SELECT
TO CHECK

0470.8 MMSEC
101.38 % T0

*1st set of
information*

06-27 09:4800 *R
- 2.792E 3GPM

06-27 09:4800 *R
- 2.785E 3GPM

06-27 09:4900 *R
- 2.789E 3GPM

06-27 09:4900 *R
- 2.790E 3GPM

06-27 09:4900 *R
- 2.773E 3GPM

06-27 09:4900 *R
- 2.790E 3GPM

*2nd set
of
information*

MICROFILMED

FEB 25 1977

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-07958

DATE: 6-27-96

BY: Daniel A. Nelson

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

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) (150 (2-75 \text{ HP MOTORS})) (0.70)}{[(...0.417...) + (...70 \text{ PSI}... \times 2.31)]} = \frac{924}{161.70} = 5.71 \text{ CFS}$$

LIFT FROM:

measurement (X)

owner ()

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner (X)

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS This is for 2 - 75 HP General Electric motors with 2 IE top of the line pumps. This is for the Rediverson pumps NOT for the wells

ANNUAL VOLUME ANALYSIS

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

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

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

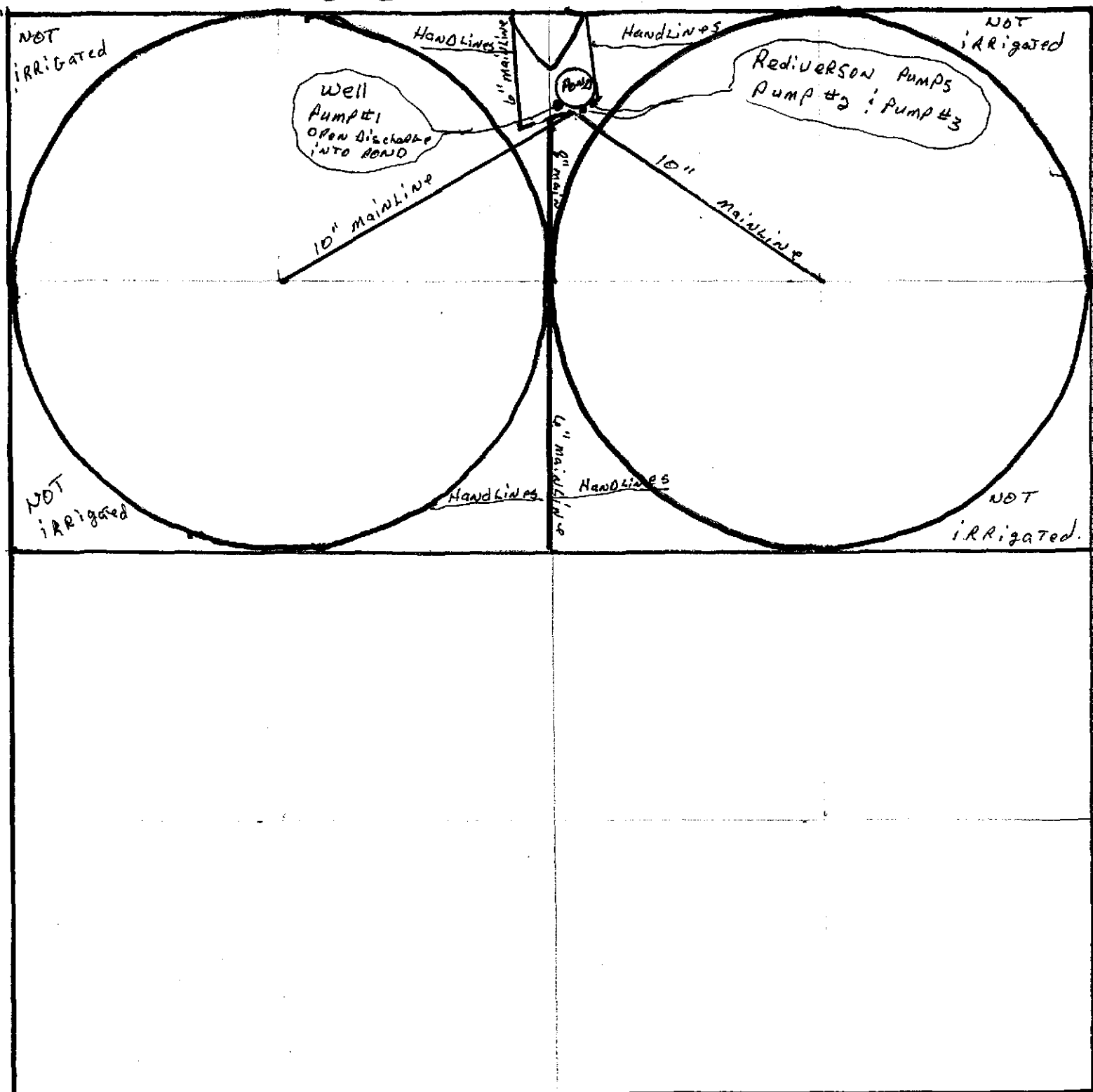
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

This is for the Rediverson pumps #2 and #3. This is NOT for the well.

MICROFILMS

FEB 25 1997

SECTION 6

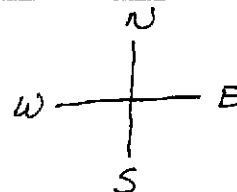


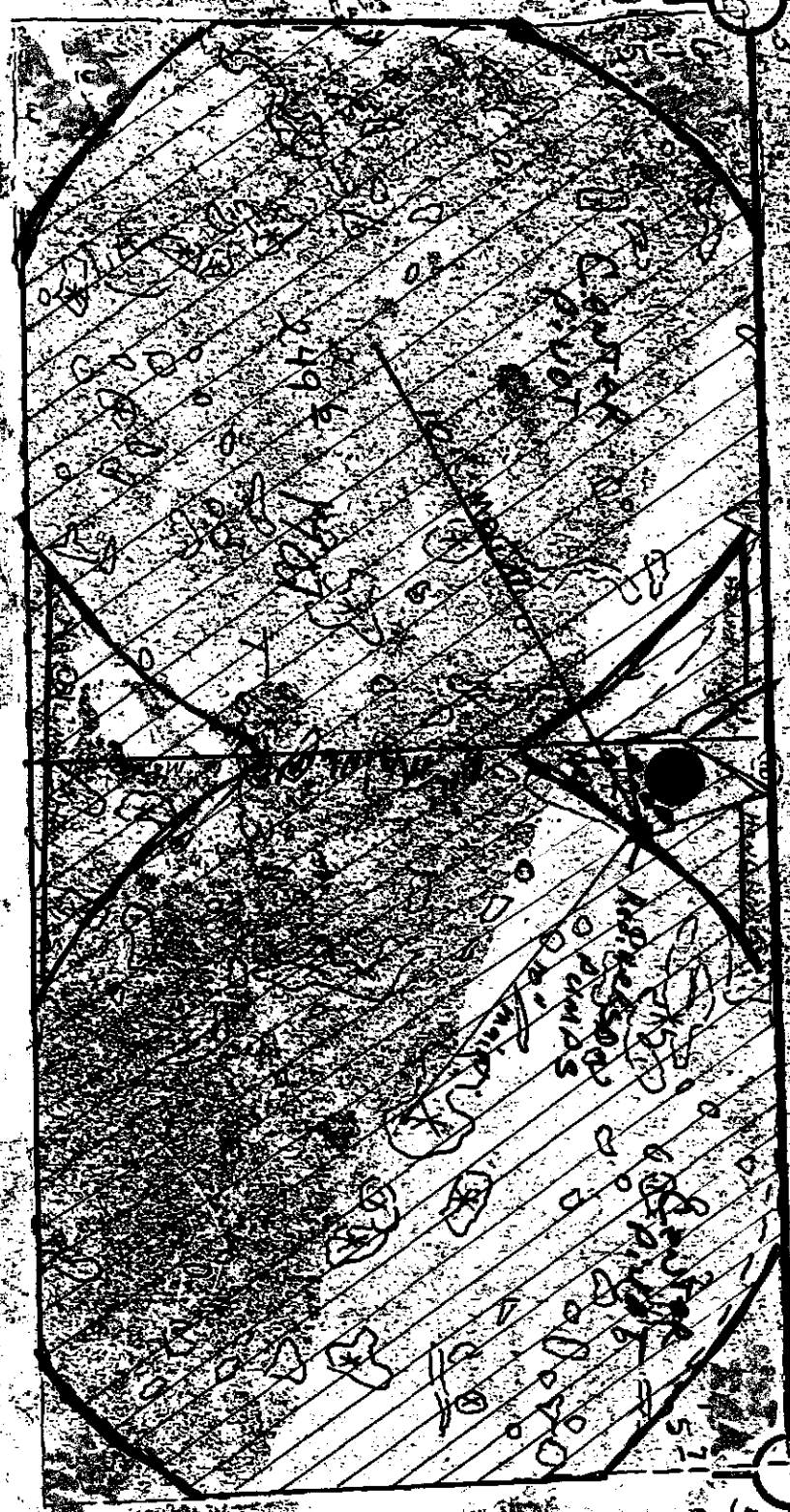
DIVERSION WORKS

Scale approx 8" to the mile

WATER RIGHTS

FEB 23 1977





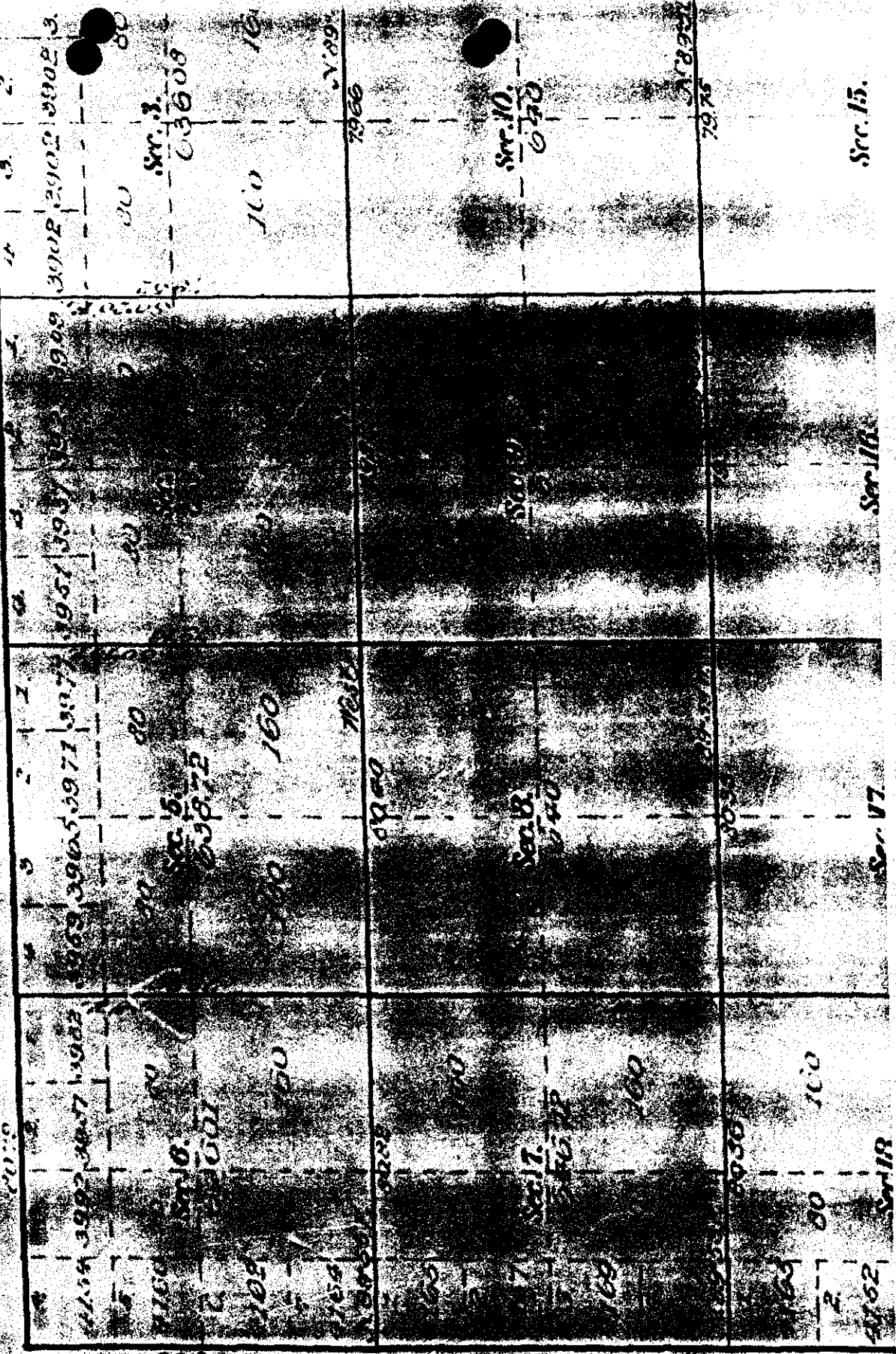
36
31

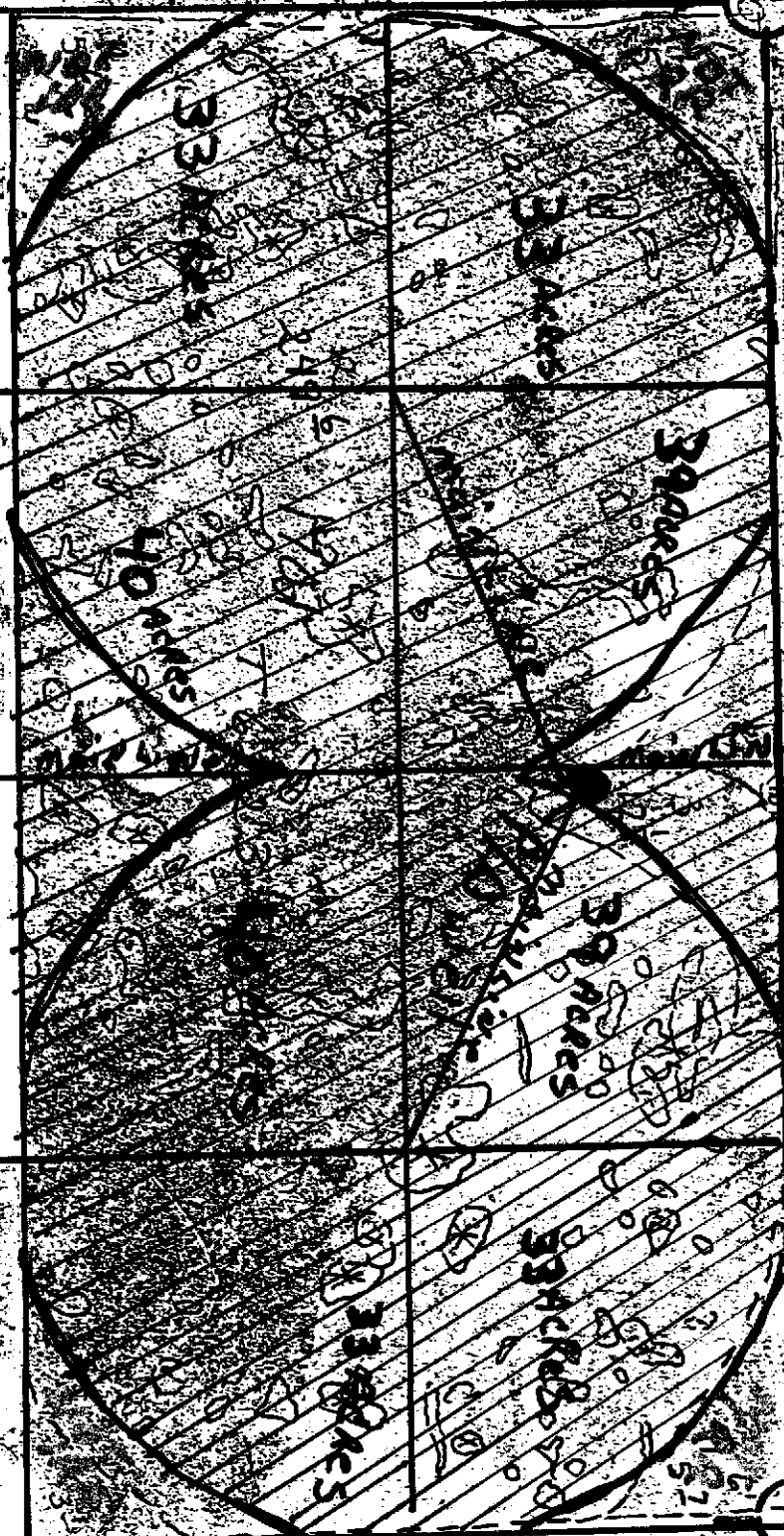
31
32
5

Township No 9 South, Range No 21 East of T

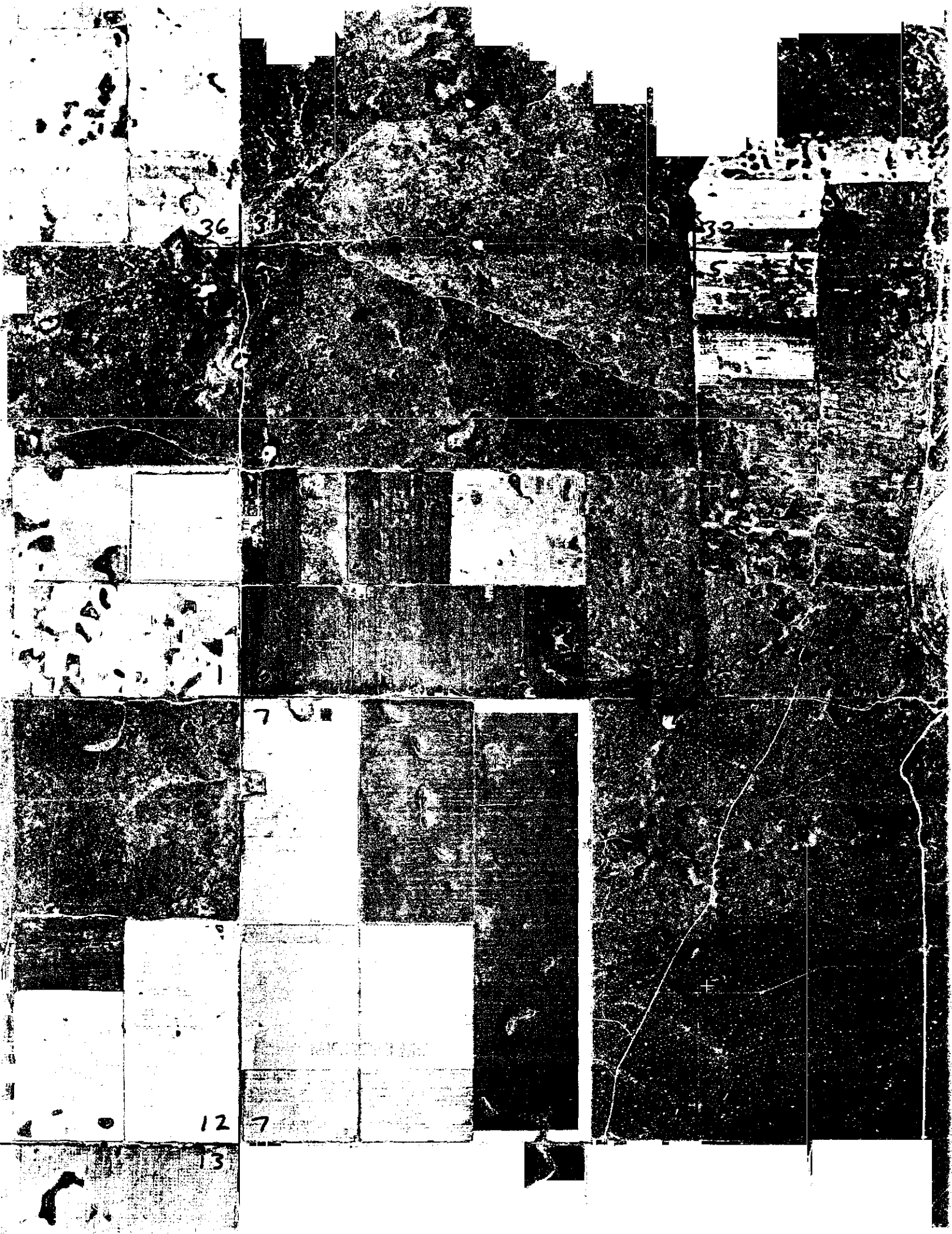
6 5 4 3 2 1

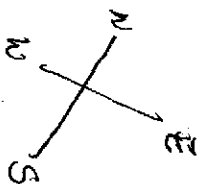
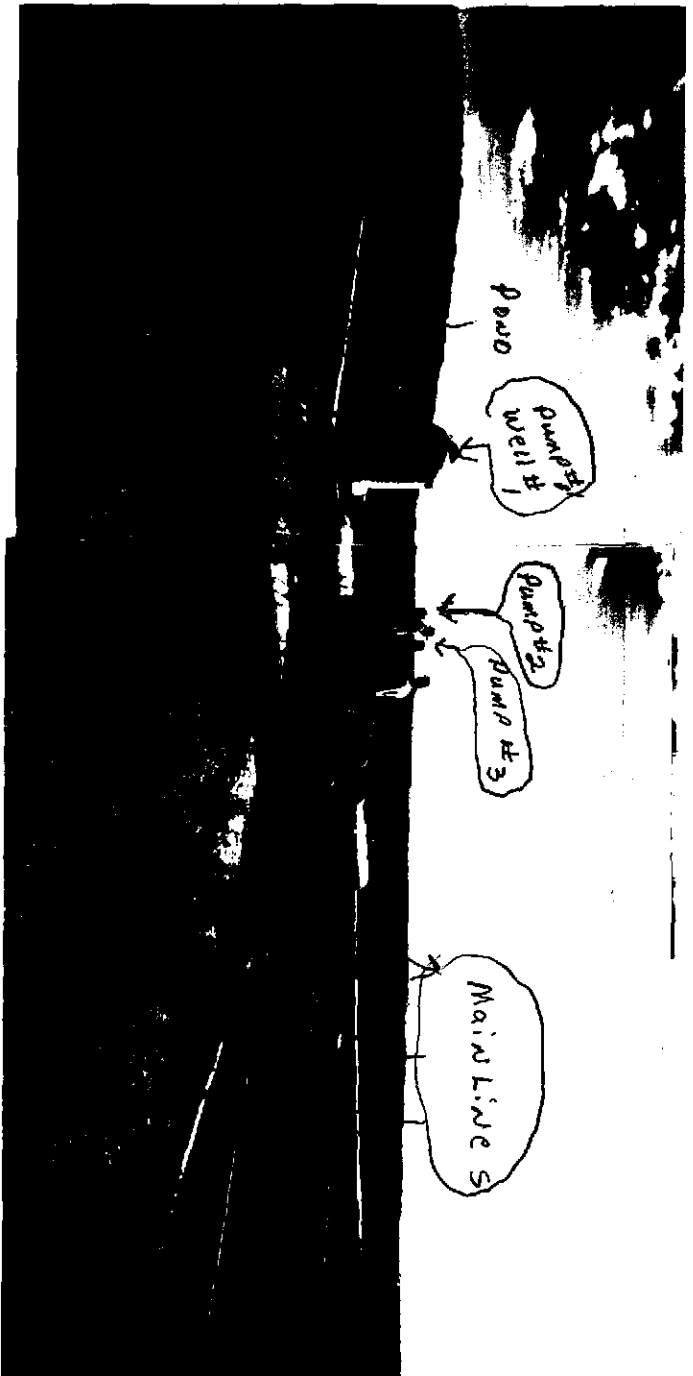
(Resurveyed) 1890



[illegible]







INVESTIGATION
 FEB 26 1958

This is the well and diversion work S FOR 36-07958.
 The water is drawn from the well by Pump #1 and
 Pen D's charged into the pond. Pump #1 is a 400HP
 motor set up on a float system to prevent pond overflow.
 Pump #2 and Pump #3 draw water from the pond and
 distribute it into the mainlines which irrigates
 the inside corners with handlines and the middle with
 2 center pivots

1
pipe
A

1941
TO HAND
FOR
INSID

1941
TO HAND
FOR
INSID

1
pipe
B

1941
TO HAND
FOR
INSID

Permissible Place OF USE

1941
TO HAND
FOR
INSID

November 4, 1993

DOUGLAS R. KOHNTOPP
1078 STATE HWY 25
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-07958

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region

NOV 11 1993

NOV 22 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-07958

Reviewed by Klg

Date 10/29/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no Address same as permit?

irrigate - 320

yes Proof timely received?
If not, complete calculation below.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

 Copy in the file? Drilling Permit No. 36-B-50082-000

200 Amount paid for permit yes Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

250 Amount Submitted

yes Correct?

MEASURING DEVICE

NA Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received NA

Date proof due -

No. of days late =

Priority Date +

New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address 1078 State Hwy 25 10/24/93 Klg

Proof Made 10/27/93

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
36-93-S-0082-000	O	DOUGLAS KOHNTOPF 1078 STATE HWY 25 JEROME, ID 83338 (208) 324-5342	09S	21E	06	(NW NE)	02	JEROME

Subdivision Location and Description:

Subdivision Name:

Well Site Address:

City, State:

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Irrigation

Proposed Casing Diameter: 14 In.

Proposed Depth: 500 Ft.

Well Use Comments:

Driller License No: 0031

Firm Name: ELSING DRILLING & PUMP CO INC

Official: ARNOLD ELSING

Permit Status: Permit

Verbal Issue Date:

Date Received: 03/22/1993

Date Approved: 03/22/1993

Proposed Start Date: 04/01/1993

Extension Date:

Extension Expiration:

Receipt No.

S015524

Receipt Date

03/22/1993

Fee

\$ 200.00

Specific Conditions:

Permit Remarks:

Well Remarks:

Conditions of Approval:

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 36-93-S-0082-000

Water Right No: 36-07958

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY & AIR

Number of Monitor Wells:

Casing Diameter: 16 In.

Depth of Casing: 19 Ft.

Total Depth: 568 Ft.

Screen Installed? No

Static Water Level: 330 Ft.

Temperature: F.

Production Rate: GPM

Actual Start Date: 04/06/1993

Well Finish Date: 04/09/1993

Log Received Date: 04/13/1993

Certification Date: 04/12/1993

Field Inspection Date: 04/20/1993

Inspector: SCHULTE

Well Log Remarks: NO SURFACE SEAL DEPTH SHOWN ON THIS LOG.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. ~~FOO-07958~~

Name(s) of Permit Holder(s): Douglas R. Kohnstopp

Post Office Address: 1078 State Hwy 25

Jerome ID 83338 Tel. No. 324-5342

☒ I hereby certify that construction of diversion works for the above referenced permit began on August 12, 1990 . I understand that I must
(date)
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.

MAY 5 1991
Date

Douglas R. Kohnstopp
Signature of Permit Holder

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

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
March 19, 1990

DOUGLAS R. KOHNTOPP
RT. 4
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P36-07958

Dear Permit Holder:

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

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.

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

Please note the 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 a form entitled "Instructions for Proof of

RECORDED

MAR 22 1990

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 22 1990

PROCESSING

☐ Yes ☐ No form for advertising
☐ Yes ☐ No statewide advertising
☐ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

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

☐ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received

Final date for protest _____

☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☒ Yes ☐ No Access port required

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____

☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ ☐ See below for additional information
By _____ Date 1-9-1981

STATE OFFICE REVIEW P23, P03, P17 OIG 46 26 04 51 52 53

By KW ☐ See below for additional information
Date 1-30-90

ADDITIONAL INFORMATION

App. in TRUST area-TRUST Water
Allow 5 yrs. to develop as
requested-

MEMORANDUM

TO: File no. 36-7958
FROM: Gary Spackman *Gary*
DATE: March 2, 1990

RE: Sufficiency of Information Supplied as Required by Rule
4,5,3. of the Water Appropriation Rules and Regulations

In May of 1989, the applicant sent information to the Department in an attempt to comply with the portion of Rule 4,5,3. pertaining to the public interest criteria of Idaho Code § 42-203C. I have reviewed this information, and find that it contains sufficient detail to comply with the spirit of the remainder of Rule 4,5,3.

I recommend that a permit be prepared for application for permit no. 36-7958.

MICROFILMED

MAR 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

DECEMBER 26, 1989

Northside News
Box 468
Jerome, ID 83338

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JANUARY 22, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

MAR 22 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-07958

KOHNTOPP, DOUGLAS R.
RT. 4
JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE) Sec 6 T 09S R 21E

Use: IRRIGATION (6.400 CFS)
Total Diversion: (6.400 CFS)

Date Filed: 1/09/1981

In: T09S R21E S06	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3 (NENW)	Lot 4 (NWNW)	Lot 5 (SWNW)	SENW

320.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 22, 1990.

Published 1/04/1990 & 1/11/1990

R. Keith Higginson, Director

NOT REFILED

MAR 22 1990

June 28, 1989

RECEIVED
JUN 29 1989

RE: Permit No. 36-7958

Department of Water Resources

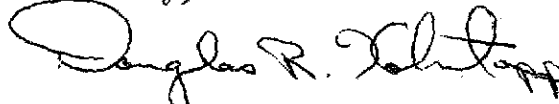
Dear Mr. Luke,

In previous correspondence between us, it has been requested that additional information is needed by Water Appropriation Rule 4,5.

Enclosed is information needed in Rules 4,5,3,6,1 through 4,5,3,6,7 excluded Rule 4,5,3,6,4 as it is not applicable to our permit.

Please contact me if any other information is needed. Thank you very much for your assistance and cooperation.

Sincerely,



Douglas R. Kohntopp
264 So. 800 Ea.
Jerome, ID 83338

Enclosure

MICROFILMED

MAR 22 1990

WATER APPROPRIATION RULE 4.5

Douglas Kohntopp
264 S. 800 E.
Jerome, ID 83338

RECEIVED
JUN 29 1989

Department of Water Resources

- 4,5,3,6,1 The project design would be two center pivot type irrigation systems. There would be a 300 hp electrical vertical lineshaft turbine, in addition a 75 hp booster pump on each pivot. Approximately 1/2 mile of 10" mainline pipe to the pivot points.

Enclosed is an estimated cost of the proposed project design.

- 4,5,3,6,2 The crop rotation would consist of the following crops with the approximate number of years in the designated crop and the estimated acreage.

Hay	3 years	160 acres
Corn	1 year	160 acres
Wheat	1 year	160 acres
Potatoes	2 years	320 acres

- 4,5,3,6,3 The number and length of jobs will vary according to which crop(s) is being grown during the year. Most of the jobs will be seasonal as farming is also seasonal. Listed below will be an estimated number of jobs, length of time in accordance with the crop being grown.

	<u>Number of Jobs</u>	<u>Length</u>
Project design installed	5	1 month
Irrigator	1	8 months
Hay (major crop)	2	2 months
Corn	2	2 months
Wheat	2	2 months
Potatoes	15	2 months

- 4,5,3,6,5 The source of energy would be Idaho Power. Idaho Power has an existing 3-phase power line on the north border of the proposed land.

Instantaneous demand: various according to crops grown and weather conditions

Total amount of energy: 1500 kw per hp

Efficiency use: the well pump will be more efficient to pump water to the water storage pond than to the pivot(s) directly

Energy conservation methods: pump water to storage pond

- 4,5,3,6,6 With the proposed project design of two center pivots, there should not be any return water flow. As the ground will be sprinkled, there will be little or no water run off or soil erosion.

MICROFILMED

MAR 22 1990

4,5,3,6,7

Relationship of the operator of the irrigated project would be the applicant: Douglas R. Kohntopp

Irrigated lands farmed by the applicant in 1989:

Location: 265 So. 800 Ea.
Jerome, ID 83338

160 acres

Location: 300 No. 800 Ea.
Jerome, ID 83338

61 acres

In accordance with a Soil Conservation Service soil classification map, the proposed lands consist of PWC, a Power-McCain complex soil. The Power soil has a depth class of more than 60 inches and the McCain soil is moderately deep (20 to 40 inches) to bedrock. The PWC soils have a 1 to 6 percent slope.

See attached copy of SCS soil survey map.

The production of the project lands will be scheduled in accordance with the timing of approved entry to the designated land. An estimated production schedule could be as follows:

Summer and fall: Clearing brush and cleaning up lands,
begin well drilling

Fall: Ground preparation and installation of irrigation
system(s)

Spring: Complete well drilling, if necessary, and the
planting of crop(s)

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MAR 22 1990

FARMORE IRRIGATION
PO BOX 396
JEROME IDAHO

NAME: DOUG KOHNTOPP
DATE: 6/26/89
SALESMAN: BEN NEFF

2	REINKE 8 TOWER PIVOT WITH SWING ARM INSTALLED ON PAD	118,550
3800'	10"X100 PSI PVC PIPE	14,760
4000'	4/4X12/2 WIRE	4,360
3800'	TRENCH-BACKFILL	1,950
3800'	WIRE-PIPE INSTALLATION	1,950
1	300HP DEEP WELL TURBINE PUMP 420'-SET 2500 GPM	45,700
1	300HP PANEL W/FLOAT/TIME DELAY PH/FL	5,960
2	75HP 5015 PACO CENTRIFU- GAL PUMP	8,270
2	75HP PUMP PANEL LH/SC/PB	3,060
1	PUMP POND-150'X150'	3,850
1	PUMP STATION STRUCTURE	3,340
2	BOOSTER PUMP TIE-INS WITH VALVES	5,640
1	WIRING	5,640
	ESTIMATED WELL DRILLING	32,200

JUN 29 1989
Department of Water Resources

255230

MICROFILMED

MAR 22 1990



MICROFILMED

MAR 22 1990

PWC

35/2

3/2

31/32

6

PWC

2/12

6/5
37/8

B4B

B4B

DLB

B4B

MAR 22 1990

SIB

B4B

B4B

3/18

18/7



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 9, 1989

RE: Permit No. 36-7958

Douglas Kohntopp
264 S. 800 E.
Jerome, ID 83338

NOTICE OF INFORMATION REQUIRED BY WATER APPROPRIATION RULE 4,5.

Dear Permit Holder:

The Department acknowledges receipt of the Trust Water Information Questionnaire and appropriate re-advertising fee for the above referenced permit. On behalf of the Department, I wish to thank you for your cooperation in providing the requested fee and information.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5. if the undeveloped portion of the permit exceeds 200 acres.

The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your permit. The project includes more than 200 acres and is therefore subject to the additional information requirements of Rule 4,5.

I wish to call your attention to the specific requirements under Rule 4,5. (copy enclosed). In particular, you must submit the information outlined in Rules 4,5,3,6,1. through 4,5,3,6,7. Note that Rule 4,5,3,6,4. is not applicable to your permit.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed will be cause for the Department to advance the priority of the permit by the number of days that the information submittal is late. The

MICROFILMED

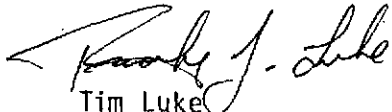
MAR 22 1990

Page 2

Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

Tim Luke
Sr. Water Resource Agent

MICROFILMED

MAR 22 1990

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED

JUN 05 1989

Application for
Permit No. 36-7958

Department of Water Resources

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes _____ No X

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. 0 none

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. 320 acres

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder

Douglas R. Whitlapp

Date 6-3-89

MicroFILMED

MAR 22 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 24, 1989

RE: APPLICATION FOR PERMIT NO. 36-7958

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed relinquishment form and return it to the Department.

If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire.

If the entire project was not completed prior to October 1, 1984, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4.2.2. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to void the application.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

MICROFILMED

MAR 22 1990

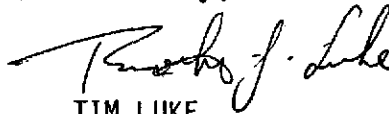
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke
Water Allocation/Trust Water

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

MAR 22 1990

SERIAL REGISTER PAGE

AS OF: 9/ 8/86
PRINTED: 9/10/86ACT 3-3-1877; 43USC321-323,325,327-329 CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 16996

NAME AND ADDRESS

KOHNTOPP DOUGLAS R
RT 4JEROME ID 83338
APPLICANT 100.00000 %

DESCRIPTION OF LAND

T. 9 S. R. 21 E. BOISE MER JEROME COUNTY, ID
SHOSHONE DISTRICT MONUMENT RESOURCE AREA
SEC. 6: LOTS 1-5
SENE, SWNE, SENE

322,750 ACRES

ACTIONS

DATE	CODE	TAKEN	REMARKS
11/14/1980	124	APLN RECD	7:45AM
11/14/1980	550	CL SUITABLE	CL 10/13/1976 CB
11/26/1980	600	RECORDS NOTED	
2/10/1981	911	REPORT RECEIVED	USGS
12/24/1985	042	CASE SENT	ISO RECOMMEND ALLOW
*****		PENDING ACTION: LANDS SECTION	
9/05/1986	042	CASE SENT	I-5 CB
9/08/1986	042	CASE SENT	ISO(943)

GENERAL REMARKS

- 01 DEPT WATER RESOURCES APPLN 36-7958
- 02 CLASSIFIED SUIT I-6869

MICROFILMED

MAR 22 1990

SERIAL REGISTER PAGE

AS OF: 8/25/86
PRINTED: 8/26/86ACT 3-3-1877; 43USC321-323,325,327-329 CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 16996-----
NAME AND ADDRESSKOHNTOPP DOUGLAS R
RT 4
JEROME ID 83338
APPLICANT 100.00000 %-----
DESCRIPTION OF LANDT. 9 S, R. 21 E, BOISE MER JEROME COUNTY, ID
SHOSHONE DISTRICT MONUMENT RESOURCE AREA
SEC. 6: LOTS 1-5
SENE, SWNE, SENE

322.750 ACRES

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11/14/1980	124	APLN RECD	7:45AM HF
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2/10/1981	911	REPORT RECEIVED	USGS

GENERAL REMARKS

01 DEPT WATER RESOURCES APPLN 36-7958

MICROFILMED

MAR 22 1990



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

February 25, 1986

RE: Application for Permit No. 36-7958

Douglas Kohntopp
Rt. 4
Jerome, ID 83338

Dear Mr. Kohntopp:

We are in receipt of the Bureau of Land Management's classification of your Desert Land Entry No. I-16996. However, as you are probably aware, you are named as a defendant in the Idaho Power lawsuit, and we cannot take final action on your water right application until our proposed rules and regulations have been adopted by the legislature.

We will take action on your application as soon as we are able. If you have any questions regarding this matter, please contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

cc: BLM

MICROFILMED

MAR 22 1990

Memo

To: Jim Johnson
From: John Carlson

1/22/86

RE: 36-7958

BLM is prepared to allow entry on
Mr. Kohnstopp's Desert Land Entry.

We should respond to Mr. Kohnstopp (cc to Bill Ireland DLM)
on the status of W. B. proceeding.

INTER-DEPARTMENT MEMO — 1

DATE

1/17/86

FROM

Southern

TO

State Office (water Alloc.)

SUBJECT

APP 36-7958

The Attached was delivered to this office by
The Assistant.

MICROFILMED

MAR 22 1990

SIGNATURE



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office

3380 Americana Terrace

Boise, Idaho 83706

RECEIVED

JAN 22 1986

IN REPLY
REFER TO:

I-16996 (943)

Department of Water Resources

Douglas R. Kohntopp
Rt. 4
Jerome, Idaho 83338

JAN 10 1986

Dear Mr. Kohntopp:

Enclosed is a copy of the memo from the Shoshone District Manager concurring with the suitable classification on the land in your desert land application, I-16996. The decision has now become final.

You should now request the Idaho Department of Water Resources to proceed with further action on the approval of your water permit application. The enclosed memo should accompany your request so the Department will know the lands have been classified.

You should make arrangements to have a copy of the permit sent to this office as soon as it is approved. Upon receipt of the copy, we can then issue the notice of allowance of your entry.

Sincerely yours,

William E. Ireland
William E. Ireland, Chief
Realty Operations Section

Enclosure

RECEIVED

MAR 22 1990



IN REPLY
REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Shoshone District Office

400 West F Street

Shoshone, Idaho 83352

I-6960, I-16996
2520

December 24, 1985

MEMORANDUM

TO : State Director (943)

FROM : District Manager, Shoshone District

SUBJECT: Desert Land Entry Classification and Allowance

Enclosed are two DLE files, I-6960 and I-16996, that were filed on separate parcels of land. They were transmitted to the Shoshone District for review of the previous suitable classification and our recommendation on the same.

As per the enclosed staff report and Area Manager concurrence I find the suitable classification still proper and so recommend the subject filings be allowed. This is based on our existing planning decision to dispose, the quality of soils present, and the Economic Analysis prepared for each entry.

If you need further information from us before an allowance is granted, please contact Mike Austin on the Monument Resource Area Staff.

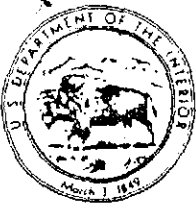
Dennis D. Schulte
Acting

Enclosures

Case Files I-6960, I-16996

MICROFILMED

MAR 22 1990



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Shoshone District Office

400 West F Street

Shoshone, Idaho 83352

IN REPLY
REFER TO:

I-16996

December 10, 1985

MEMORANDUM

TO : Area Manager, Monument Resource Area

FROM : Realty Specialist, Monument Resource Area

SUBJECT: Recommendation For DLE I-16996 Allowance

On November 14, 1980, Douglas R. Kohntopp made application on public lands under the Desert Land Act to reclaim the following described lands:

T. 9S., R. 21E., B.M., Jerome County, Idaho
Section 6: Lots 1 thru 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$
Containing 322.75 acres

Upon review of this file the subject lands have already been classified suitable for entry under the Desert Land Act on October 13, 1976, under file number I-016858 C. Since this classification one other DLE was filed on these lands, I-6869, but was cancelled on January 23, 1979 for failure to file annual proof. Besides the subject DLE no other action, application or use has occurred on these lands.

Upon reviewing this classification I find that this designation is still proper as shown for Desert Land Entry. The recently completed Monument Resource Management Plan has identified these lands as T-1 which is a general disposal designation. At that time this classification was reviewed to determine if these lands should be retained in public ownership or should be disposed of. The decision was to make these lands available for disposal under either Desert Land Entry, Carey Act, Private Exchange, or Public Sale.

Because of the existing DLE filing, this application should have first priority over any other consideration of disposal. This action is proper, reasonable, and in the public interest to dispose under the DLA authority.

GENERAL INFORMATION AND BACKGROUND DATA:

Soils Information: A detailed soil survey was conducted and completed on the subject land by the District Soil Scientist while the Monument RMP was being developed. Field work and survey were completed during the summer of 1983. This detailed survey was conducted to determine SCS soil capability classification. This study revealed there are no acres of capability Class II, 288 acres capability Class III, and 20 acres of capability Class IV comprising the total tillable soils of 308 acres. The soils that remain are in capability Classes VII and VIII which are unsuitable for agriculture and have major limitations for use because of stoniness or droughtyness, high erosion hazard, or rock outcrops.

MAR 22 1990

A majority of the tillable soils are comprised of a soil complex of Power, Milner and rock outcrops (PMC). Other soils are the Banbury loam. The PMC association has 1 to 8 percent slopes, exhibit deep soil horizons, with permeability and runoff slow. The Power and Milner siltloam soil unit is used mainly for rangeland, however, it is also used some for irrigated crops. Banbury soils are poor quality but are also used for irrigated crops. The PMC map unit is in a SCS capability Class II/III if irrigated. However, if not irrigated the Power soils capability unit is VI and the Milner capability unit is VII. The rock outcrops are in Class VIII. The irrigated Banbury loam is capability Class IV.

The remaining 14 acres of SCS Class VII or worse lands are not farmable and can only be used for marginal grazing or wildlife escape areas. Because the entry will not consider these lands as being part of the economic viability they will not be discussed further or used in the economic analysis in this report.

Irrigation Water Availability: Because of the subordination issue of Snake River water and recent court decisions on the disposition of that water, further drilling of irrigation wells and pumping from the underground aquifer may be restrained or curtailed. The proposed method of irrigation is by deep well pumping from the Snake River Aquifer. The applicant plans to pump this water from a new well to be drilled on entry. He has made application to the Idaho Department of Water Resources for the required water permit, however, the subject application for water has not been approved. This will be based on the priority for water filing with other water filling throughout the area. It may or may not be granted.

Irrigation Systems: Within the new 24" well the applicant proposes to install a 200 hp electrical vertical lineshaft turbine. In addition there would be a 50 hp booster pump on each pivot. He would be installing two center pivot type irrigation system to the 322 acres. This would require a little more than 1/2 mile of 10" mainline pipe to the pivot points as well as the control line carrying the wire circuitry.

Idaho power Company has been contacted and they are willing to supply power upon a request by the applicant. This approval should be obtained prior to DLE allowance. Idaho Power will supply power upon the applicant signing the "Customer Acknowledgement" on form letter "A".

Economic Potential: The proposed action, as discussed herein, indicates there is potential for allowance based on an estimate of economics, depending on crops grown, yield prices, ect. The DLE Data Worksheet plus its supplement is completed with current information available at the time of case file review. It is included as an attachment to this memo.

I concur.

Erm R. Cowley
Area Manager, Monument R.A.

12-10-85
Date

Mike Austin

RECORDED

MAR 22 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 8, 1981

Douglas R. Kohntopp
Rt. 4
Jerome, Idaho 83338

Dear Mr. Kohntopp,

RE: Application for Permit No. 36-7958

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, the Department of Water Resources will take no further action until such time as we receive evidence in writing that this land has been classified as suitable for desert entry.

Please contact us if we may be of further assistance.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

cc: Bureau of Land Management
(1-16996)

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MAR 22 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

Douglas R. Kohntopp

INITIAL REVIEW BY: J. E. Stanton

APPLICATION NUMBER: 36-7958

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.

Field check by: _____

Date: _____

Comments: _____

☐ 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.

*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: _____

Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: J

Map No. _____

☒ Yes ☐ No

Other rights on same place of use. _____

☒ Yes ☐ No*

In form for advertising.

Final date for protests: 3/23/81

☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 3/19/81

☒ 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? _____

☒ 1-9-80 Date of priority recommended.

Special conditions of approval or cover letter. OIC

Desert Land Entry

app. still protested in S.F. suit - hold
DLE has been classified as suitable -
process when rules & reg. are
established - CW 1/23/86

By: Loren O'Halloran

Date: 3-26-81

STATE OFFICE REVIEW:

417 DLE Letter 26

☐ See attached sheet for more information.

By: Polym

Date: 4/8/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 18, 1981

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 23, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

MAR 22 1990

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:

36-7958

KOHNTOPP, DOUGLAS R.

RT. 4, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 01/09/1981

Amount: 6.40 CFS

Diversion Point: LOT 02 (NWNE) Sec 06 T 09S R 21E, JEROME Co.

Use: IRRIGATION (6.40 CFS) from 03/15 to 11/15

Place of Use: LOT 01 (NENE) LOT 02 (NWNE) SWNE SENE LOT 03 (NENW)
LOT 04 (NWNW) LOT 05 (SWNW) SENW Sec 06 T 09S R 21E
FOR 320 ACRES

Diversion Means: WELL AND PUMP

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 23, 1981.

C. STEPHEN ALLRED

Director

Published 3/5 & 3/12/81.

MICROFILMED
MAR 22 1990

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

36-7958

KOHNTOFF, DOUGLAS R., RT. 4,
JEROME, IDAHO 83338

Source: GROUNDWATER

Date Filed: 01-09-1981

Amount: 6.40 CFS

Diversion Point: LOT 02 (NWNE) Sec
06 T 09S R 21E, JEROME Co.

Use: IRRIGATION (6.40 CFS) from
03-15 to 11-15

Place of Use: LOT 01 (NENE) LOT 02
(NWNE) SWNE SENE LOT 03 (NENW)

LOT 04 (NWNW) LOT 05 (SWNW)
SENE Sec 06 T 09S R 21E FOR 320
ACRES

Diversion Means: WELL AND PUMP

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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 23, 1981.

C. STEPHEN ALLRED

Director

3-5-21c

REGISTERED

MAR 22 1990

3/79

IDENT. NO. 36-7958

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

WATER RIGHT
DATA ENTRY LOG

[illegible]