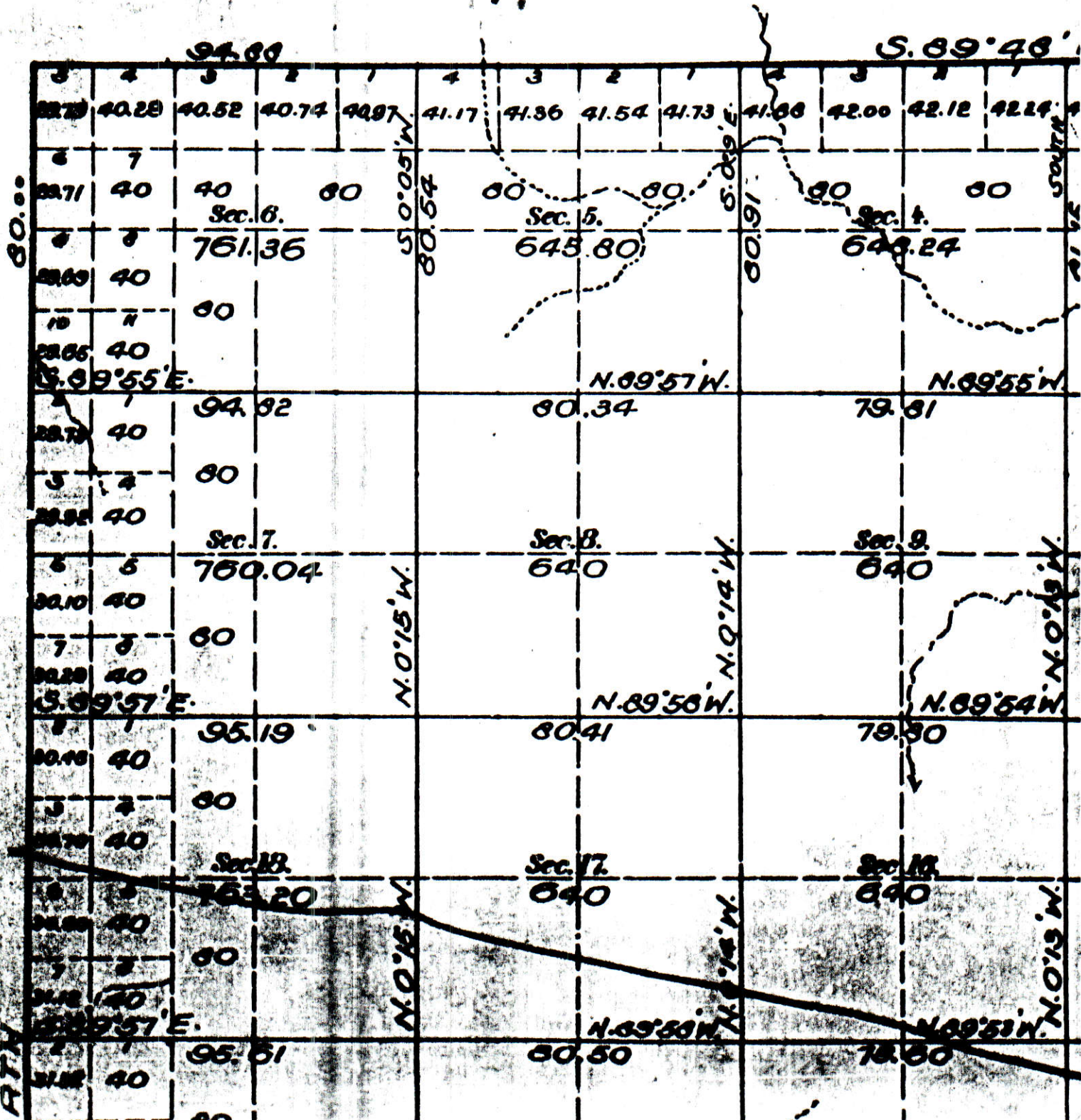
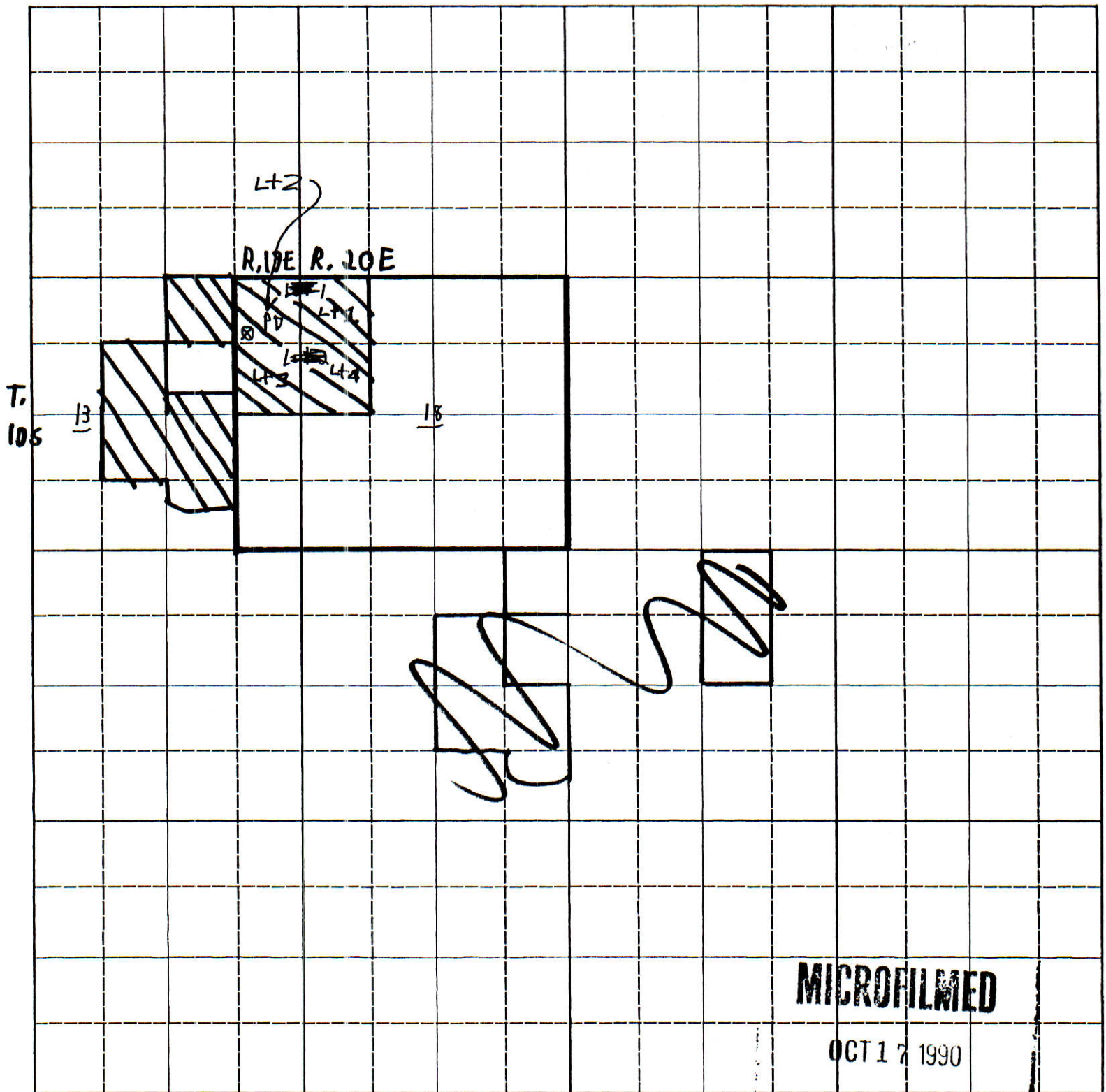


G f F e E d D



13. 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.

MICROFILMED

OCT 17 1990

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

(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho } ss.
County of Lincoln }

APR 30 1993

Department of Water Resources
Southern Region Office

Patty Nance

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

21 day of April, 1993.

and the date of the last publication was on the 28 day of

April, 1993.

Patty Nance

Subscribed and sworn to before me this 29th day of

April, 1993.

(SEAL)

Norma De Voe

NOTARY PUBLIC

#19617/5333
LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X'S

704 Lines tabular at 6¢/Pica

Lines straight at \$35.20 5¢/Pica

Subsequent lines at 28.16 4¢/Pica

TOTAL COST \$63.36

COPY OF NOTICE

(Paste Here)

Notice of Amendment
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 36-08220 Part

Notice is hereby given that NORTH VALLEY MILK, INC. of Shoshone, ID is the holder of a part of Approved Permit No. 36-08220A with a priority date of 06/29/1983 authorizing the diversion of 6.46 cubic feet per second of water from groundwater in Lot 1 (NW1/4NW1/4), S18, T10S, R20E; County of Jerome, to be used for irrigation of 323 acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S13, T10S, R19E; NW1/4, S18, T10S, R20E; Jerome County.

This Application for Amendment proposes to change points of diversion, change place of use from Basin 36 to Basin 37 and change nature of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Water Right No. 36-08220G

Amount: 0.13 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: Two (2) new wells to be drilled within SW1/4SW1/4, S9, T05S, R17E; Lincoln County.

Place of Use: Commercial and stockwater within SW1/4SW1/4, S9, T05S, R17E.

Any protest against approval of the amending of Permit No. to create 36-08220G as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in the Lincoln County Journal and North Side News on 4/21 & 4/28/93.

Pub:4/21.28

L19617

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Jerome } ss.

APR 30 1993

Department of Water Resources
Southern Region Office

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of April, 1993,

and the date of the last publication was on the 28 day of

April, 1993

Subscribed and sworn to before me this 29th day of

April, 1993.

(SEAL)

Patty Nance

NOTARY PUBLIC

#19618/5724

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X's

Lines tabular at _____ 6¢/Pica

704 Lines straight at \$35.20 5¢/Pica

Subsequent lines at 28.16 4¢/Pica

TOTAL COST \$63.36

COPY OF NOTICE

(Paste Here)

Notice of Amendment
36-08220 Part

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

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Water Right No. 36-08220G

Amount: 0.13 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: Two (2) new wells to be drilled within SW1/4SW1/4, S9, T05S, R17E; Lincoln County.

Place of Use: Commercial and stockwater within SW1/4SW1/4, S9, T05S, R17E.

Any protest against approval of the amending of Permit No. to create 36-08220G as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in the Lincoln County Journal and North Side News on 4/21 & 4/28/93.

PUB: 4/21 and 28

N19618

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08813)
IN THE NAME OF NORTH VALLEY MILK COMPANY) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October, 1 1993; and,

WHEREAS, On July 31, 1993, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, On October 12, 1993, the permit holder submitted an extension of time which was denied; and,

WHEREAS, On October 21, 1993, the permit lapsed for failure to submit the proof of beneficial use; and,

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

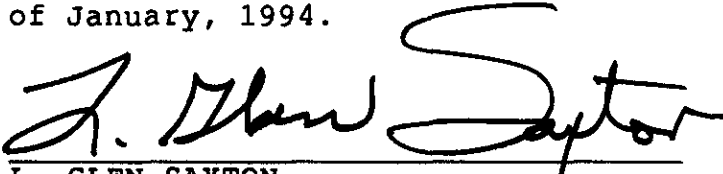
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on December 17, 1993;

RECEIVED

JAN 11 1994

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08813 be
REINSTATED with an advance in priority to October 14, 1983.

Dated this 7th day of January, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau

JAN 11 1994

RECEIVED

RECEIVED

DEC 20 1993

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 12-17-93
Receipt No. 5016447
Receipt by drf

DEC 17 1993

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

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. 37-08813 Telephone No. 208-886-7716
2. Name(s) of Permit Holder(s): NORTH VALLEY MILK, INC.
3. Mailing Address: 425 N 250 W SHOSHONE ID 83352
4. Source of Water: GROUND WATER

If GROUNDWATER, Well Driller's Name: EATON'S WELL DRILLING Date Drilled: 11-3-93

OPTIONAL:

Pump horsepower: 10 HP Pressure (psi): 50 Dynamic pumping level (ft.): 380

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater 1000 AD DAIRY (No. and type of stock)
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .23 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: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

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

ANDREW FITZGERALD 208-886-7716
Name Telephone No.

180 4 MI RD SHOSHONE ID 83352
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.

12-16-93 Andrew Fitzgerald Sec-Treas
Date Signature (and title, if on behalf of a company or organization)

JAN 11 1994

RECEIVED

OCT 12 1993

For Office Use Only
\$15 Fee Received by Johnson
Date 10-12-93
Receipt No. C028764

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 31-08813
Name(s) of Permit Holder: NORTH VALLEY MILK, INC.
Mailing Address: 425 N 250 W Shoshone, ID 83352
Date Proof is Due 12-6-93 10/1/93 Telephone No. 208-886-7716

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

NONE

Costing \$ _____

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

DAIRY PROJECT IS DELAYED DUE TO LACK
OF FUNDING AT THIS TIME

Permit holder(s) request an extension to 10-6, 1994.

FEE: \$15.00

ck #1109

Andrew Fitzgerald Sec Treas
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED pursuant to Section 42-204, Idaho Code, for failure to diligently pursue completion of the proposed project and to comply with permit conditions.

JAN 11 1994

Signed this 18TH day October, 19 93

R. Keith Higginson
R. Keith Higginson, Director

APPROVED

RECEIVED
STATE OF IDAHO
MAY 21 1993

DEPARTMENT OF WATER RESOURCES
Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now North Valley Milk Inc.

of (address) 425 N. 250 W., Shoshone, ID 83352, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 36-08220 G, and requests that the permit and permit map be changed as follows:

1. Point of diversion: ^{2 points} SW 1/4 SW 1/4, Section 9, Township 5S, Range 17E, B.M.,
County of Lincoln. Other points of diversion: _____
(new wells to be drilled)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.13 for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.13 for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)

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

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

Total: 0.13 cfs

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S	17E	9											SC						

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the place of use? "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECEIVED

JAN 11 1994

CONDITIONS OF APPROVAL

Amendment of Permit No. 36-08220G

CONDITIONS:

1. 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.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. Construction of the well must comply with Idaho well construction standards.

REMARKS:

1. Two points of diversion are located within the SWSW, S09, T05S, R17E.
2. Stockwater use is for 950 dairy cattle.
3. Commercial use is for dairy.

Dated this 12th day of July, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED

JAN 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PART 9

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

I, Delbert Koltz, hereby assign to North Valley Milk Inc.
of, 425 N. 250 W., Shoshone, ID 83352 886-7716
(Full Address)

All my right, title, and interest in and to Application for Permit
No. _____ to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
~~Application for Application for~~ Permit No. 36-08220A Part to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

0.13 cfs appurtenant to 6.5 acres in Lot 1 (NW 1/4 NW 1/4) Sec. 18

T. 10S R. 20E. Point of diversion, place of use & nature of use to
be changed by amendment. Portion to be designated as 36-08220G.

Made this 24 day of Feb, 1998

Delbert Koltz
Applicant

State of Idaho)
County of Twin Falls ss

On this 24th day of February, ¹⁹⁹³1990, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Mary G. Baldwin
Notary Public
Leading Id

seal

My commission expires: 10/16/1998

JAN 11 1994

database updated 7/1/93 cz.

RECEIVED

Form 204
11-91

SEP 08 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by JS
Date 9-8-92
Receipt No. 5014938

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 36-08220 A

Name(s) of Permit Holder: Delbert Kohitz

Mailing Address: 1135 Valley Road S., Eden, ID 83325

Date Proof Is Due 10-1-1992 Telephone No. 825-5617

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Well construction has started. Land is under North Side Canal Co.; well is supplemental.

Costing \$ 1500.

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

I am a licensed driller, and have been busy drilling other wells & farming.

Permit holder(s) request an extension to 10-1-1992 1992

FEE: \$15.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to October 1, 1993.

Signed this 10th day September, 19 92

J. Allen Sayton
Chief, Water Allocation Bureau

Copy for reference only; Not necessary to microfilm

10/13/93

Original permit
prior to split
assignment,
amendment and
re-numbering. c3.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08220A

Proposed Priority: June 29, 1983

Maximum Diversion Rate:

6.46 CFS

This is to certify, that DELBERT KOHTZ

1135 VALLEY RD. S.

EDEN, ID 83325

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

6.46 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NWNW), Sec. 18, Township 10S, Range 20E
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>
10S	19E	13	NENE 40	SWNE 40	SENE 10	
			NESE 40	NWSE 39	SESE 14	183
20E	18	LOT 1(NWNW)	70	LOT 3(SWNW)	70	140

Total number of acres irrigated:

323

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1992.
2. Subject to all prior water rights.
3. The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
4. 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.
5. 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.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. 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.
8. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. 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.

MICROFILMED

Copy for reference only.

Not necessary to microfilm.

OCT 17 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

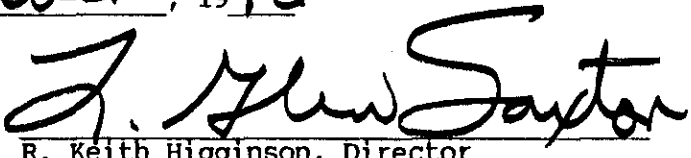
NO. 36-08220A

CONDITIONS/REMARKS:

10. This application proposes diversion of trustwater. 36-8220 is split into parts A, B and C by assignment.

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

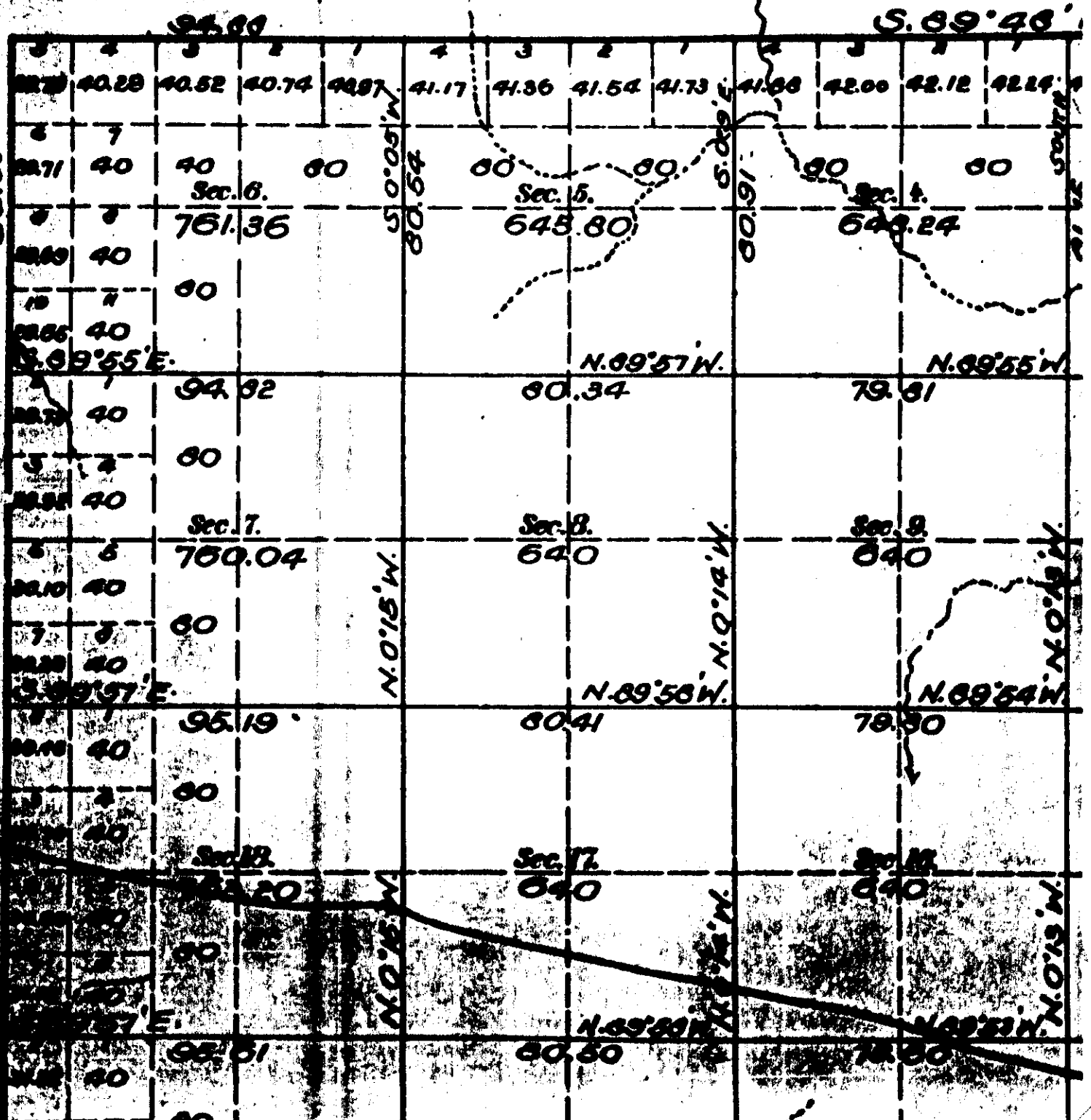
21st day of September, 1990

for

R. Keith Higginson, Director

MICROFILMED

OCT 17 1990

G f F e E d D



REGISTERED

AUG 23 1990

Form 202 Department of Water Resources
6/85 Southern Region Office

STATE OF IDAHO

Ident. No. 36-8220A

DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

AMENDED

To appropriate the public waters of the State of Idaho

1. Name of applicant Delbert Kohtz Phone 825-5617

Post office address 1135 Valley Road South, Eden, ID 83325

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

3. Location of point of diversion is _____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot 1

Sec. 18 Township 10S Range 20E B.M. Jerome County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.46 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 6.46 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump, sprinklers

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

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

d. Is ground water with a temperature of greater than 90°F being sought? No

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

MICROFILMED

OCT 17 1990

8. Description of proposed uses (irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	19E	13	40		40	10									40	39		14	183
10S	20E	18		~~40~~				70	70										140

Total number of acres to be irrigated 323

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

473 shares Northside Canal Co. water

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

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

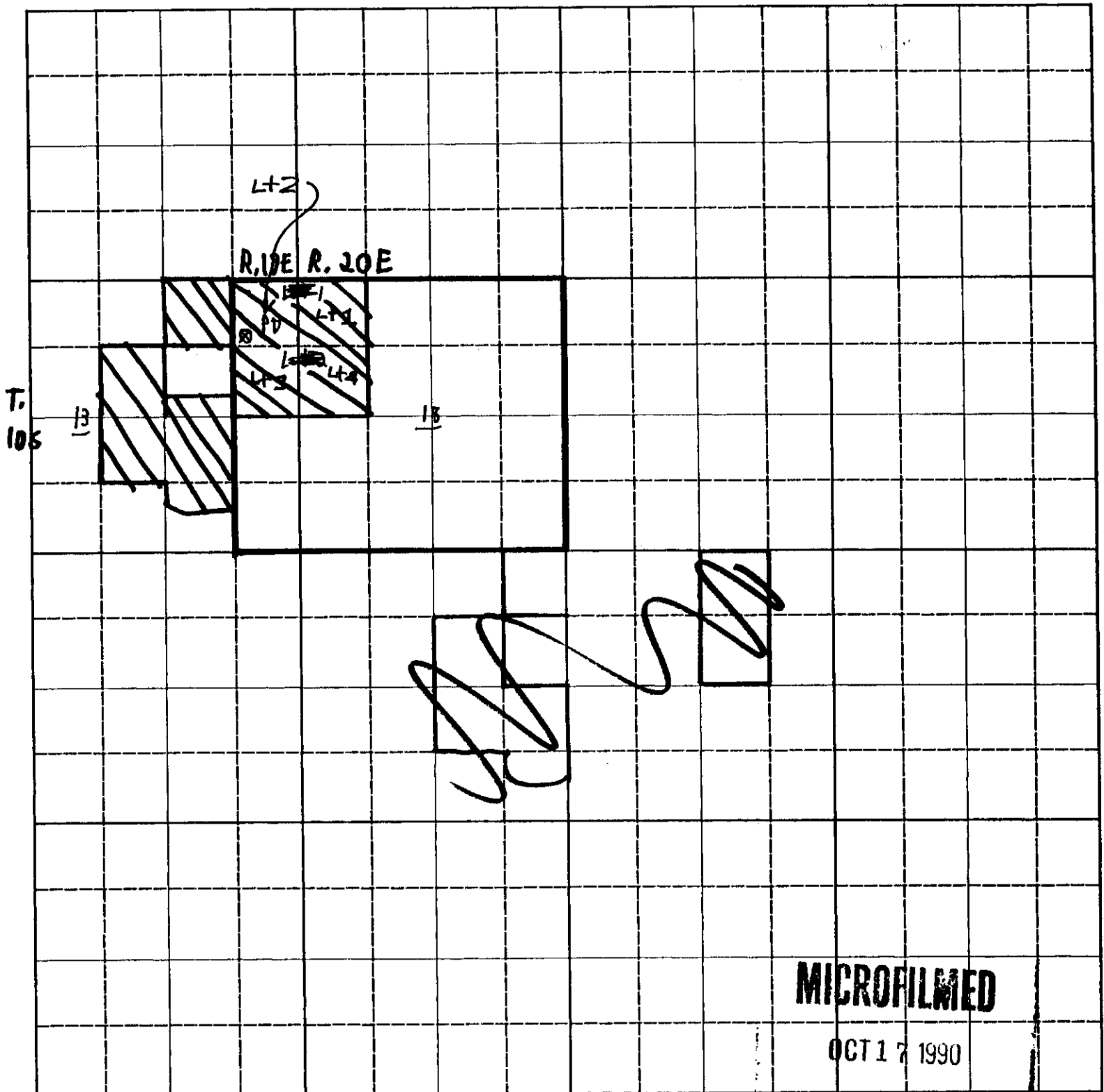
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Amended application clarifies previous assignments & also moves well closer to main power line.

MICROFILMED

OCT 17 1990

13. 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.

[Signature]
(Applicant)

Received by J. E. Stanton Date 23- Time 5:05 pm Prelim / che y
Fee \$ Received by # Date
Publication prepared by Date Published in
Publication approved Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

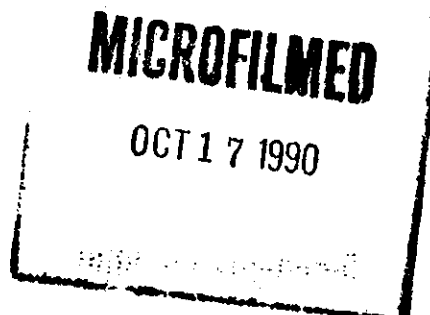
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:



January 7, 1994

NORTH VALLEY MILK INC
425 N 250 W
SHOSHONE ID 83352

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08813

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

Enclosure

Microfilm

JAN 11 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08813

Reviewed by Jy

Date 1-5-94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Stockwater
Correct Uses? yes

SOURCE OF WATER

Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 37-93-S-0160-000
200.00 Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100.00 Amount Submitted
yes Correct?

MEASURING DEVICE

Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 12-17-93 351
Date proof due 10-1-93 - 274
No. of days late = 77
Priority Date 6-29-83 + 210
New Priority Date 10-14-83 287

DEFICIENCIES OR ACTION ITEMS

Proof acceptable - advance priority to
Oct. 14, 1983

DATA ENTRY

New Address

Proof Made 12-17-93

MEMORANDUM

To: File 37-08813
From: L. Glen Saxton *mg*
RE: **TELEPHONE CONVERSATION WITH ANDREW FITZGERALD**
Date: October 26, 1993

Andrew Fitzgerald (886-7716) called today in connection with the denied request for extension of time dated October 18, 1993. I briefly explained that the extension of time which the department could approve has already been granted to Delbert Kohtz and that the department can not grant another unless litigation associated with title to the water has occurred. Fitzgerald stated there has been no litigation.

I further explained that even though the extension request has been denied, the permit is valid for 60 days (to December 20, 1993) in which the following could be accomplished in order to develop a water right under terms of the permit:

1. Drill the well and apply the water to the beneficial use authorized by the permit (i.e. commercial and stockwater)
2. File proof of beneficial use with the department on or before December 20, 1993.

Microfilm

JAN 11 1994

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

October 21, 1993

North Valley Milk Inc
425 N 250 W
Shoshone, ID 83352

Re: Permit No. 37-08813

LAPSE NOTICE

Dear Permit Holder:

Under the provisions of Section 42-218a of the Idaho Code, you are hereby notified that the above referenced permit has lapsed since the Department could not approve the request for extension of time you submitted.

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

Should you wish to file a proof of beneficial use on that portion of the permit that you may have developed, you must do so within 60 days of the date of this lapse notice. However, your priority date is being penalized one day for every day the proof is received late.

If you have any questions or if we can be of any further assistance, please feel free to contact our office.

Sincerely,

L. Glen Saxton
Chief, Water Allocation Bureau

RECORDED

JAN 11 1994

CERTIFICATION OF MAILING

I hereby certify that on 10/21/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 20, 1993

North Valley Milk Inc
425 N 250 W
Shoshone, ID 83352

RE: Permit No. 37-08813

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that you must diligently pursue the completion of the proposed project.

Within one year of the time you actually intend to develop and beneficially use the water, I suggest that you file a new application. Since Idaho is under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time. There is, however, a moratorium currently in place for most new applications. While the Department will accept the application, it may be some time before we are able to process it.

Please feel free to contact any of our regional offices if you wish assistance in completion of the new application.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

RECORDED

JAN 11 1994

**ANALYSIS SHEET
FOR
EXTENSION OF TIME**

Permit No. 37-08813 Reviewed by RLG Date 10/12/93

BASIC INFORMATION

10/12/93 Date stamp received
NO Extension received timely
YES Fee received and receipted
YES Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
_____ Is supporting documentation needed to complete the file? _____ Requested?
_____ Is delay by a government agency?
_____ Is supporting documentation needed to complete the file? _____ Requested?
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend for denial for failure to diligently pursue

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date _____
Change Priority Date _____

October 6, 1993

NORTH VALLEY MILK INC
425 N 250 W
SHOSHONE ID 83352

LAPSE NOTICE

RE: PERMIT NO. 37-08813

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10/6/93
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECEIVED
JAN 11 1994

JAN 11 1994

July 31, 1993

NORTH VALLEY MILK INC
425 N 250 W
SHOSHONE ID 83352

PROOF DUE NOTICE

RE: PERMIT NO. 37-088/3

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

No. 140435

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 16, 1993

NORTH VALLEY MILK INC
425 N 250 W
SHOSHONE ID 83352

Re: Permit No. 36-082206 - Re-numbered to No. 37-08813

Dear Permit Holder(s):

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

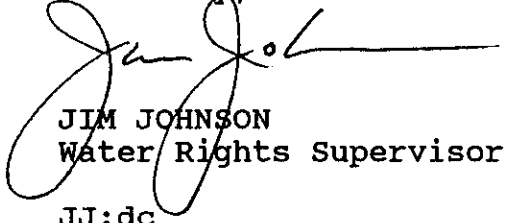
Also enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

Due to the amended place of use, your permit No. 36-082206 has been re-numbered to No. 37-08813. Please use this new number in any future correspondence with this Department.

Your application No. 36-08806, which is currently on hold due to the Eastern Snake River Plain Moratorium, is a duplication of your current permit, No. 37-08813. I am requesting at this time that you withdraw application No. 36-08806, and I have enclosed a Withdraw form for your convenience.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECORDED

JAN 11 1994

AMENDMENT OF PERMIT NO. ~~36-82206~~ REVIEW

Renumbered 37-08813

7/1/93 cz.

TYPE OF CHANGE: P/D P/U ADD P/D NATURE OF USE

AREA OF CONCERN: Eastern Snake River Plain Mor.

PROOF OF BENEFICIAL DUE DATE 10/1/93 Under 6 months? Yes

GROUNDWATER:

GT. 0.2 cfs - 01G
LT. 0.2 cfs - NMR <flow chart>
Drilling Permit No. -
Not included - 046, 46B

SURFACE WATER: not in w/d - 01C (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. 37
Surface water - 005, R04-01H (LT.2 w/pump)
R04-01J (GT.2)
Swan Falls Flag - S (1, Blank or Other)
Trust - 051-052-053 (Consumptive Uses)
Non Trust <1> - 048-049

RIVER BASINS (Surface Water)

Boise (63) - 05A & 11E
Payette (65) - 047, 059
Snake (01, 02 & 03) - 11A (01), 061 (02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E, or 010 (WQ/Choose One),
042 (req.), 002 (MD), 07A (Spec.),
044 (Policy 5G)
Power - Use Power Review
Mining - 06A, 010, or 09E & 054(req.)
Storage - 18A-for multiple m/devices(In WD),
18B (Size)
Rec/Wildlf/Aes - 027 (Non-Consumptive)
Domestic - 021 (restricted areas & Boise River
upstream from Lucky Peak)
27A (Payette River & main tributaries)

NON LAND OWNER - 004

PROTEST AGREEMENT - 020

Recommended conditions same as on the permit or subsequent
amendment(s) to the permit? Yes _____ No ✓ See attached memo

Conditions of Approval Standard, _____

RECEIVED

MAY 21 1993
State of Idaho

Department of Water Resources

North Valley Milk Inc.

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Mel Schultz

* Right Number 36-8220 G Applicant North Valley Milk, Inc.

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

* ☐ Increase amount. ☒ Change place of use. ☒ Other Change nature of use
Moves PID & PIU from basin 36 to 37

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse). NA
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) application 37-8806 - moratorium hold.
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.

None ☒ Protests processed.

☒ Approve.

☐ Deny.

Conditions _____

By Loren O. Halmer Date 5/18/93

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By CZ Date 7/1/93
- ☐ Approved copy sent to applicant and to Region. By [Signature] Date 7/21/93

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

MEMORANDUM

DATE: July 1, 1993
TO: File No. 36-08220G
FROM: Cindy Zimmerman
SUBJECT: Amendment Review

=====

The amendment received 2/26/93 changes the point of diversion, place of use, and nature of use. The amended point of diversion and place of use resulted a change of location from Basin 36 to Basin 37.

Due to the amended nature of use, the conditions 007, 051, 052, and 053 are no longer applicable, therefor, those conditions were deleted from the database on this right.

MAILED 30

JAN 11 1994

MEMORANDUM

Date: February 22, 1993
From: Jim Johnson
To: File
Subject: Amendment of Permit changing nature of use.

=====

I contacted Jim Stanton and gave him the necessary information to fill out an Application for Amendment of Permit on Part 36-08220A changing part of that right from irrigation use to Dairy use.

The supporting documentation is filed under this memo and should be kept with the application for amendment when is it received from Southern Region. Glen has requested that the Amendment be advertized. Changes to the data base has not been done, but should be completed after the Amendment is Approved.

RECORDED
JAN 11 1994

CHANGE IN NATURE OF USE SUMMARY

Permit No 36-08220A (before change)

Permit No 36-08220F-G (after change)

1. Point(s) of diversion: (After change)

1/4 SW 1/4 SW 1/4, Section 09, Twp. 05S, Rge. 17E, B.M. County of JEROME

(Four points of Diversion) Two wells are already existing.

2. Water use (irrigation, domestic, stockwater, etc.), amount, and period of use under the permit **before** change

0.23 cfs for irrigation purposes from 03/15 to 11/15 (inclusive)

3. Water use (irrigation, domestic, stockwater, etc.), amount, and period of use under the permit **after** change

0.23 cfs for commercial purposes from 01/01 to 12/31 (Inclusive)

4. Acres to be removed from irrigation:

[illegible]

4. Place of use **after** change: (Dairy Farm)

[illegible]

JAN 11 1994

FILE NUMBER ----- 36-82206
REVIEWER ----- Jim 2/8/93

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE (TOTAL HERD) 950
NUMBER OF NONMILKING CATTLE 500
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO 5.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) 3
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS 0
NUMBER OF MILKINGS PER DAY 3
FLOW OF WATER FOR IN-BARN USE (GPM) 50
DURATION OF IN-BARN USE (MINUTES) 135

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD 0.09
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.09
NONMILKING CATTLE @12 GPD/HD 0.02
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.02
TOTAL (BASED UPON ROUNDED NUMBERS) 0.11

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD 37.2
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 40.0
NONMILKING CATTLE @12 GPD/HD 6.7
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 6.7
TOTAL (BASED UPON ROUNDED NUMBERS) 46.7

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.5
PARLOR FLOOR AND MILKHOUSE FLOOR 7.6
CATTLE WASHING BASED UPON METHOD OF WASHING 0.0
TOTAL 8.1

TOTAL DIVERSION VOLUME 54.8

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING 5.8
NONMILKING 0.0
TOTAL 5.8

COMMERCIAL 8.1

TOTAL CONSUMPTIVE USE 13.9

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

NUMBER OF ACRES THAT CAN BE IRRIGATED BY CONSUMPTIVE USE
INPUT DATA

IRRIGATION CONSUMPTIVE USE/ACRE 3.0
CALCULATED
ACRES IRRIGATED 4.6

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	7.50	7.50	7.50
LIFT (FT) -----	300	300	300
DISCHARGE PRESSURE (PSI) -----	30	30	30
FRICTION LOSSES (FT) -----	0.0	0.0	0.0
HOURS WATER IS PUMPED DAILY -----	14	18	24

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * -----	0.13	0.13	0.13
DAILY VOLUME (GALLONS) -----	105	135	180
DIVERSION VOLUME (AFA) ** -----	52.8	67.9	90.6

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

* DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
DAY OF THE YEAR.

RECEIVED

JAN 11 1994

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho } ss.
County of Lincoln }

APR 30 1993

Department of Water Resources
Southern Region Office

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

21 day of April, 1993

and the date of the last publication was on the 28 day of

April, 1993

Patty Nance

Subscribed and sworn to before me this 29th day of

April, 1993

(SEAL)

Norma De Voe
NOTARY PUBLIC

#19617/5333
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X'S

Lines tabular at	6¢/Pica
<u>704</u> Lines straight at	<u>\$35.20</u> 5¢/Pica
Subsequent lines at	<u>28.16</u> 4¢/Pica
TOTAL COST <u>\$63.36</u>	

COPY OF NOTICE

(Paste Here)

Notice of Amendment
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

NOTICE OF AMENDMENT TO APPROVED PERMIT

NO. 36-08220 Part

Notice is hereby given that NORTH VALLEY MILK, INC. of Shoshone, ID is the holder of a part of Approved Permit No. 36-08220A with a priority date of 06/29/1983 authorizing the diversion of 6.46 cubic feet per second of water from groundwater in Lot 1 (NW1/4NW1/4), S18, T10S, R20E; County of Jerome, to be used for irrigation of 323 acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S13, T10S, R19E; NW1/4, S18, T10S, R20E; Jerome County.

This Application for Amendment proposes to change points of diversion, change place of use from Basin 36 to Basin 37 and change nature of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Water Right No. 36-08220G

Amount: 0.13 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: Two (2) new wells to be drilled within SW1/4SW1/4, S9, T05S, R17E; Lincoln County.

Place of Use: Commercial and stockwater within SW1/4SW1/4, S9, T05S, R17E.

Any protest against approval of the amending of Permit No. to create 36-08220G as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in the Lincoln County Journal and North Side News on 4/21 & 4/28/93.

Pub: 4/21/28 L19617

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho } ss.
County of Jerome }

APR 30 1993

Department of Water Resources
Southern Region Office

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of April, 1993, and the date of the last publication was on the 28 day of April, 1993.

Subscribed and sworn to before me this 29th day of April, 1993.
(SEAL)

Norma DeVoe
NOTARY PUBLIC

19618 / 5724
NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X's

Lines tabular at _____ 6¢/Pica
704 Lines straight at \$35.20 5¢/Pica
Subsequent lines at 28.16 4¢/Pica
TOTAL COST \$63.36

JAN 11 1994

COPY OF NOTICE

(Paste Here)

Notice of Amendment
36-08220 Part

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 36-08220 Part

Notice is hereby given that NORTH VALLEY MILK, INC. of Shoshone, ID is the holder of a part of Approved Permit No. 36-08220A with a priority date of 06/29/1983 authorizing the diversion of 6.46 cubic feet per second of water from groundwater in Lot 1 (NW1/4NW1/4), S18, T10S, R20E; County of Jerome, to be used for irrigation of 323 acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S13, T10S, R19E; NW1/4, S18, T10S, R20E; Jerome County.

This Application for Amendment proposes to change points of diversion, change place of use from Basin 36 to Basin 37 and change nature of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Water Right No. 36-08220G

Amount: 0.13 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: Two (2) new wells to be drilled within SW1/4SW1/4, S9, T05S, R17E; Lincoln County.

Place of Use: ~~Residential and stockwater~~ within SW1/4NW1/4, S9, T05S, R17E.

Any person against approval of the amending of Permit No. to create 36-08220G as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in the Lincoln County Journal and North Side News on 4/21 & 4/28/93.

PUB: 4/21 and 28

N19618

NOTICE OF AMENDMENT TO A WATER
PERMIT

NO. 36-08220 Part

Notice is hereby given that NORTH VALLEY MILK, INC. of Shoshone, ID is the holder of a part of Approved Permit No. 36-08220A with a priority date of 06/29/1983 authorizing the diversion of 6.46 cubic feet per second of water from groundwater in Lot 1 (NW1/4NW1/4), S18, T10S, R20E; County of Jerome, to be used for irrigation of 323 acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S13, T10S, R19E; NW1/4, S18, T10S, R20E; Jerome County.

This Application for Amendment proposes to change points of diversion, change place of use from Basin 36 to Basin 37 and change nature of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Water Right No. 36-08220G

Amount: 0.13 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: Two (2) new wells to be drilled within SW1/4SW1/4, S9, T05S, R17E; Lincoln County.

Place of Use: Commercial and stockwater within SW1/4SW1/4, S9, T05S, R17E.

Any protest against approval of the amending of Permit No. to create 36-08220G as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in the Lincoln County Journal and North Side News on 4/21 & 4/28/93.

RECORDED

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

09-Apr-1993

R. KEITH HIGGINSON
Director

LINCOLN COUNTY JOURNAL
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

09-Apr-1993

R. KEITH HIGGINSON
Director

NORTHSIDE NEWS
PO BOX 468
JEROME ID 83338

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Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MAILED
JAN 11 1994

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 36-08220 Part

Notice is hereby given that NORTH VALLEY MILK, INC. of Shoshone, ID is the holder of a part of Approved Permit No. 36-08220A with a priority date of 06/29/1983 authorizing the diversion of 6.46 cubic feet per second of water from groundwater in Lot 1 (NW1/4NW1/4), S18, T10S, R20E; County of Jerome, to be used for irrigation of 323 acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S13, T10S, R19E; NW1/4, S18, T10S, R20E; Jerome County.

This Application for Amendment proposes to change points of diversion, change place of use from Basin 36 to Basin 37 and change nature of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Water Right No. 36-08220G

Amount: 0.13 cfs

Period of Use: 01/01 to 12/31

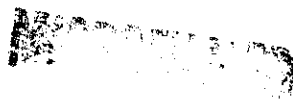
Point of Diversion: Two (2) new wells to be drilled within SW1/4SW1/4, S9, T05S, R17E; Lincoln County.

Place of Use: Commercial and stockwater within SW1/4SW1/4, S9, T05S, R17E.

Any protest against approval of the amending of Permit No. to create 36-08220G as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in the Lincoln County Journal and North Side News on 4/21 & 4/28/93.


JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

09-Apr-1993

R. KEITH HIGGINSON
Director

ANDREW FITZGERALD SEC/TREAS
NORTH VALLEY MILK INC, FOUR BROTHERS DAIRY
425 N 250 W
SHOSHONE ID 83352

Re: Applications for Amendment, 36-08220F & 36-08220G

Dear Mr. Fitzgerald:

The Department of Water Resources acknowledges receipt of your applications for amendment of a permit.

This office will be advertising the applications in the Lincoln County Journal and North Side News on 4/21 & 4/28/93. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,
Mel Schulte
Mel Schulte
Water Right Agent

MS:MB

RECEIVED
JAN 11 1994

WR0749NP
No. B36-08220G

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

DATE: 07/01/93
PAGE: 2

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Comments: Date: 07/01/1993 User-ID: ZIMMERMA Subject: AMENDED PERMIT NO. 36-08220G
in a change in location from Basin 36 to Basin 37.

Date: 07/01/1993 User-ID: ZIMMERMA Subject: CORPORATE OFFICERS
The officers of North Valley Milk Inc are Jerome Fitzgerald,
president; and Andrew Fitzgerald, secretary/treasurer.

Audit: 07/01/93 ZIMMERMA