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GOODING

Reservoir

GOODING CO
LINCOLN CO

AFFIDAVIT of PUBLICATION

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NOV 10 1988

State of Idaho,)
)SS.

County of Lincoln)

Department of Water Resources
Southern Region Office

Dave Combes, being first duly sworn,
deposes and says that he 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, know 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 2 day of Nov
19 88, and the date of the last publication was on the 9
day of Nov, 19 88.

Subscribed and sworn to before me this 9th
day of Nov, 19 88.
(SEAL)

Laurena M. Lerner
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

Number of Lines in Notice 28
Number of Insertions 2x

Lines tabular at _____ 5¢/Pica
28 Lines straight at 14.56 4¢/Pica
Subsequent lines at 12.74 3¢/Pica
TOTAL COST 27.30

COPY OF NOTICE
(Paste Here)

Jennings Stockwater
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
2148 4th Ave E. Twin Falls
BILL TO Id 83301

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed
to appropriate the public waters of the
State of Idaho:

37-08363

JENNINGS, VIRGIL, JENNINGS, KAROL,
800 W. 720 N., SHOSHONE, ID 83352

Source: GROUNDWATER

Diversion Pt: SWSWSE Sec 28 T 04S R
16E; Lincoln County; At the Above ad-
dress.

Use: DOMESTIC (.080 CFS)

STOCKWATER (.200 CFS)

COMMERCIAL (.050 CFS)

Date Filed: 6/21/1988

In: T04S R16E S28, SWSE

The permit 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. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 2148 4th Avenue
East, Twin Falls, Idaho 83301 on or before
NOVEMBER 21, 1988.

R. Keith Higginson, Director
Publish: November 2 and 9 L3180

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
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NO 3211
MICROFILMED

JUN 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 23 1997

Department of Water Resources

A. GENERAL INFORMATION

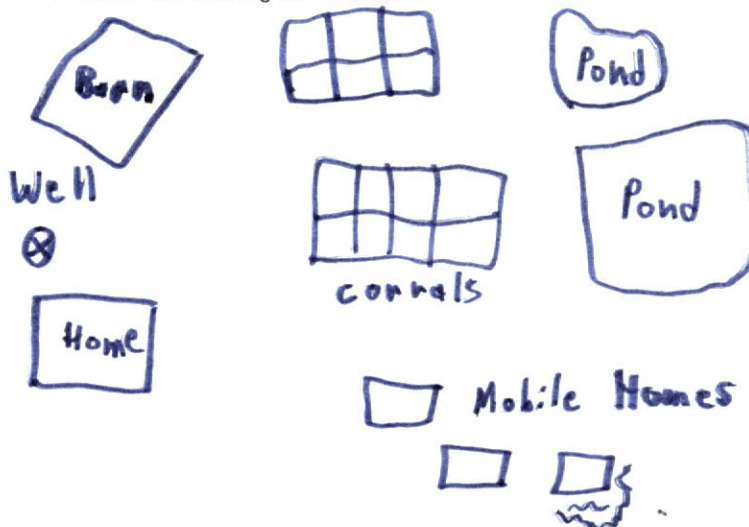
Permit No. 37-08363
Phone No. 886-3697
1. Owner: Virgil Jennings
Current Address: 800 W. 720 N., Shoshone, ID 83352
2. Accompanied by: Mr. Jennings EXAM. DATE: 9-30-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: A37-10/88 ☐ Copies Attached
2. Other water rights with same point of diversion: A37-10/88 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

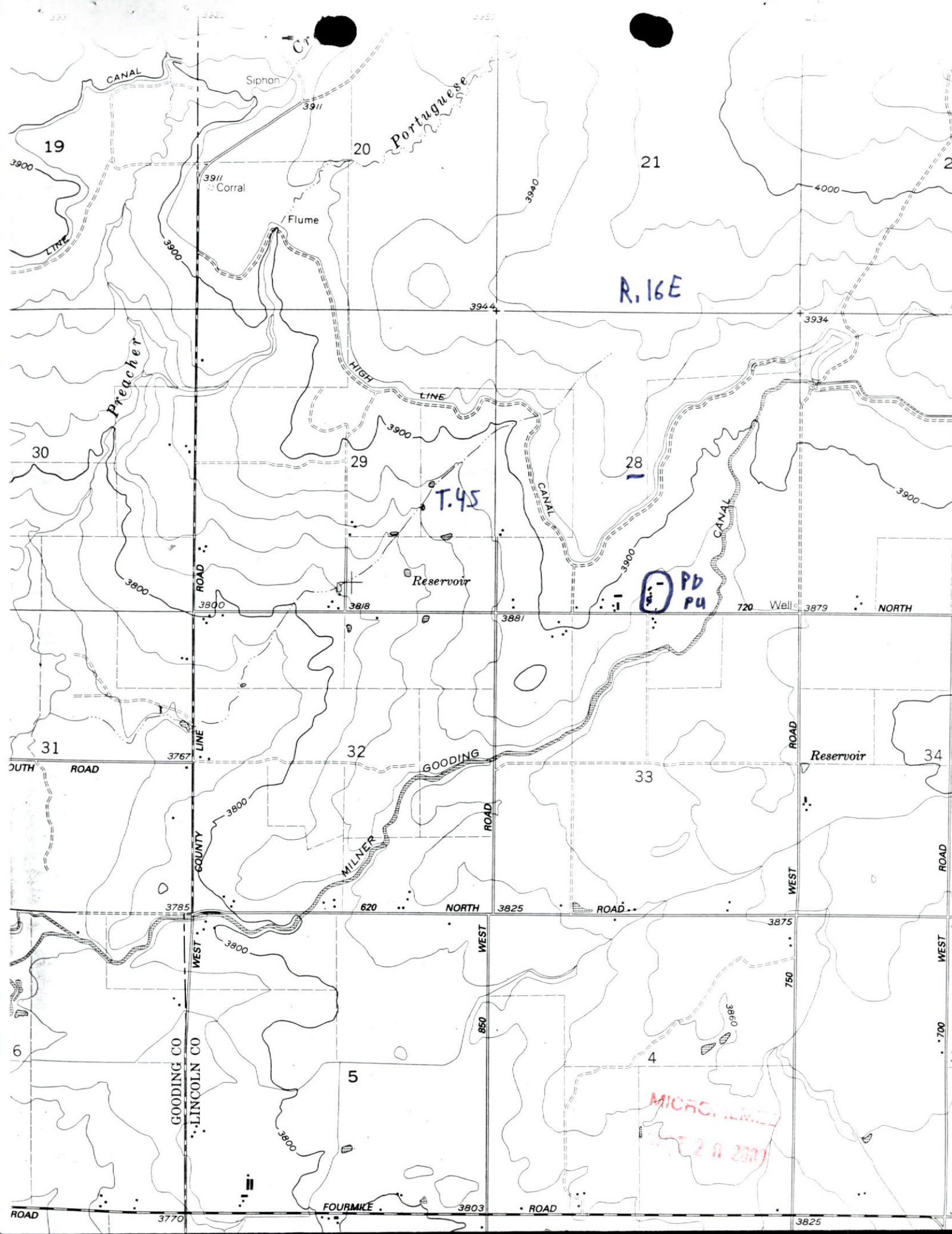
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



MICROFILMED
OCT 20 2003

Scale: 1" = _____

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



R.16E

T.4S

PB
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OCT 20 2007



Cornals + Dairy Barn



Cornals



Waste Lagoons

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Outlet from Barn Tank



Milking Stalls



Bulk Tank

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OCT 20 2003



P/D



Pressure Tanks

Mobile Home
w/dwn



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OCT 20 2003

State of Idaho
Department of Water Resources

Amended

Water Right License

Amended

WATER RIGHT NO. 37-08363

Priority: August 06, 1988

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 10.5 AF

It is hereby certified that ELVOY H DANSIE and/or BERTHA D DANSIE
800 W 720 N
SHOSHONE ID 83352 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 21, 1988; and has
submitted Proof of Beneficial Use on February 21, 1989. An examination indicates that the works have
a diversion capacity of 0.05 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.05 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.05 CFS	1.8 AF
STOCKWATER	01/01 to 12/31	0.05 CFS	8.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, Twp 04S, Rge 16E, B.M LINCOLN County

PLACE OF USE: COMMERCIAL, DOMESTIC, AND STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 16E 28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 9th day of September, 2003.

MICROFILMED

OCT 20 2003


for **KARL J. DREHER**
Director

BEFORE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PETITION TO)
AMEND WATER RIGHT LICENSE)
SUBMITTED BY ELVOY DANSIE)
_____)

**PRELIMINARY ORDER
AMENDING LICENSE**

This matter having come before the Department of Water Resources (Department) as a result of the filing of a petition to amend a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On February 2, 1989, the Department issued Permit 37-8363 (permit) authorizing Virgil and/or Karol Jennings to divert 0.20 cfs from ground water in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 4 South, Ranger 16 East, Lincoln County, for domestic, stock watering, and commercial dairy purposes.
2. On February 21, 1989, Virgil Jennings submitted a proof of beneficial use statement for the permit. On the proof of beneficial use statement Virgil Jennings indicated that he had appropriated 0.04 cfs. A field examination fee is not required for ground water appropriations that do not exceed 0.04 cfs, and Virgil Jennings did not submit an examination fee in connection with the proof of beneficial use statement.
3. On September 30, 1993, a Department field examiner conducted an examination to verify the use of water established in connection with the permit. The field examiner reported that a use of 0.05 cfs from ground water was established in connection with the permit.
4. On May 28, 2003, Virgil and Karol Jennings assigned the permit to Elvoy H. and Bertha D. Dansie (permit holders).
5. Rule 50.01.c. of the Beneficial Use Examination Rules (IDAPA 37.03.02) says:

A license shall not be issued for an amount of water in excess of the amount covered by the examination fee. Subsequent to the examination and prior to a license being issued, the director will notify the permit holder that the licensed amount will be limited because an insufficient examination fee was paid. The permit holder will be allowed thirty (30) days after the notice is mailed to pay the additional examination fee, along with a late payment penalty of twenty-five dollars (\$25) or twenty percent (20%) of the amount of the additional required fee whichever is more. If payment is received within the thirty (30) day period, the

rate or volume licensed shall not be reduced by reason of the examination fee. If payment is not received within the thirty (30) day period, the rate or volume licensed shall be limited by the original examination fee paid. For the purpose of determining advancement of priority for late fee as provided in Section 42-217, Idaho Code, fees shall not be considered as having been paid until paid in full, including any subsequent fee.

6. On June 13, 2003, the Department notified the permit holders of the provisions of Rule 50.01.c. of the Beneficial Use Examination Rules.
7. The Department did not receive the examination fee and late penalty within 30 days after the notice was mailed to the permit holders as provided in Rule 50.01.c. of the Beneficial Use Examination Rules.
8. On August 7, 2003, the Department issued Water Right License 37-8363 (license) recognizing that the permit holders had established a right to divert 0.04 cfs in connection with the permit.
9. On August 29, 2003, the permit holders submitted the examination fee and late penalty and a request that their water right be modified to authorize the diversion of the additional 0.01 cfs.
10. Section 42-217, *Idaho Code*, says, in pertinent part:

Holders of permits who have submitted proof of beneficial use but have not had their project examined for beneficial use shall submit the fee required in section 42-221, Idaho Code, within sixty (60) days of notification by the director of the department of water resources that a license examination fee is required. Failure to submit the fee in the time allowed shall be cause for the director to advance the date of priority of the permit one (1) day for each day that the fee is late; provided that if the fee is not fully paid within one (1) year of the time it is due, the director of the department of water resources may consider the proof of beneficial use for the permit to be incomplete and lapse the permit, as provided in section 42-218a, Idaho Code.

CONCLUSIONS OF LAW

1. The Department should modify the license to authorize a maximum diversion rate of 0.05 cfs.
2. The examination fee and late fee were submitted 46 days after the expiration of the 30-day period allowed under Rule 50.01.c. of the Beneficial Use Examination Rules.
3. The Department should advance the priority of the license 46 days in accordance with Section 42-217, *Idaho Code*.

ORDER AMENDING LICENSE, Page 2

MICROFILMED

OCT 20 2003

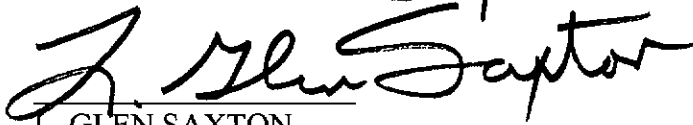
ORDER

IT IS HEREBY ORDERED that Water Right License 37-8363 shall be **AMENDED** to authorize a maximum diversion rate of 0.05 cfs.

IT IS FURTHER HEREBY ORDERED that the priority date for Water Right License 37-8363 shall be **ADVANCED** to August 6, 1988.

IT IS FURTHER HEREBY ORDERED that an amended water right license document shall be issued in connection with this order.

Dated this 9th day of September, 2003.



L. GLEN SAXTON

Administrator, Water Management Division

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08363

Priority: June 21, 1988

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 10.5 AF

It is hereby certified that ELVOY H DANSIE AND/OR BERTHA D DANSIE
800 W 720 N
SHOSHONE ID 83352 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 21, 1988; and have
submitted Proof of Beneficial Use on February 21, 1989. An examination indicates that the works have
a diversion capacity of 0.05 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.8 AF
STOCKWATER	01/01 to 12/31	0.04 CFS	8.3 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW¼SW¼SE¼ Sec. 28, Twp 04S, Rge 16E, B.M., LINCOLN County

PLACE OF USE: COMMERCIAL, DOMESTIC, AND STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S 16E 28															X		

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 7th day of August, 2003.

MICROFILMED
OCT 20 2003

Karl J. Dreher
for **KARL J. DREHER**
Director

For Office Use Only
\$25 filing fee
Receipt # 5025907
Date 6-11-03

11/99

RECEIVED
JUN 10 2003

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

RECEIVED
JUN 02 2003
Department of Water Resources
Southern Region

I, Virgil R. and Karol Jennings, hereby assign to Elvoy H. and Bertha D. Dansie
of, 800 West 720 North, Shoshone, ID. 83352 208-886-7785
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 37-8363 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 for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Department of Water Resources

RECEIVED

JUN 12 2003

Made this 28 day of may, 2003

Virgil R. Jennings
Permit Holder(s) Virgil R. Jennings

Karol Jennings
Karol Jennings

State of Idaho)
County of Ada)ss

On this 28 day of may, 2003, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



SEAL

Faye Sanders
Notary Public residing at

Boise Idaho

My commission expires: 11-15-08

OCT 20 2003

RECEIVED
FEB 21 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by JS
Sent to region JS

Department of Water Resources

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

Permit No. 37-08363

Name(s) of Permit Holder: Vigil Tennings

Post Office Address: 900 W. 720 N.

Shoshone, Ida. 83352 Telephone No. 886-2697

Source of Water: Ground water

Extent of Use:

Domestic ✓ 2 (number of households) Stockwater ✓ (number and type of stock) Dairy
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.40 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: Jan. 1, 1944

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No Fee enclosed \$ -0-
(See License Examination Fee Schedule)

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

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

(Name)

(Telephone Number)

(Address)

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

2-15-89
Date

Vigil Tennings
Signature of Permit Holder (and title, if appropriate)

JUN 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-8363

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Virgil & Carol Jennings Phone 886-2677
Post office address 800 W. 720 NO. Shoshone, ID 83352
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 28 Township 04S Range 16E B.M. Lincoln County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .08 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)
Amount .20 for STOCK (DAIRY) purposes from 1-1 to 12-31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)
Amount .05 for COM DAIRY purposes from 1-1 to 12-31 (both dates inclusive)
(cfs ~~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) .2 .20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: WELL; 1 1/2 HP pump; 1 1/4" line; 230' depth
 - a. Description of ditches, flumes, pumps, headgates, etc. _____
 - 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 6" casing inches; proposed depth of well is 230 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
WELL WAS DRILLED AND PUT TO USE IN 1979
(1 yr) years (minimum 1 year).

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JUN 13 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 300 HEAD OF DAIRY STOCK
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. TWO HOUSEHOLDS
- e. Other; describe fully. USE IN DAIRY FACILITIES

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
04S	16E	28															D		
"	"	"															S		
"	"	"															COMM		

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

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

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

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: The well was drilled in 1979 by Foster Drill-
up for the grade it requires of a dairy
operation.

Virgil TERRY

TONS R16E

21

22

28

27

POD
POU

GOODING

387

38702

LINCOLN CO

[illegible]

Virginia
(Applicant)

6/21/88

Received by G.G. Date 6/21/88 Time 10:00 Preliminary check by JA
Fee \$ 30.00 Receipted by G.G. # 1000141 Date 6/21/88
Publication prepared by M. Baldwin Date 10/20/88 Published in Lincoln Co. Journal
Publication approved M. Baldwin Date 11/22/88

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. 37-8363, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. 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:

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Witness my hand this 2nd day of February, 1989.

J. Glen Saxton

RECEIVED

1989

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
)SS.
 County of Lincoln)

NOV 10 1988

Department of Water Resources
 Southern Region Office

Dave Lombes, being first duly sworn,
 deposes and says that he 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, know as House Bill 145; that the annexed advertisement was
 published once

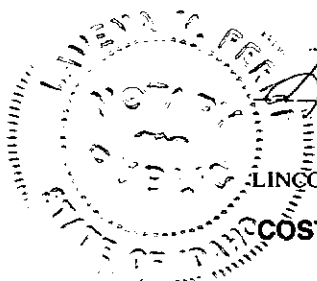
each week for 2x consecutive issues in said newspaper
 proper and not in a supplement; that the date of the first publication

of said advertisement was on the 2 day of Nov

19 88, and the date of the last publication was on the 9

day of Nov, 19 88

Subscribed and sworn to before me this 9th
 day of Nov, 19 88
 (SEAL)



Lawrence M. Perme
 NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
 Shoshone, Idaho
 COST OF PUBLICATION

Number of Lines in Notice 28

Number of Insertions 2x

Lines tabular at 5/Pica

28 Lines straight at 14.56 4/Pica

Subsequent lines at 12.74 3/Pica

TOTAL COST 27.30

COPY OF NOTICE
 (Paste Here)

Jennings Stockwater
 TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

Dept. of Water Resources
 2148 4th Ave E, Twin Falls
 Id 83301
 BILL TO

NOTICE OF APPLICATION
 FOR WATER RIGHT
 The following application has been filed
 to appropriate the public waters of the
 State of Idaho:
 37-08363
 JENNINGS, VIRGIL, JENNINGS, KAROL,
 800 W. 720 N., SHOSHONE, ID 83352
 Source: GROUNDWATER
 Diversion Pt: SWSWE Sec 28 T 04S R
 16E; Lincoln County; At the Above ad-
 dress.
 Use: DOMESTIC (.080 CFS)
 STOCKWATER (.200 CFS)
 COMMERCIAL (.050 CFS)
 Date Filed: 8/21/1988
 In: T04S R16E S28, SWSE
 The permit 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. Pro-
 tests must be filed with the Director, Dept.
 of Water Resources, 2148 4th Avenue
 East, Twin Falls, Idaho 83301 on or before
 NOVEMBER 21, 1988.
 R. Keith Higginson, Director
 Publish: November 2 and 9 L3180

PUBLICATION RATES
 (Idaho Code, Rev. Statutes 1984)
 7-8 pt. per line straight 4/Pica
 7-8 pt. per line tabular 5/Pica
 7-8 pt. per line successive
 insertions 3/Pica

MICROFILMED

JUN 13 1989

3180



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 9, 2003

ELVOY H DANSIE AND BERTHA D DANSIE
800 W 720 N
SHOSHONE ID 83352

RE: Water Right License 37-8363

Dear Water Right Holder:

The Department of Water Resources (IDWR) has issued the enclosed order amending the Water Right License for Water Right 37-8363. The order is a **preliminary order** issued by the Department pursuant to §67-5243, *Idaho Code*. The water right license issued in connection with the order supersedes the license issued on August 7, 2003. **The preliminary order can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described in the enclosed information sheet.**

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure

MICROFILMED

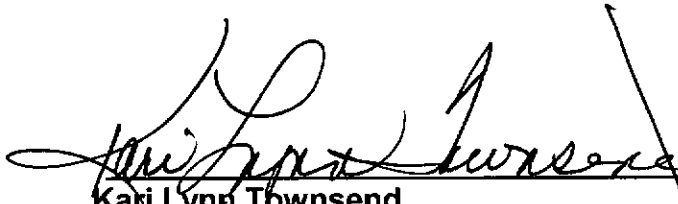
OCT 20 2003

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of **September, 2003**, 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. 37-8363

**ELVOY H DANSIE AND BERTHA D DANSIE
800 W 720 N
SHOSHONE ID 83352**


**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 20 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
OCT 20 2003

FINAL ORDER

The Director 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 Director 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.

RECEIVED
JUL 1 1963

RECEIVED

AUG 29 2003

AUG 29 2003

August 17, 2003

Department of Water Resources

To : Kay Walker,

Permit No. 37-08363 Elvoy H and /or Bertha D Dansie 800 W 720 N, Shoshone, Idaho

Dear Kay,

Please accept this letter as notification to have us acquire the additional .01 Cfs.
Enclosed is the \$ 75.00 for that fee.

Thank you,



Elvoy Dansie

MICROFILMED

OCT 20 2003

Idaho Department of Water Resources Receipt

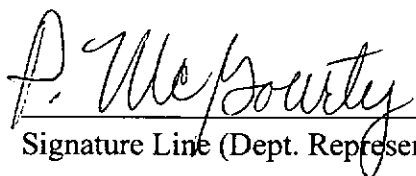
Receipt ID C070668

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$75.00	LIC EXAM FEE	0229	21	56104	1155



Signature Line (Dept. Representative)

MICROFILMED

OCT 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 8, 2003

ELVOY H DANSIE
BERTHA D DANSIE
800 W 720 N
SHOSHONE ID 83352

RE: License No. 37-8363 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
OCT 20 2003

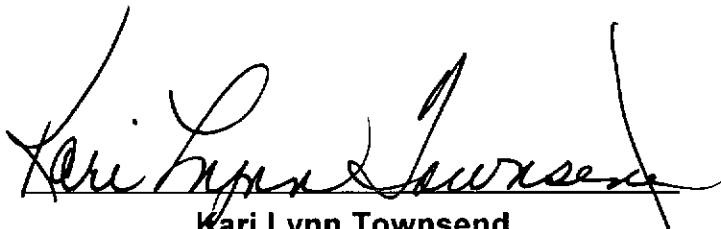
CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

37-8363

**BERTHA D DANSIE
ELVOY H DANSIE
800 W 720 N
SHOSHONE ID 83352**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 20 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

OCT 20 2003

FINAL ORDER

The Director 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 Director 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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 13, 2003

ELVOY H AND/OR BERTHA D DANSIE
800 W 720 N
SHOSHONE ID 83352

RE: Permit No. 37-08363

Dear Mr. and Mrs. Dansie:

We are in receipt of an assignment of permit form, which was submitted, changing the above referenced permit to you. Enclosed, for your records is a water permit report that shows the permit as recorded with our office.

Permit 37-08363 is currently being reviewed for licensing. The Department's field examiner recommended licensing this water right with a diversion rate of 0.05 cubic feet per second (cfs) for stockwater, domestic and commercial uses. However, because Mr. Jennings did not pay an examination fee when he submitted Proof of Beneficial Use, the license will be limited to 0.04 cfs.

If you want this water right license to reflect the 0.05 cfs recommended by the examiner, you must submit an examination fee of \$50.00, plus a late payment penalty of \$25.00, within 30 days. If we don't receive the examination fee/late fee of \$75.00 within 30 days from the date of this letter, we will assume you are not interested in the additional 0.01 cfs of water and we will license the permit for 0.04 cfs.

If you have any questions, please feel free to contact me at (208) 327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

OCT 20 2003

FILE NUMBER 37-8363
REVIEWER kw
DATE May 28, 2003

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 160
NUMBER OF DRY CATTLE 140
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS
3-4 MONTHS
5-8 MONTHS
9-12 MONTHS
13-15 MONTHS
16-24 MONTHS

ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC COW WASHING,
OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN 1

NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN) 5.00
TOTAL OPERATION TIME OF SPRINKLERS (MIN/DAY) 2

NUMBER OF MILKINGS PER DAY 2
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.) 70

ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES? N

IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN?
HOW MANY HOURS PER DAY DOES THE COMMERCIAL PUMP RUN?

IF ONLY ONE PUMP, HOW MANY TOTAL HOURS PER DAY DOES IT RUN? 12.0

IS A PLATE COOLER USED? N

IS PLATE COOLER WATER LATER RECYCLED FOR OTHER USES? (IF NO PLATE
COOLER, LEAVE BLANK)

ARE CORRAL MISTERS USED IN HOLDING PEN? N

IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN,
ASSUME 1 MISTER FOR EVERY 5 COWS) 400

NOZZLE DISCHARGE (USE 5 GPH IF UNKNOWN) 5.00
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 2/5) 2/5

OPERATION TIME OF MISTERS (HRS/DAY) 10
DAYS PER YEAR MISTERS ARE USED 45

ENTER A TOTAL VOLUME IN GPD FOR MISCELLANEOUS WATER USES NOT
INDIVIDUALLY CALCULATED BELOW (EX - RESTROOMS, WASHING MACHINES) 0

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER
MILKING CATTLE (BASED ON MILK PRODUCTION) ****
DRY CATTLE @17.0 GPD/HD ****
REPLACEMENT CATTLE ****
TOTAL 0.03

COMMERCIAL
TOTAL 0.03

TOTAL DIVERSION RATE 0.03

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE 5.2
DRY CATTLE 2.1
REPLACEMENT CATTLE 0.0
TOTAL 7.3

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
BACKFLUSH 0.2
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP 2.0
CATTLE WASHING BASED UPON METHOD OF WASHING 0.2
PLATE COOLER 0.0
CORRAL MISTERS 0.0
MISCELLANEOUS USES 0.0
TOTAL 2.8

TOTAL DIVERSION VOLUME 10.1

CONSUMPTIVE USE VOLUME (AFA)(assuming 100% consumptive):

STOCKWATER 7.3
COMMERCIAL 2.8
TOTAL CONSUMPTIVE USE 10.1

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	2.00	0.00	0.00	0.00	0.00
PUMP EFFICIENCY (%)	70	70	70	70	70
LIFT (FT)	180	0	0	0	0
DISCHARGE PRESSURE (PSI)	40	0	0	0	0
FRICTION LOSSES (FT)	3.0	0.0	0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	12.0	0.0	0.0	0.0	0.0

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
THEORETICAL FLOW RATE (CFS) *	0.04	0.00	0.00	0.00	0.00
DIVERSION VOLUME (AFA) **	16.2	0.0	0.0	0.0	0.0

* IF PUMP EFFICIENCY IS UNKNOWN, 70% MAY BE ASSUMED.

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

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

DIVERSION RATE	4.80 CFS
ACRES OF IRRIGATION	240.0 ACRES
DIVERSION VOLUME	4.0 AC-FT/AC
CONSUMPTIVE USE VOLUME	3.0 AC-FT/AC
IRRIGATION IS BEING CONVERTED FOR WHICH PORTION OF THE DAIRY OPERATION - STOCKWATER (S), COMMERCIAL (C), OR BOTH (B)?	B

CALCULATIONS

IRRIGATION DIVERSION RATE PER ACRE	0.020 CFS/AC
REDUCTION OF IRRIGATION BASED ON DIVERSION RATE	1.5 ACRES
REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME	2.5 ACRES
REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE	3.4 ACRES

*0 = based on pictures
attached to exam
& guesstimate kw*

*Rec. 0.4 AFA per
exam & calc.
on bottom of review
sheet.*

Comment Report

37-8363

1. kwalker 5/28/2003 Rate of Diversion

Comment: Examiner found the pump curve for this system would provide 0.05 cfs for this right. The permit holder failed to pay an examination fee for this permit, therefore the rate is limited to 0.04 cfs. Since they have an overlapping right which allows 0.04 cfs from the same system, I believe we can license this permit for 0.04 and limit both rights when combined to 0.05 cfs.

5-23-03

per phone con.
w/ John Freitag.
this property is
being sold again -
This will be 3rd
property sale
since exam
was conducted. John
asked the "new" owners
to submit assignment
so we could change
name. JW

MICROFILMED
OCT 20 2003

LICENSE REVIEW CHECKLIST

Permit No. 37-8363 Date: 5-28-2003 Reviewer: Kay Walker

272

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.20 cfs
Fee Limit 0.04 cfs
Measured _____ cfs
Theoretical 0.05 cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation 0.05 cfs 8.3 af
Stockwater 0.05 cfs 1.8 af
Domestic 0.05 cfs 2.4 af
Comm 0.05 cfs 1.5 af
Total 0.05 cfs 1.5 af

0.04
on all
lines

~~Irrigation~~ -- overlap (R58-R61; R62-R65, R66-R69)
~~supp. Gw~~ (W67/065/104)
~~overlap spec combined rts~~ (W35)
~~≤ 1 acre~~ (W31)
~~Domestic~~ (W01/wb5/070/071/075)
~~Power~~ (W42 or W43/025/027/R22 or R23)
~~Fish~~ (042)
~~Fire~~ (077)
Water Quality (106/R07)
Payette -- (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 -- remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO-not reg'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

✓ commercial = $\frac{400 \text{ gpd} \times 365 \text{ days}}{325850} = 0.448$
≈ 0.4 AFA

← no fee
w/proof
must
limit to
0.04 cfs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 23 1997

Department of Water Resources

A. GENERAL INFORMATION

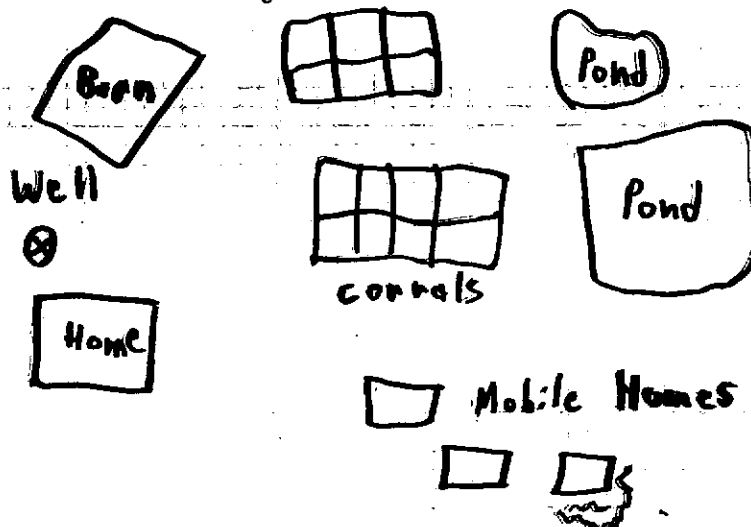
Permit No. 37-08363
1. Owner: Virgil Jennings Phone No. 886-3697
Current Address: 800 W. 720 N., Shoshone, ID 83352
2. Accompanied by: Mr. Jennings EXAM. DATE: 9-30-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: A37-10188 ☐ Copies Attached
2. Other water rights with same point of diversion: A37-10188 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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OCT 20 2003

Scale: 1" = _____

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

System Description (continued)

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

Well, submersible motor & pump, 2 50-gallon pressure tanks (40-60 psi system), 1000-gallon tank in floor of dairy barn for washing barn (no washing of animals).

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model / Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	2	VIP4C02	Sta-Rite	

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	SE	28	45	16E	Lincoln	

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
45	16E	28															D, S		
																	C		

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured Pump rated 20 gpm at 40 psi x 180' l.f.t. = 0.047 cfs. Allow 0.05 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

20 gpm x 1440 min/day x 365 days/ann = 33,9 AFA

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

Stock water - (160 x 36) + (140 x 12) = 7440 gpd x 365 days/ann = 8.3 AFA

Domestic - 3 homes x 0.6 AFA/home = 1.8 AFA

Commercial - 400 gal/day for cleanup x 365 days/ann = 0.5 AFA

10.6 AFA

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Dairy with 160 milkers, 140 dry stock. Well serves 1 home & 3 mobile homes. Home was served by old government well since 1944, but Jennings well now serves entire system. Lawns for home & 3 mobile homes are watered from canal. Allow domestic use for 3 homes (1 has tiny lawn). Lawn is so small that no extra water. Property is for sale - owner requests licensing ASAP. is allotted. Average daily use is about 9500 ~~and~~ gallons, so this system probably does not require a water right. Even though the original use expanded when the dairy was built in 1979, the entire system could be covered by the SRBA claim. SRBA claim has wrong legal description - SE/SW Sec. 28 owned by ~~Attorneys~~ 45 of Oct 1977. has licensed dairy (37-07078). Lyle Adams

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1-1	12-31	0.05	8.3
Domestic	1-1	12-31	0.05	1.8
Commercial	1-1	12-31	0.05	0.5
Totals:			0.05	10.6

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name J E Stanton

Signature J E Stanton

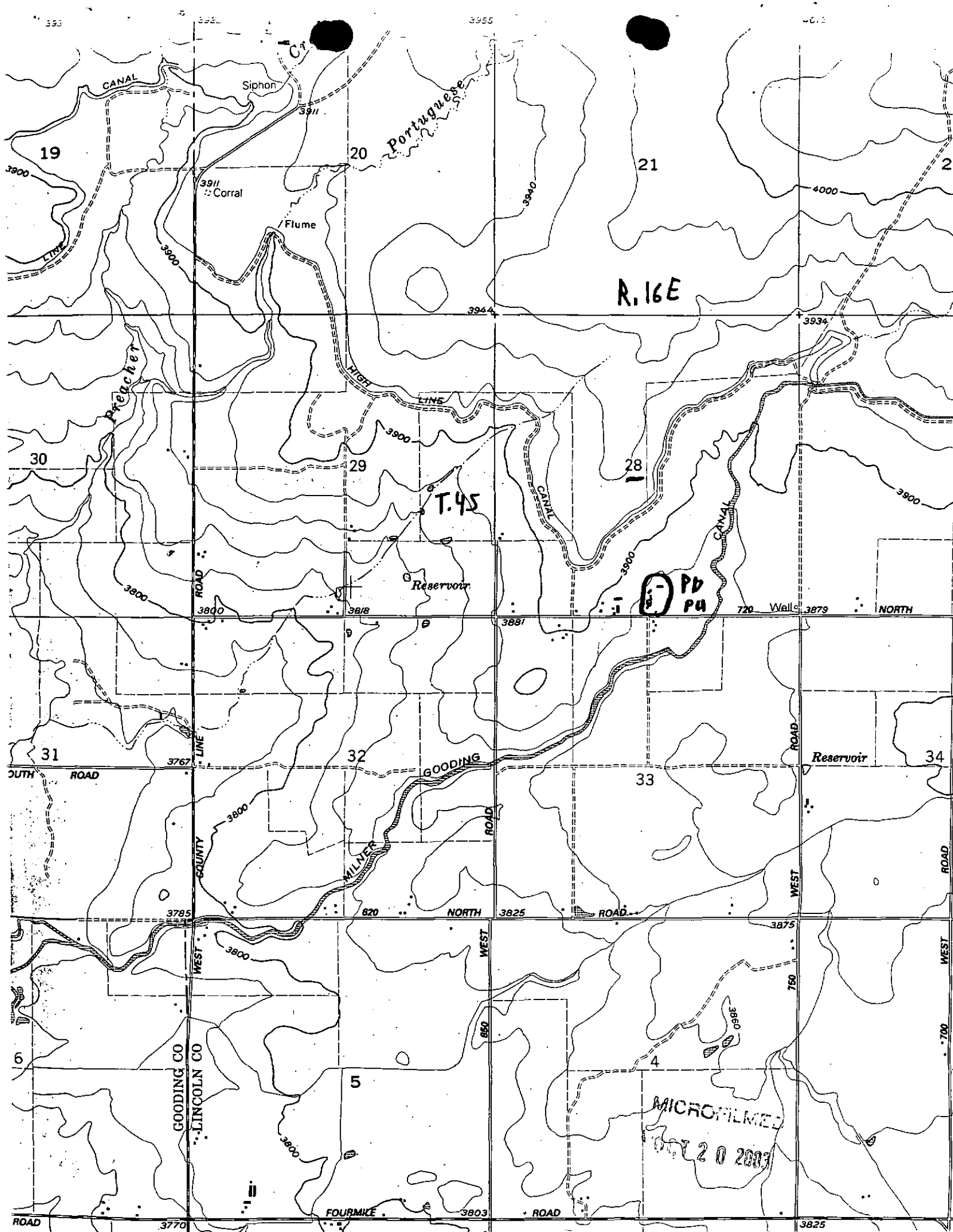
Certification Date _____

Field Report Preparation Date 10-21-97

CONSULTANT SEAL

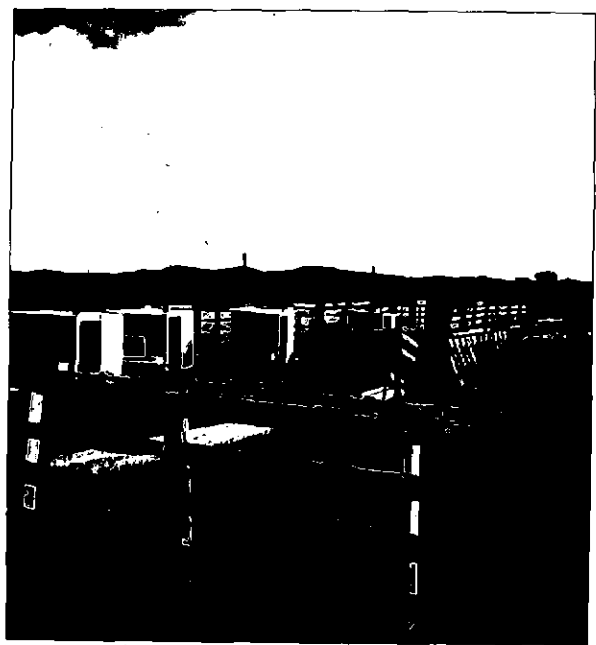
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICHAEL

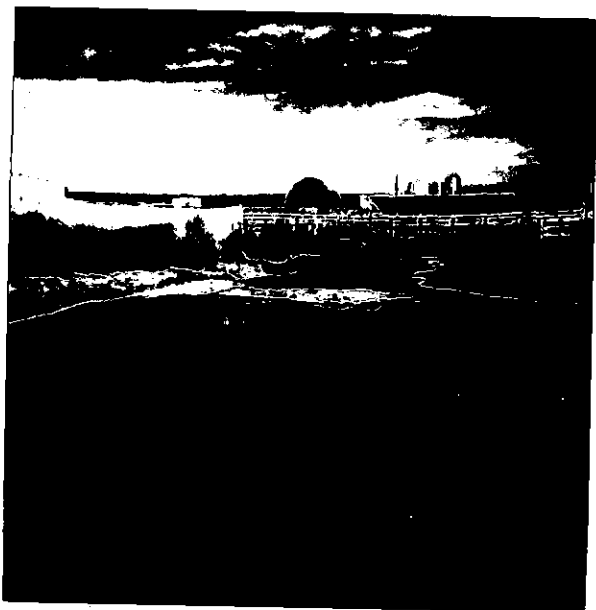


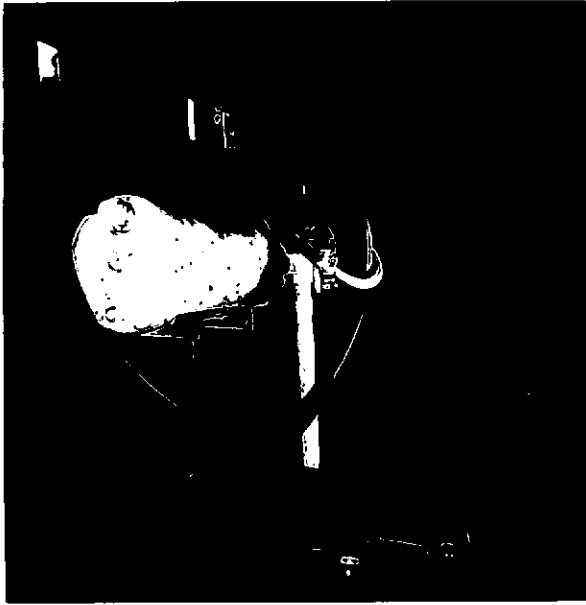


Cornals + Dairy Barn



Cornals



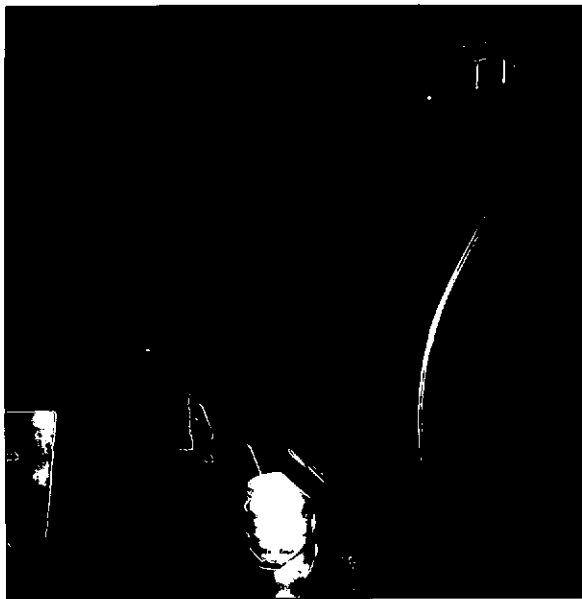


Outlet from Barn Tank



Milking Stalls

Bulk Tank

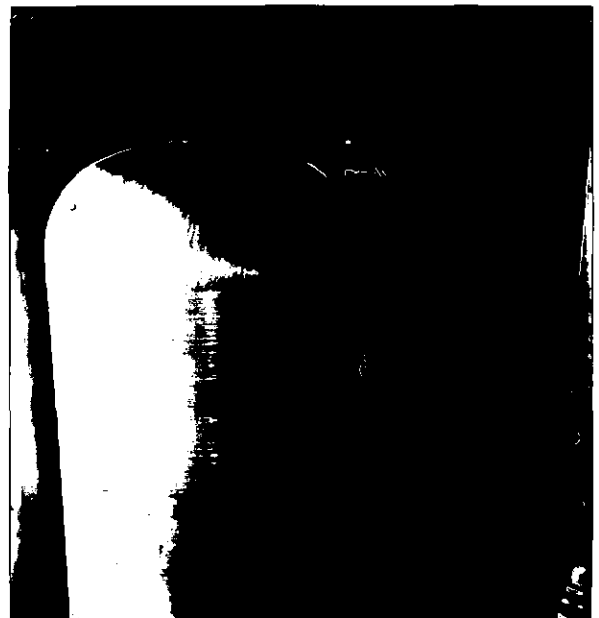


RAIDED/FILED

OCT 20 2003



P/D



Pressure Tanks



Mobile Home
w/lawn

ENCLOSURE
2 0 2003

03-May-1989

Virgil Jennings
800 West 720 North
Shoshone, Idaho 83352

Re; Permit Nl. 37-08363

Dear Mr. Jennings,

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Very truly yours,

Lloyd Payne
Clerk

Encl:

AMCROFF
OCT 10 2023

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8363

Date: 4.6.89

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof acceptable

N/A

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 238-7 2 N-12 E
1/78 G+L COUNTY IN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

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

1. WELL OWNER Name <u>VIRGIL JENNINGS</u> Address <u>Shoshone</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>180</u> feet below land surface. Flowing? ☐ Yes ☐ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☒ Cap ☐ Plug Temperature _____ OF. Quality _____																																																																																			
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Head Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Head Pumped																																																																															
Discharge G.P.M.	Pumping Level	Head Pumped																																																																																			
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) _____		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8</td><td>0</td><td>2</td><td>top Soil</td><td> </td><td> </td></tr><tr><td> </td><td>2</td><td>12 1/2</td><td>Gray lava</td><td> </td><td> </td></tr><tr><td> </td><td>12 1/2</td><td>137</td><td>Red lava sand</td><td> </td><td> </td></tr><tr><td> </td><td>137</td><td>137</td><td>Gray lava</td><td> </td><td> </td></tr><tr><td> </td><td>137</td><td>140</td><td>Red lava sand</td><td> </td><td> </td></tr><tr><td> </td><td>140</td><td>167</td><td>Gray lava</td><td> </td><td> </td></tr><tr><td> </td><td>167</td><td>170</td><td>Red lava sand</td><td> </td><td> </td></tr><tr><td> </td><td>170</td><td>170</td><td>Gray lava</td><td> </td><td> </td></tr><tr><td> </td><td>170</td><td>181</td><td>Red lava sand</td><td> </td><td> </td></tr><tr><td> </td><td>181</td><td>190</td><td>Gray lava</td><td> </td><td> </td></tr><tr><td> </td><td>190</td><td>200</td><td>No Bottom Soft</td><td> </td><td> </td></tr><tr><td> </td><td>200</td><td>220</td><td>No Bottom</td><td> </td><td> </td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	8	0	2	top Soil				2	12 1/2	Gray lava				12 1/2	137	Red lava sand				137	137	Gray lava				137	140	Red lava sand				140	167	Gray lava				167	170	Red lava sand				170	170	Gray lava				170	181	Red lava sand				181	190	Gray lava				190	200	No Bottom Soft				200	220	No Bottom		
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	200	220	No Bottom																																																																																		
4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		10. Work started <u>Nov 14</u> finished <u>Nov 20-78</u>																																																																																			
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>250 inches</td><td>4 inches</td><td>1 feet</td><td>19 feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>19</u> Material used in seal: ☐ Cement grout ☐ Puddling clay ☒ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port _____		Thickness	Diameter	From	To	250 inches	4 inches	1 feet	19 feet													Number	From	To										11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were completed with at the time the rig was removed. Firm Name <u>C.B. Eaton</u> Firm No. <u>24</u> Address <u>Wendell</u> Date <u>Nov 28-78</u> Signed by (Firm Official) <u>James [Signature]</u> and (Operator) <u>Ed [Signature]</u>																																																			
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250 inches	4 inches	1 feet	19 feet																																																																																		
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6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td>1</td><td>2</td><td>3</td><td>4</td></tr><tr><td>W</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td>E</td><td>9</td><td>10</td><td>11</td><td>12</td></tr><tr><td>S</td><td>13</td><td>14</td><td>15</td><td>16</td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County <u>LINCOLN</u> <u>SE 1/4 Sec. 12, T. 4, R. 16, E. 18</u>		N	1	2	3	4	W	5	6	7	8	E	9	10	11	12	S	13	14	15	16																																																																
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USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
February 7, 1989

VIRGIL JENNINGS
KAROL JENNINGS
800 W. 720 N.
SHOSHONE, ID 83352

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08363

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

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enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

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JUN 13 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Jennings, Vitgil/Kato

INITIAL REVIEW BY *LH* DATE 9/30/88 APPLICATION NUMBER 37-8363

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) *None*
- ☒ Overlapping point of diversion *None*
- ☐ Yes ☒ No Field check required
Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

None

Date Requested

DEC 05 1988

RECEIVED

Department of Water Resources

PROCESSING

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

SEND COPIES TO

None
☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM, District _____
☐ Idaho Dept. of Fish & Game, Region _____ ☐ U.S. Forest Service, Forest _____
☐ 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. **37** ^{P05}

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

☐ See below for additional information

Date of priority recommended 6/21/88

By Larry O. Habner

Date 11/30/88

STATE OFFICE REVIEW

P05

P16

09E

☐ See below for additional information

By KW

Date 1/19/89

ADDITIONAL INFORMATION

App. describes an existing well-

STAFF ANALYSIS SUPPLEMENT

1) Water District None Basin # 37

2) Local description (of one P/D)



At the above street address



_____ miles N/S _____ and _____ miles E/W

of

(City center or numbered highway intersection)



(Travel directions from city center or highway intersection)



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Nov-1988

Virgil & Karol Jennings
800 W. 720 N.
Shoshone, ID 83352

Re: Application for Permit No. 37-08363

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Lincoln County Journal on 11/2 & 11/9/88. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

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JUN 13 1989

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

OCTOBER 20, 1988

LINCOLN COUNTY JOURNAL
P.O. BOX 704
SHOSHONE, ID 83352

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 21, 1988.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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JUN 13 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08363

JENNINGS, VIRGIL
JENNINGS, KAROL
800 W. 720 N.
SHOSHONE, ID 83352

Source: GROUNDWATER

Diversion Pt: SWSWSE Sec 28 T 04S R 16E; Lincoln County; At the above address.
Use: DOMESTIC (.080 CFS)
STOCKWATER (.200 CFS)
COMMERCIAL (.050 CFS)

Date Filed: 6/21/1988

In: T04S R16E S28 SWSE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 21, 1988.

R. Keith Higginson, Director

Published 11/02/1988 & 11/09/1988

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