

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

NE 1/4 Y NW 1/4 Y SW 1/4 Y SE 1/4 Y

WDA 05 1990

WILSON

R. 18E

T. 1N

B B

R. 18E

T.I.N

13

Scale: 2 inches equal 1 mile.

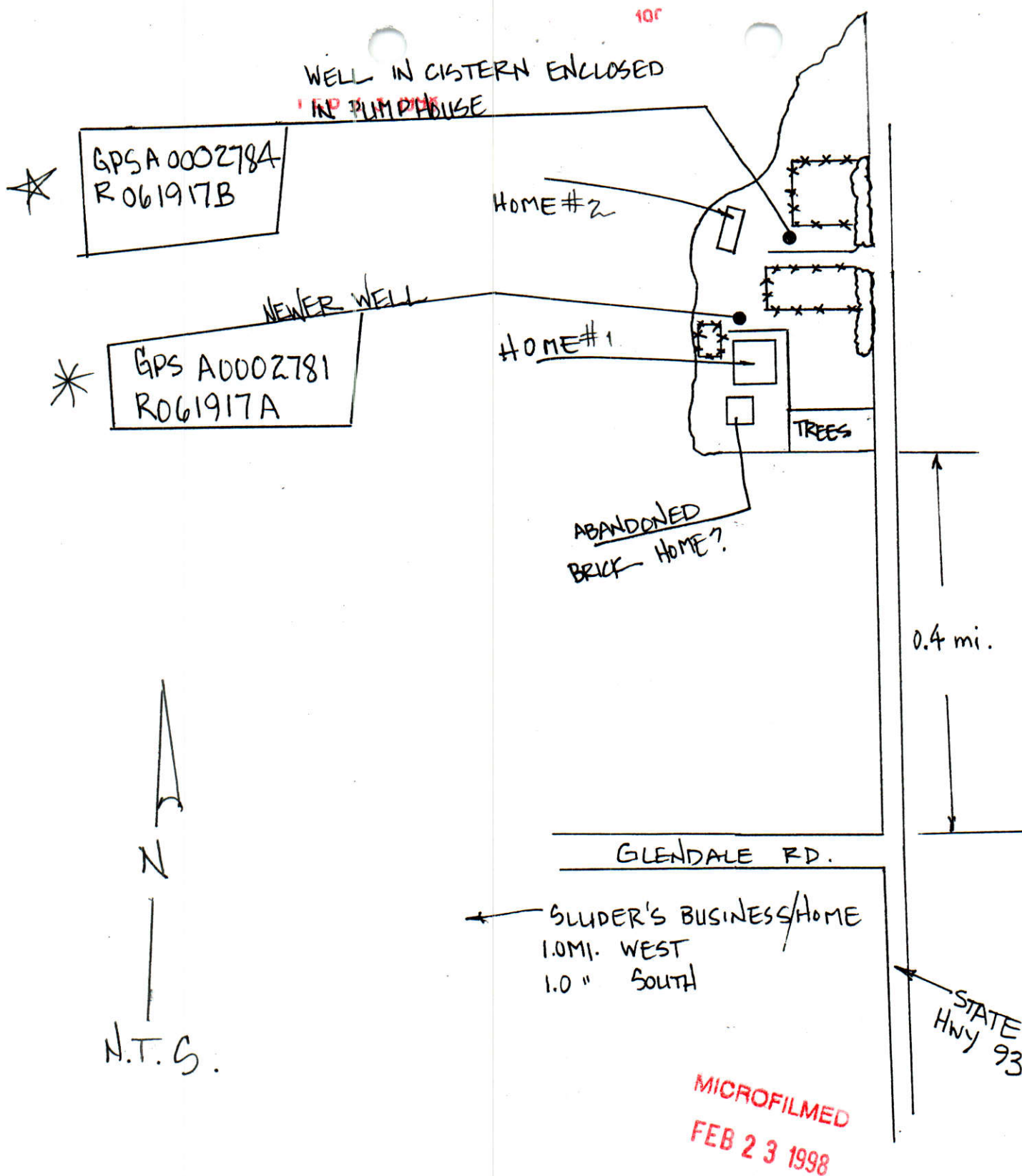
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

NOV 02 1990

C. D. Shukla
(Applicant)

(Applicant)



SEC 12, T01N, R18E NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

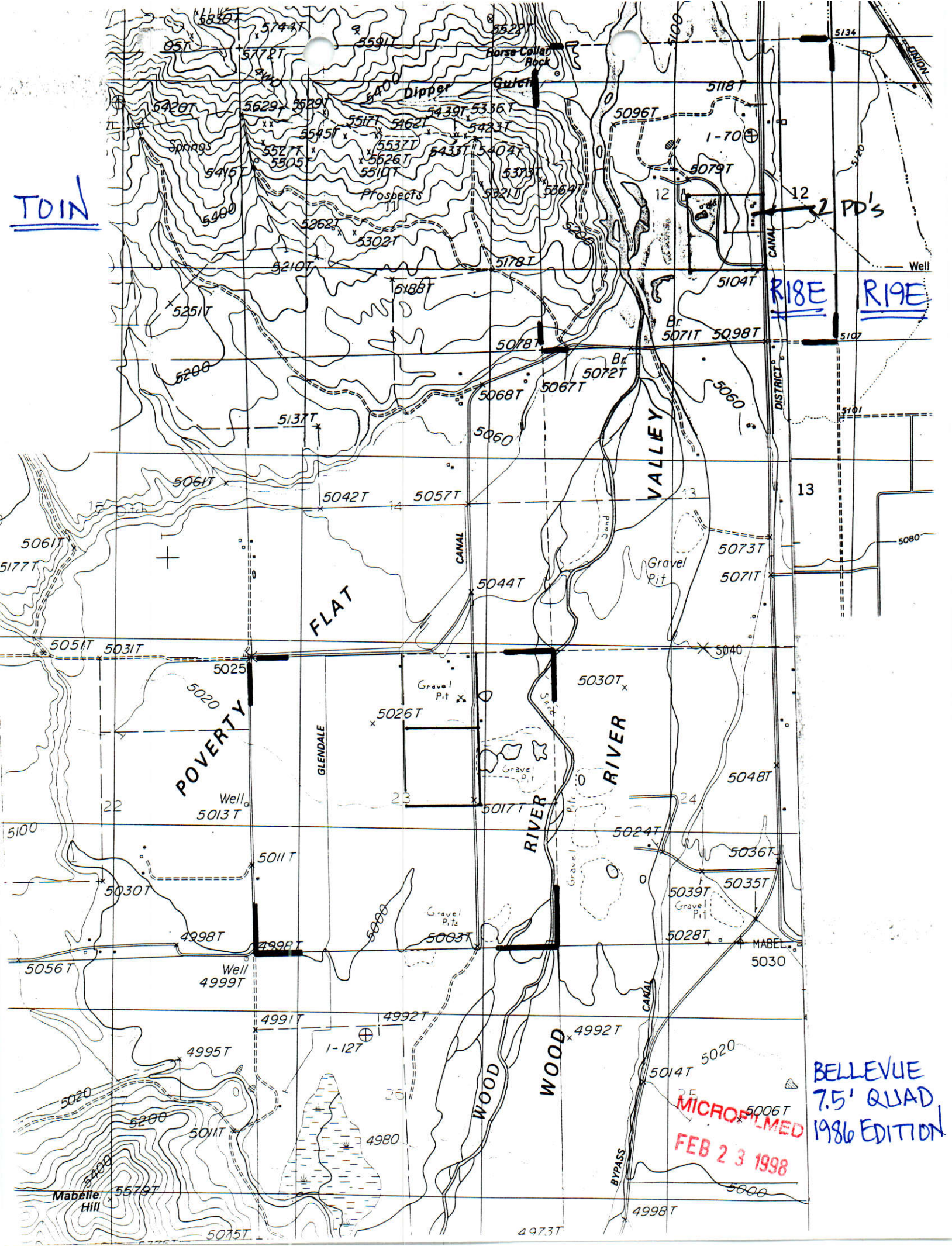
SLUDER, C.D.

* 37-08215

* A37-11706

1100 HRS. 19 JUNE 1997
GATTERLEE, GL

TOIN



BELLEVUE
7.5' QUAD
1986 EDITION

MICROFILMED
FEB 23 1998

T01N

R18E



P/U 3.0 acres

421 G. Mann

DOM/STOCK WELL

IRRIGATION WELL

WOOD RANCH

MICROFILMED

FEB 2 3 1988

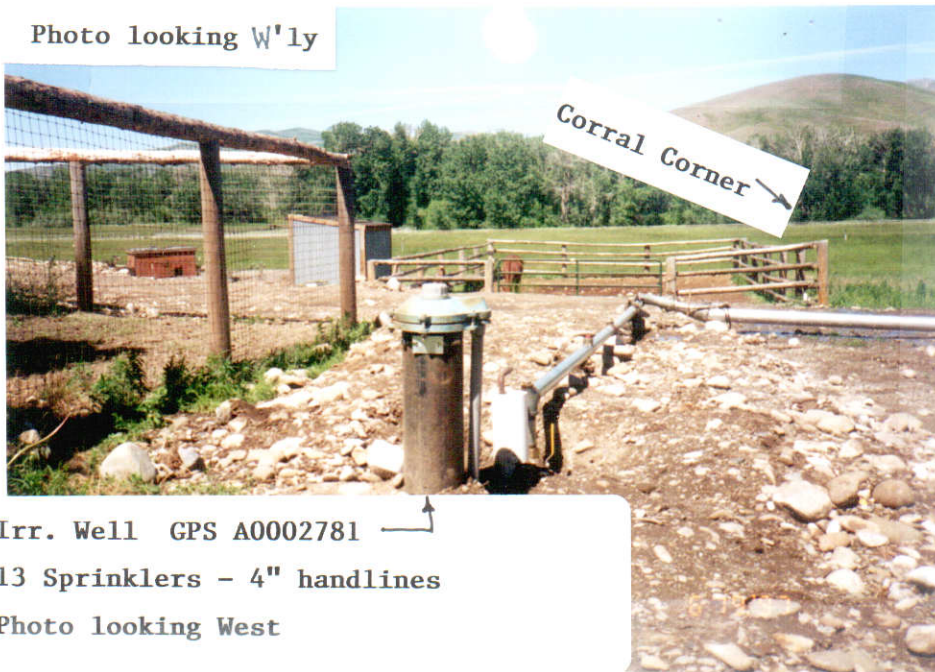
1987 ASCS Flight

Section 12, T01N, R18E NE NW 1/4

37-08215 A37-11076

1" = 660'

Photo looking W'ly



Irr. Well GPS A0002781
13 Sprinklers - 4" handlines
Photo looking West

Corral Corner



Photo looking NW'ly

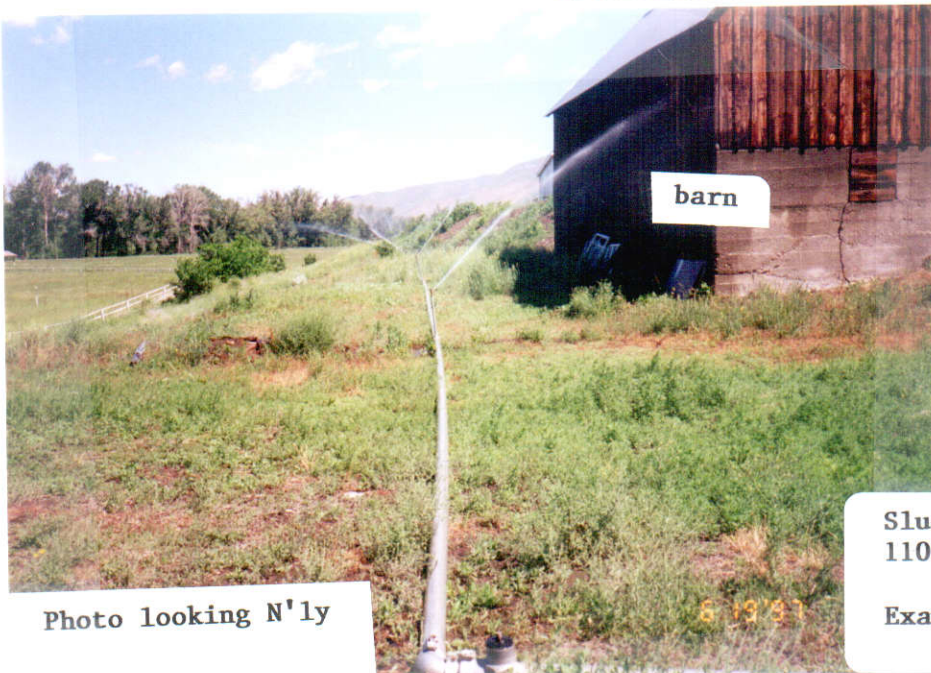


Photo looking N'ly

MICROFILMED
FEB 23 1998

Sluder, C.D. 19 June 1997
1100 hrs.

Examiner: Satterlee
37-08215/A37-11706

2/3

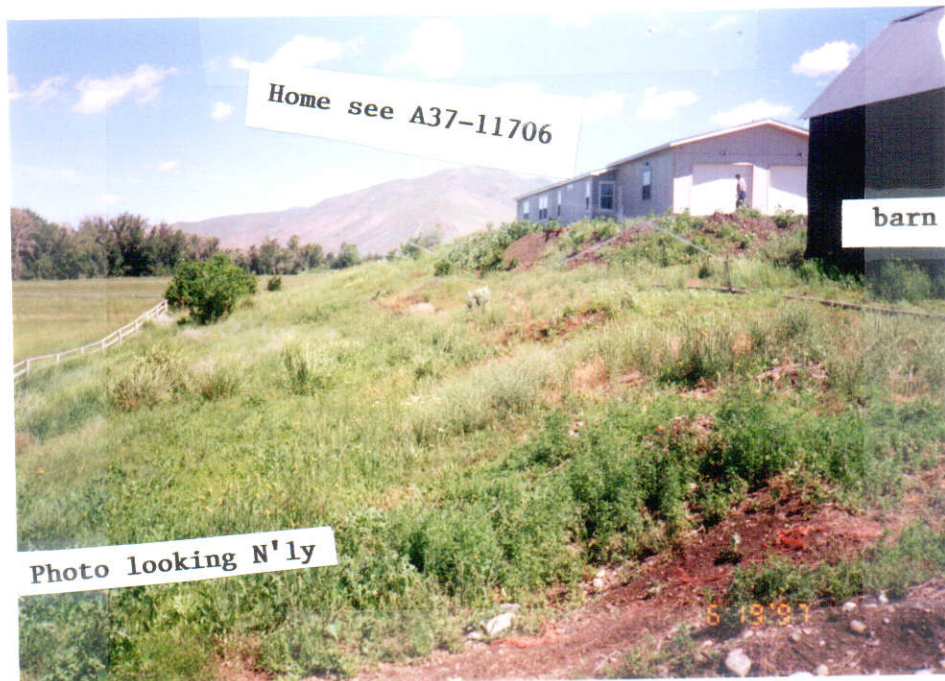
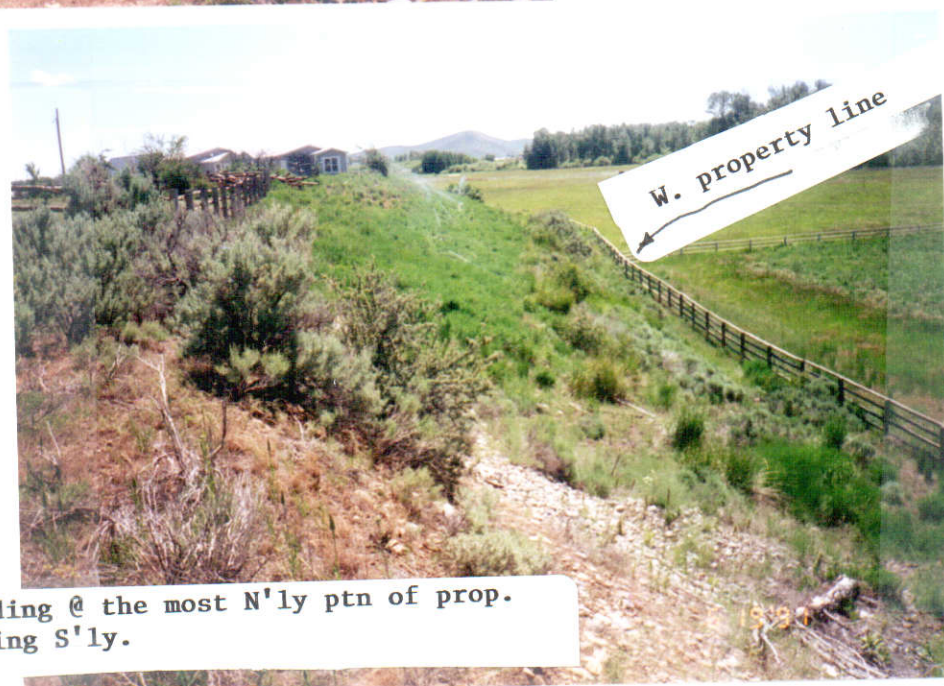


Photo looking N'ly



Standing @ the most N'ly ptn of prop.
looking S'ly.



Trees Irr. out of Irr. Well
Berm parallel w/ Hwy 75

Photo looking S'ly

MICROFILMED
FEB 23 1998

Sluder, C.D. 19 June 1997
1100 hrs.

Examiner: Satterlee, G.

37-08215/A37-11706

3/3



Photo looking S'ly

REPROFILMED

FEB 23 1998

Sluder, C.D. 19 June 1997
1100 hrs.

Examiner: G. Satterlee

37-08215/A37-11706

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08215

Priority: May 19, 1985

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 10.5 AF

This is to certify, that C D SLUDER
MYRA JOAN SLUDER

PO BOX 868

BELLEVUE ID 83313

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 17, 1985; and has submitted Proof of Beneficial Use on October 26, 1994. An examination indicates that the works have a diversion capacity of 0.140 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.09 CFS	10.5 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 12, Township 01N, Range 18E
BLAINE 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>
01N	18E	12	SWNE 0.5	NWSE 2.5		3

Total number of acres irrigated: 3

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

FEB 13 1985

State of Idaho
Department of Water Resources

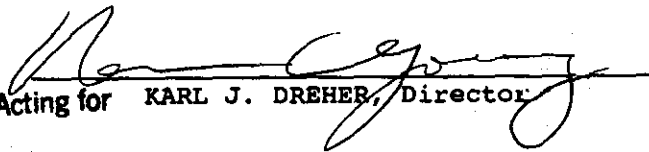
WATER RIGHT LICENSE

WATER RIGHT NO. 37-08215

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17th day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

FEB 23 1998

State of Idaho
Department of Water Resources

RECEIVED

FEB 10 1998

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08215

Department of Water Resources

Date of Priority: May 19, 1985

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 10.5 AF

Comes now

C D SLUDER
MYRA JOAN SLUDER

PO BOX 868
BELLEVUE ID 83313

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. 37-08215, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.09 CFS	10.5 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 12, Township 01N, Range 18E
BLAINE County

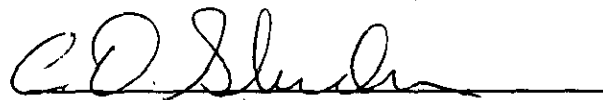
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	18E	12	SWNE 0.5	NWSE 2.5		3

Total number of acres irrigated: 3

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

Signed at 10:00 AM, this 9th day of February, 1998.


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08215

FOR DEPARTMENT USE ONLY

Preliminary check by SUK Fee = 50.00 Received by LL # 000000 Date 01/06/82

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08215 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 12th day of FEBRUARY, 1982.


Acting for KARL J. DREHER, Director

OCT 26 1994

STATE OF IDAHO

Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 28 1994

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08215 Telephone No. 788-2572
2. Name(s) of Permit Holder(s): C. D. Sluder
3. Mailing Address: PO Box 868, Bellevue, ID 83313
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. / yr. 1940?
 - a. Well Driller: ? Drilling Permit Number: - -
 - b. **OPTIONAL:**
Pump Horsepower: 3 Pressure (psi): 40-60 Dynamic pumping level (ft): 40
5. Use(s) (as authorized by the water right permit):
 Domestic (No. of households): 0.01 Stockwater (No. and type of stock):
 Irrigation (No. of acres): 2.5 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.08 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
 (This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u>	or	No <u>✓</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u>✓</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u>✓</u>
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
 Name: Owner Telephone Number:
 Address:
10. The information given on this form 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.

Signature of permit holder: C. D. Sluder

(include your title, if on behalf of company or organization)

Date: 10-26-94

DEC 06 1994

RECEIVED

NOV 03 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received By [Signature]
Date 11-3-92
Receipt No. 25913

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. 32-08915

Name(s) of Permit Holder: C. D. Sluder + Myra Joan Sluder

Mailing Address: P.O. Box 868 Bellevue ID 83313

Date Proof is Due Nov 1 - 1992 Telephone No. 208-286-2522

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:

Due to extended dry years and drop in water table.

Permit holder(s) request an extension to Nov - 1994, 19 ____.

FEE: \$15.00

C. D. Sluder
(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 November 1, 1994.

IT IS FURTHER ORDERED that this permit be REINSTATED and the priority date advanced to May 19, 1985, pursuant to Section 42-218a, Idaho Code.

Signed this 6th day November, 19 92

[Signature]
Chief, Water Allocation Bureau

MICROFILMED

NOV 13 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08215

Proposed Priority: May 17, 1985 Maximum Diversion Rate: 0.15 CFS

This is to certify, that **C. D. SLUDER**

MYRA JOAN SLUDER

P.O. BOX 370

BELLEVUE, ID 83313

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

04/01 to 11/01

0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

**NWSE Sec. 12, Township 01N, Range 18E
BLAINE 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>
01N 18E 12	NWSE 5			5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1992.**
2. Subject to all prior water rights.
3. 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.
4. 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.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

MICROFILMED

NOV 02 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08215

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

16th day of October, 1990.

R. Keith Higginson
R. Keith Higginson, Director

for

MICROFILMED

NOV 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant C. D. &/or Myra Joan Sluder Phone 788-3429

Post office address P. O. Box 370, Bellevue, ID 83313

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

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 1N

Range 18E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.15 cfs for Irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.15 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

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

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

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

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

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

8. Description of proposed uses:

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

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

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

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

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

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

MICROFILMED

NOV 02 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	18E	12																	5

Total number of acres to be irrigated 5

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

None. If any rights exist, they have not been used to our knowledge.

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

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

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

10. Remarks _____

RECORDED

NOV 12 1991

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

NE 1/4 NW 1/4 SW 1/4 SE 1/4

R. 18E

T. 1N

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.

MICROFILMED

NOV 02 1990

C. D. Shukla
(Applicant)

(Applicant)

Received by JR Date 5-17-85 Time 12:20 pm
Preliminary check by ADM Fee \$ 30.00
Received by JR Date 5-17-85 # 35352
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

MICROFILMED

NOV 02 1990

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL L. GORHAM, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 19 day of 9, 19 90 and

the date of the last publication was on the 26 day of 9, 19 90.

David L. Gorham
Subscribed and sworn to before me this 26 day of Sept, 1990.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	<u>11</u>
Number of Lines in Notice	<u>45</u>
Number of Insertions	<u>2</u>
Lines tabular at	<u>\$24.75</u> 6¢ / Pica
Lines straight at	<u>\$19.80</u> 5¢ / Pica
Subsequent lines at	<u>\$19.80</u> 4¢ / Pica
TOTAL COST	<u>\$49.55</u>

\$ 5.00 fee

COPY OF NOTICE
(Paste Here)

App. of Trust Water
TITLE OF NOTICE # 37-08215

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO Boise

Two file on
~~trust~~ Rights

OFFICE OF APPLICATION
FOR TRUST WATER RIGHT
37-08215

SLUDER, C.D.
SLUDER, MYRA JOAN
P.O. BOX 370
BELLEVUE, ID 83313

Source: GROUNDWATER
Diversions Pt. NWSE Sec. 12 T. 01 N
R 18E

Use: IRRIGATION
Total Diversions: 23 (150 CFS)
Date Filed: 5/17/1985
In: T01N R18E S12 NWSE
6.0 ACRES TOTAL

37-08216
SLUDER, C.D.
P.O. BOX 370
BELLEVUE, ID 83313

Source: GROUNDWATER
Diversions Pt. NWNE Sec 23 T. 01 N
R 18E

Use: IRRIGATION
Total Diversions: 1 (600 CFS)
Date Filed: 5/17/1985
In: T01N R18E S23 NWNE SWNE
30.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720, on or before October 8, 1990.

By: R. Keith Higginson, Director
Publish: Wood River Journal
September 19 & 26, 1990.

MICROFILMED

NOV 02 1990

Publication Rates
As of Jan., 1990
Reb. Statutes (1984)
7-8 pt./line straight: 5/pica
7-8 pt./line tabular: 6/pica
7-8 pt./line successive insertion: 4/pica

No 7280



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

C D SLUDER
MYRA JOAN SLUDER
PO BOX 868
BELLEVUE ID 83313

RE: WATER RIGHT NO. 37-08215

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MICROFILMED

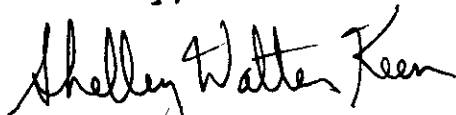
FEB 23 1998

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

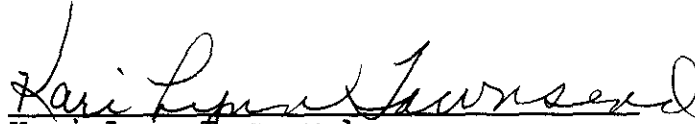
3 FEB 23 1998

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of February, 1998, 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. 37-08215

C D SLUDER
MYRA JOAN SLUDER
PO BOX 868
BELLEVUE ID 83313


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 23 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

C D SLUDER
MYRA JOAN SLUDER
PO BOX 868
BELLEVUE ID 83313

RE: WATER RIGHT NO. 37-08215

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

FEB 23 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08215

DATE 11/14/97

REVIEWER: SHARLA

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

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.15</u> cfs
Fee limit	<u>.20</u> cfs <u>\$50⁰⁰</u>
Measured	<u>.14</u> cfs
Theoretical	<u>.12</u> cfs <u>3 hp 50 psi, 40' lift (from blue form)</u>
Recommended Total Div Rate <u>.09</u> cfs	

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u>	Use <u>Yes</u>	cfs <u>.09</u>	Volume Calc <u>10.5</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL		<u>.09</u>	<u>10.5</u> af

Flow rate .09 cfs X 184 days X 1.98 = 32.8 af
 Total volume recommended 10.5 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# —

GW Measurement/Measuring Device

R67 Overlap

— Use-specific conditions

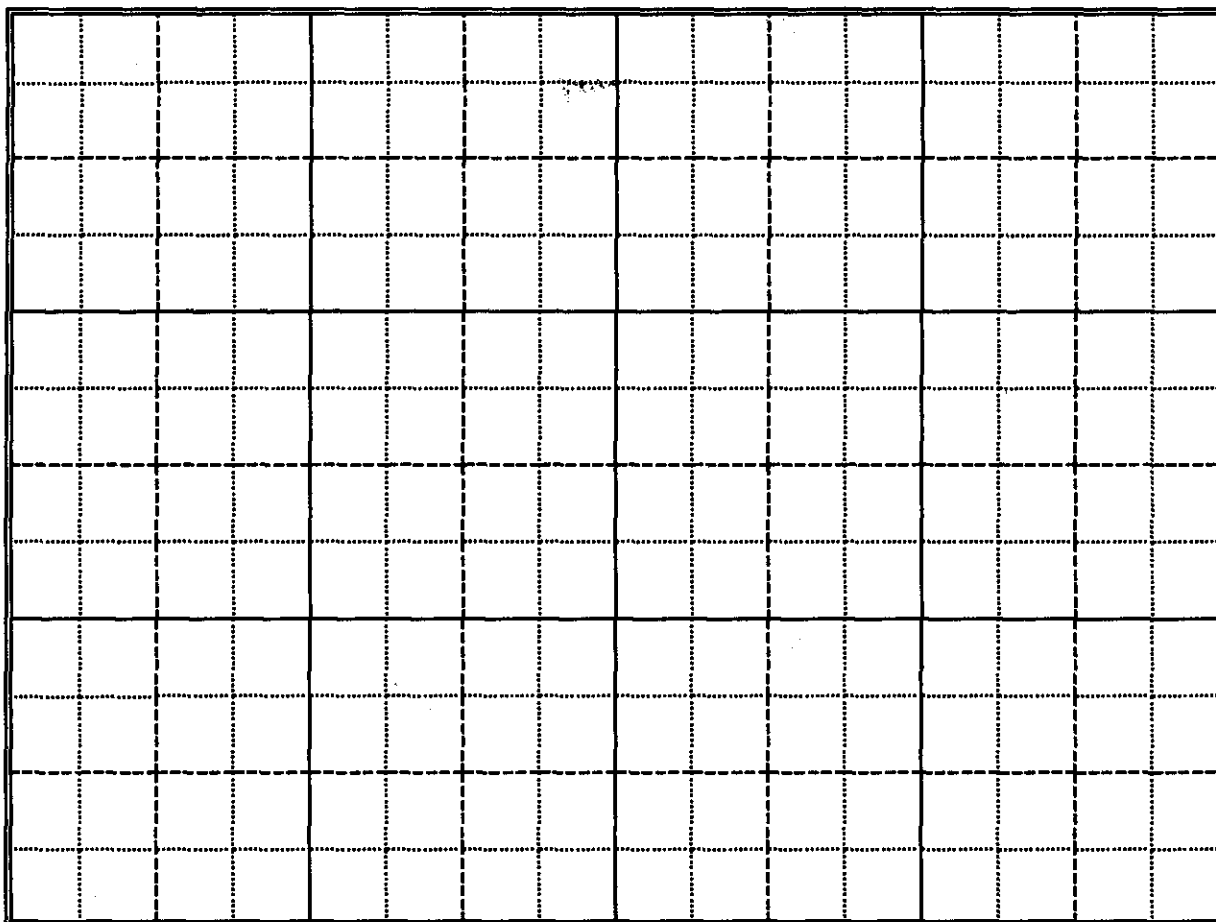
Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo —

1st Amend Letter P41, P38
 2nd Amend Letter P42

FEB 23 1998

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



Scale: 1" = _____

☒ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NONE					
AVAILABLE					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PEEK FLOWMETER			DCT-7088	32862		4/97
BUCKET / STOPWATCH						

2. Measurements: SEE ATTACHED SHEETS

MICROFILMED

FEB 23 1998

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 30 June 1997
RE: 37-08215

On 19 June 1997 at 1000 hrs. I met with Doug Sluder. The permit 37-08215 is for irrigation only. There is an adjudication claim, A37-11706, that calls to the domestic and stockwater. Mr. Sluder does not reside on the property. Mr. Sluder's son lives in one home and his daughter lives in the second home.

The #1 well, irrigation, was measured by the flowmeter. Please see the attached measurements. The pump was recently replaced by Ken Smith of Wood River Drilling. See memo dated June 3, 1997. Mr. Sluder says #1 well is used only for irrigation. However, he says, in the future both wells will be tied together.

The #2 well is supplying water to 2 homes plus stockwater for six horses. The rate for the #2 well was measured with a bucket and stopwatch.

The irrigation was on at the time of examination. There were 13 sprinklers, Weather Tec 10-30, and 4" handlines.

The westerly portion of property is the largest area irrigated. As the the photograph depicts, the land is on a slope. I asked Mr. Sluder what is being irrigated on the sloped area. I did not get a definite answer. I suppose fire protection would be one reason.

See Remarks and Conditions, #7, each acre of land is limited to 0.03 cfs. The property is approximately 4.0 acres (calculated by using a planimeter). Excepting out the property surrounding the homes (lawns will be irrigated from the irrigation well), the remainder is 3.0 irrigated acres. The recommended diversion rate is 0.09 cfs.

Analysis/Recommendation:

37-08215
Irrigation - Recommend 3.0 acres 10.5 afa

A37-11706
Domestic 2 homes 1.2 afa
Stock 6 horses 0.1 afa

PLEASE SEE BACK OF BENEFICIAL USE FIELD REPORT FOR RATES AND VOLUMES.

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

MICROFILMED
FEB 23 1998

F. FLOW CALCULATIONS

Measured Method:

SEE ATTACHED SHTS.

✓ Additional Computation Sheets Attached

From Permit:

Condition #7 = The rate of diversion of water will not exceed 0.03 cfs/ac.

$$\frac{0.03 \text{ cfs}}{0.02 \text{ cfs}} = 1.5, \quad 1.5(3) = 4.5(0.02) = 0.09 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (3)(3.5) = 10.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09 \text{ cfs}(183)1.9835 = 32.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 10.5$$

2. Volume Calculations for Other Uses:

PERMIT RATE = 0.15
EXAM FEE LIMIT = 0.20
MEASURED RATE = 0.14

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	0.09	10.5
Totals:			0.09 cfs	10.5 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Georgia Satterlee Date 27 June 97

Reviewer _____ Date _____

SEAL

MICROFILMED



GPSA 000278A
R 061917B

WELL IN CISTERN ENCLOSED
'ND PUMP HOUSE

HOME #2



GPS A0002781
R061917A

NEWER WELL

HOME #1

TREES

ABANDONED
BRICK HOME?

0.4 mi.

N

N.T.S.

GLENDALE RD.

← SLUDER'S BUSINESS/HOME
1.0 MI. WEST
1.0 " SOUTH

STATE
Hwy 93

MICROFILMED
FEB 23 1998

SEC. 12, T01N, R18E NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

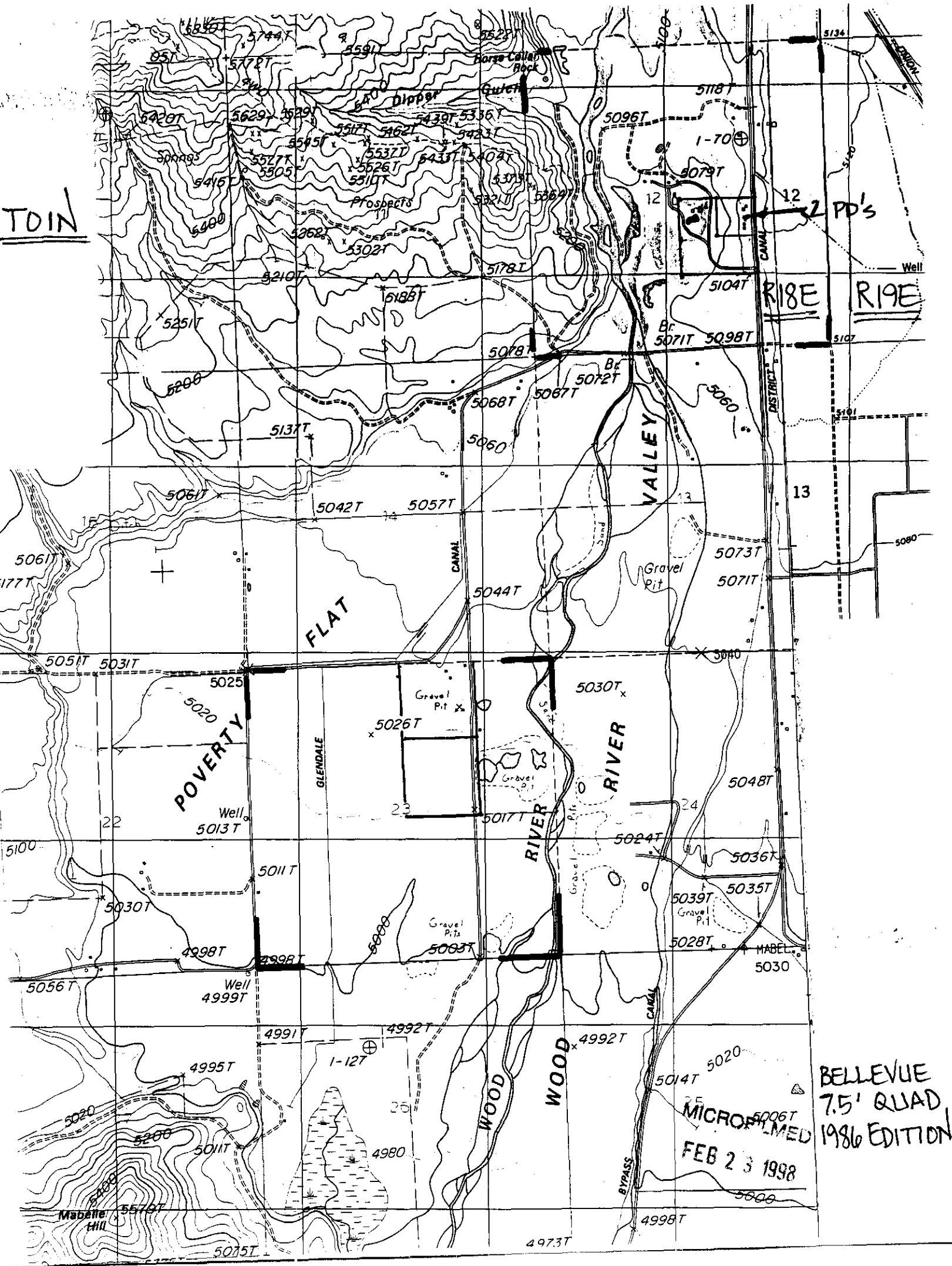
SLUDER, C.D.

* 37-08215

* A37-11706

1100 HRS. 19 JUNE 1997
BATTERLEE, GL

TOIN



BELLEVUE
7.5' QUAD
1986 EDITION

MICROFILMED
FEB 23 1998

TOIN

R18E

 P/U 3.0 acres

42 TGIN

Don / Str

WOOD RUFFLE
Punch

43
191

1987 ASCS Flight

Section 12, T01N, R18E

MICROFILMED

FEB 2

NE 3/4 1988 P/D
SCALE

37-08215 A37-11076

1" = 660'

D. Levin

318

PEEK FLOW METER DCT-7088

$$\frac{62.87}{448.8} = 0.14 \text{ cfs}$$

IRRIGATION
WELL *

② - Flow = 64.81 GPM
 - Flow = 63.85 GPM
 ③ - Flow = 63.52 GPM
 SigStr = 100.0%
 Margin = 121%
 Pipe O.D.
 4.000 inches
 Pipe Wall Thickness
 0.046 inches
 ④ - Flow = 63.33 GPM
 Pipe I.D.
 3.908 inches
 Pipe Material
 *ALUMINUM
 Liner Material
 *NONE
 Fluid Type
 *WATER
 Transducer Type
 *Standard Hi Temp
 ⑤ - Flow = 63.30 GPM
 Transducer Mount
 *U Mt. Z Mt. W Mt.
 Transducer Spacing
 2.43 inches
 Flow Units
 *Gallons
 SigStr = 100.0%
 Margin = 121%
 ⑥ - Flow = 62.99 GPM
 - Flow = 63.14 GPM
 - Flow = 63.17 GPM
 - Flow = 62.88 GPM
 ⑦ - Flow = 62.33 GPM
 Date and Time
 6/19/97 11:08:23
 ⑧ - Flow = 62.53 GPM
 Print Interval
 60 sec
 ⑨ - Flow = 62.11 GPM
 - Flow = 61.81 GPM
 - Flow = 62.37 GPM
 - Flow = 62.28 GPM
 ⑩ - Flow = 62.30 GPM
 - Flow = 61.82 GPM
 Net 0 x0.1Gal

GLUDER, C.D.
19 JUNE 1997

MICROFILMED
FEB 23 1998

* 37-08215
A37-11706

Photo looking W'ly

Corral Corner

1/3

Irr. Well GPS A0002781
13 Sprinklers - 4" handlines
Photo looking West

Corral Corner

barn

Photo looking NW'ly

barn

MICROFILMED
FEB 23 1998

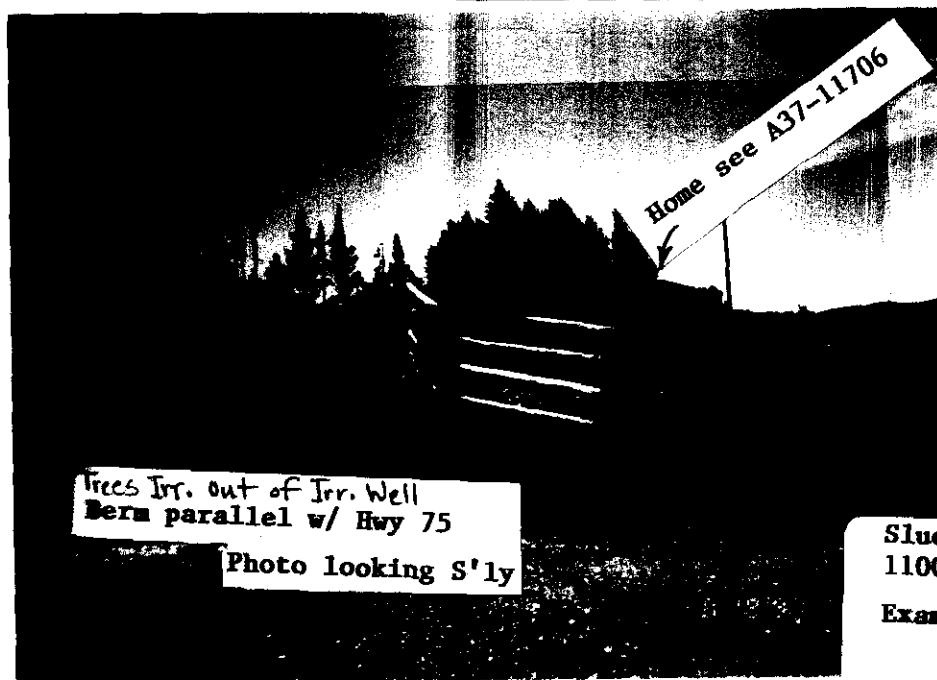
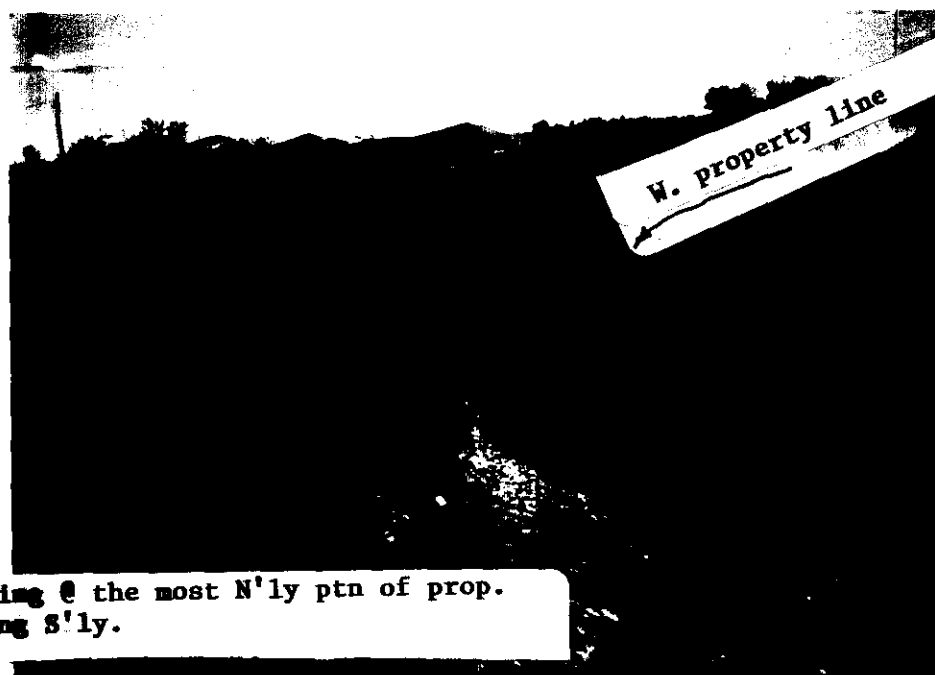
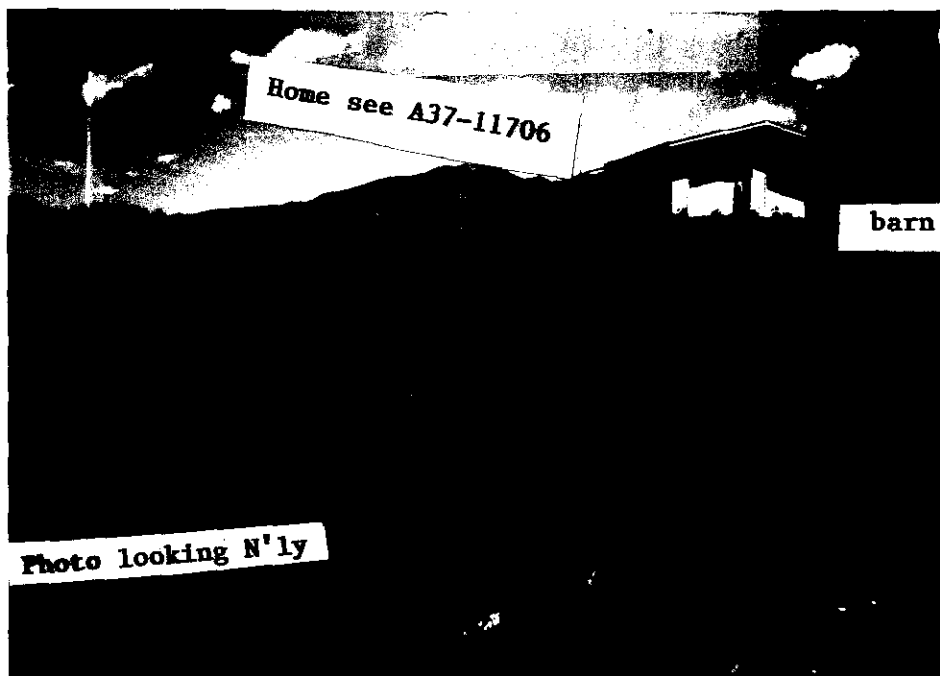
Photo looking N'ly

Sluder, C.D. 19 June 1997
1100 hrs.

Examiner: Satterlee

37-08215/A37-11706

2/3



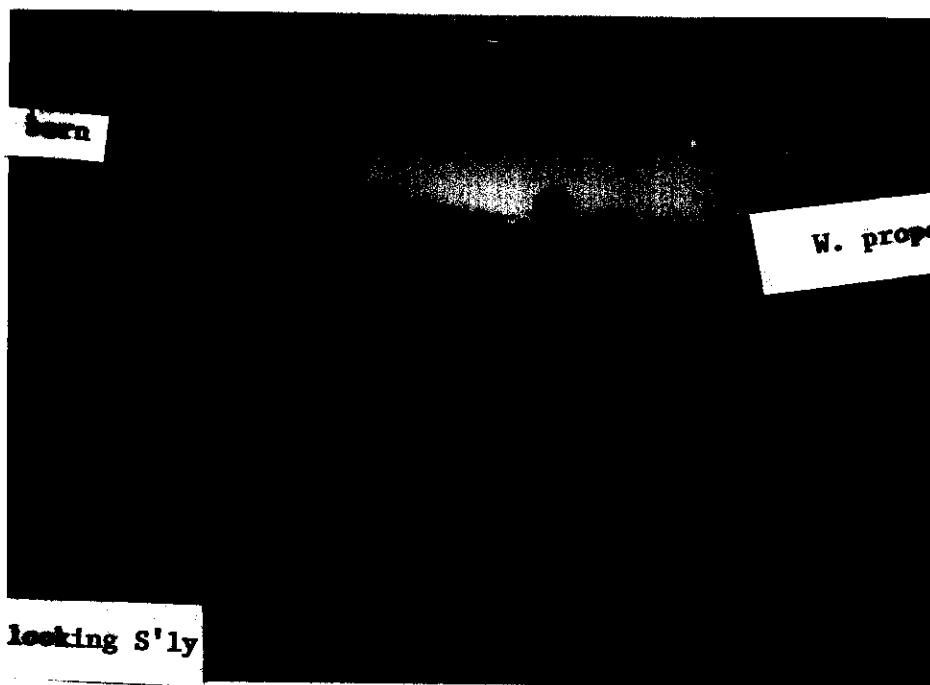
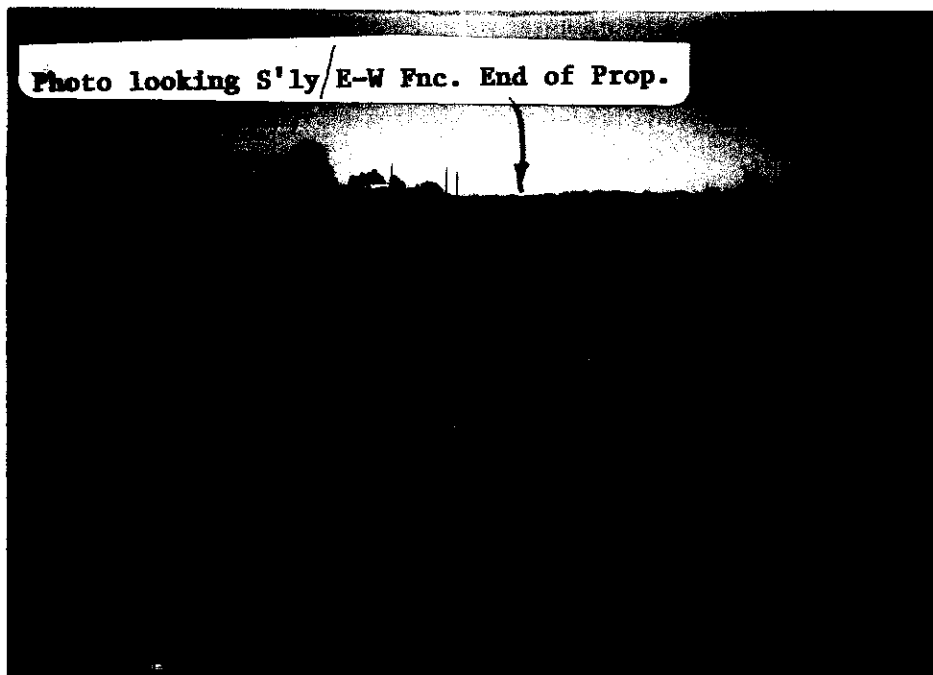
MICROFILMED
FEB 23 1998

Sluder, C.D. 19 June 1997
1100 hrs.

Examiner: Satterlee, G.

37-08215/A37-11706

3/3



MICROFILMED

FEB 23 1998

Sluder, C.D. 19 June 1997
1100 hrs.

Examiner: G. Satterlee

37-08215/A37-11706



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 9, 1997

CD and Myra Joan Sluder
PO Box 868
Bellevue, ID. 83313

RE: Permit 37-08215

Dear Mr. and Mrs. Sluder,

This is a follow up letter per phone conversations on May 15, 1997, May 19, 1997, May 29, 1997, June 4, 1997, and the phone message I left on your answering machine this morning.

After several attempts by phone to schedule an appointment, I am writing to let you know I will perform a field examination on the above permit.

According to our records, you filed Proof of Beneficial Use on October 26, 1994. When a permit holder files proof, the permit holder is stating, "...all development has occurred under this permit and that water has been applied according to the provisions of the permit for the beneficial use."

On June 4, 1997, Mrs. Sluder called to say the new pump will be installed and the system running by next week. I trust since the well is for culinary use, in addition to the other two uses, the work is completed by now.

I would appreciate acknowledgement from you to schedule an appointment by June 13, 1997. If I do not hear from you, I will proceed with the examination.

Thank you for your attention in this matter. You can reach me at the office number or voice mail (208) 736-4753 #228.

Cordially,

Georgia Satterlee
Water Resource Agent

FOR FILE

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
June 4, 1997 2:48pm

CUSTOMER
Sluder, Joan

SUBJECT: 37-08215 & A37-11706

phone call (x) walk-in (.)

Mrs. Sluder called to say the new pump will be installed and the system running by next week. When I tried to pin her down to a specific time she said Doug (Mr. Sluder) would need to set this up. I suggested next Wednesday or Thursday and have Mr. Sluder call me to solidify a time/place/date.

REC-16 8/13

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

June 3, 1997 10:34am

CUSTOMER

Smith, Ken @ Wood Rvr Drilling

SUBJECT: 37-08215 & A37-11706

phone call (x) walk-in (.)

He called about replacing a new pump in the well per the above claims. He wanted to make sure he was replacing a "legal" size, we discussed the rate on the permit, in addition to what was reported on the Proof of Beneficial Use. After all was said and done, it was decided to go with the rate on permit.

FILED IN 315

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

June 2, 1997 1:52pm

CUSTOMER

Sluder, CD & Myra Joan

SUBJECT: Field Examination for: 37-08215/A37-11706

phone call (x) walk-in (.)

Called 15 May 1100 hrs. left message w/ Sue (book keeper)

" " 19 May 1315 hrs. " " " " Mrs. Sluder

she said at this time the pump is being repaired and to call back

Called 29 May 1600 hrs. left message w/ machine

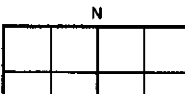
I was called 30 May by Mrs. Sluder who said she will call me Monday. I will wait until 03 June 1997 to call back, if Sluder's don't call me first.

1. DRILLING PERMIT NO. 37-95-S 0012 - ²⁰⁰~~000~~
Other IDWR No. 37-08215

2. OWNER: C.D. SLUDER
Name PO BOX 868
Address BELLEVUE State ID Zip 83313
City

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 01 North ☒ or South ☐
 Rge. 18 East ☒ or West ☐
 Sec. 12 NE 1/4 NW 1/4 SE 1/4
 Gov't Lot _____ County BLAINE

Address of Well Site 10936 Hwy 75
 City BELLEVUE

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☐ New Well ☐ Modify or Repair ☒ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
PENTONITE	11	20	12 SKS	OVERBORE

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? Y ☐ N ☒ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Inner	Welded	Threaded
6	2	105	.250	STEEL	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method Knife
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Lines
50	60	3"	100	1/8	STEEL	☒	☐
95	105	3"	100	1/8	STEEL	☒	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

44 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
600	10'	100	1

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth 105 (Measurable)
Date: Started 3-28-95 Completed 3-29-95

13. DRILLER'S CERTIFICATION

I/We certify that all well construction standards were complied with at the time the rig was removed.

Firm Name BELLEVUE, ID 83313 Firm No. 265

Firm Official Ken Smith Date 4-3-94

Supervisor or Operator Rebecca Date 4-3-94

(Sign once if Firm Official & Operator)

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08215 Reviewed by [Signature] Date 11-15-94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irr.
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source
no Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received
Date proof due
No. of days late
Priority Date
New Priority Date

DEFICIENCIES OR ACTION ITEMS

advise permit holder of flow port condition.
Proof acceptable

DATA ENTRY

New Address X Proof Made 10-26-94



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1994

C D SLUDER
P O BOX 858
BELLEVUE ID 83313

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08215

Dear Permit Holder:

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

Please be advised that one of the conditions of your water right permit requires that the permit holder install a flow measurement port. This condition must be complied with before the license exam, or you can request, in writing, a waiver of the condition.

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

RECEIVED

DEC 06 1994

August 31, 1994

C. D. SLUDER
MYRA JOAN SLUDER
PO BOX 868
BELLEVUE ID 83313

PROOF DUE NOTICE

RE: PERMIT NO. 37-08215

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 November 1, 1994. (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.

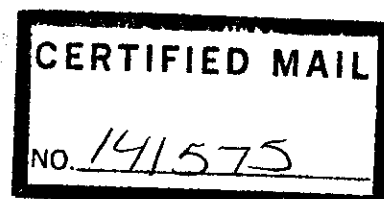
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

DEC 06 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

November 6, 1992

C D Sluder
PO Box 868
Bellevue, ID 83313

Re: Permit No. 37-08215

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1994. However, since the extension was received after the proof of beneficial use date, it was necessary for the department to reinstate your permit and advance your priority date to May 17, 1985.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Regional Office

MICROFILMED

NOV 13 1992

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 37-08215 Reviewed by klg Date 11/4/92

BASIC INFORMATION

11/3/92 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes 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
approval Based on drought conditions
extend to 11/1/94
Reinstate

PRIORITY CALCULATION

Date extension received	<u>11/3/92</u>	=	<u>307</u>
Proof due date	<u>11/1/92</u>	=	<u>305</u>
Number of days late		=	<u>2</u>
Priority date	<u>5/17/85</u>	=	<u>107</u>
New Priority Date	<u>5/19/85</u>	=	<u>109</u>

DATA ENTRY

New Address PO Box 868
Change Proof Due Date 11/6/92
Change Priority Date 11/6/92

August 31, 1992

C. D. SLUDER
MYRA JOAN SLUDER
P.O. BOX 370
BELLEVUE ID 83313

PROOF DUE NOTICE

RE: PERMIT NO. 37-08215

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 November 1, 1992. (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.

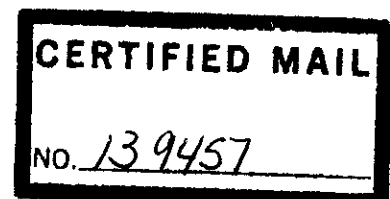
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



MICROFILMED

NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 24, 1990

C. D. SLUDER
MYRA JOAN SLUDER
P.O. BOX 370
BELLEVUE, ID 83313

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08215

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof to Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

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

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

MICROFILMED

NOV 02 1990

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED

NOV 02 1990

APPLICATION FOR PERMIT REVIEW

37-8215

Date: 10-24-90

Reviewer: Jim Johnson

Conditions already on permit & signed by Glen. This sheet for paragraphs only.
TJL 10-24-90

Existing:

- No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

Groundwater:

- GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
- LT. 0.7 cfs - N/A

Drilling Permit:

- Approved w/permit - P99
- Not included - 046-P23

Location:

- Water Districts - WD No. 37
- surface water - 005-P01, 005-01H-P01, 005-01J-P08, P04
- groundwater - ~~005~~-P05, 005-01H-P01(lock device)

- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 58 (Groundwater)
- Trust (see list) - (051, 052, 053)-P74
- Non Trust (see list) - 048, 049

River Basins:

- Boise (63) SW - 11D-P72
- Payette (65) - 047, 059-P71
- Surface - 005,
- Snake (01) - 11A, 061-P22

Use:

- Fish Propagation - (P06) 002, 06A, 007, 09E-P10, 010, 042, 044
- Power - (less than 25cfs P18), 01F-P19, 008, 08A, 09E-P10, 017K, 017G, 017M, 025
- Mining - 06A, 006, 09E-P10, 010, 54
- Storage - 18A-P09, 18B-P09
- Domestic - (restricted areas) 021

Ownership:

- Non land owner - 004

Protested:

- Agreement - 020

Minimum Stream Flow:

- Overlapping uses - 029-P20

Beneficial Use Due Date: - 11-1-1992

Swan Falls Flag: - 7

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

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

SEPTEMBER 11, 1990

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 8, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

NOV 12 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08215

SLUDER, C. D.
SLUDER, MYRA JOAN
P.O. BOX 370
BELLEVUE, ID 83313

Source: GROUNDWATER

Diversion Pt: NWSE Sec 12 T 01N R 18E

Use: IRRIGATION (.150 CFS)
Total Diversion: (.150 CFS)

Date Filed: 5/17/ 1985

In: T01N R18E S12 NWSE

5.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

Published 9/19/1990 & 9/26/1990

MICROFILMED

NOV 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
AUG 31 1990

Application No. 37-8215

Department of Water Resources

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

- 1a. Are you the current owner of the land or place of use described under this application? Yes ✓ No
b. If you are not the propoerty owner, please describe the arrangement enabling you to develop the proposed project.

-
- 2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes No ✓
b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

-
3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984.

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 40

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

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

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

Applicant C. D. Sluder

Date 8-15-90

MICROFILMED

NOV 02 1990

we have not drilled this well, as we are
waiting for approval of permit

MICROFILMED

NOV 02 1990

CONFIDENTIAL

CONFIDENTIAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

August 14, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

C.D. &/or Myra Joan Sluder
P.O. Box 370
Bellevue, ID 83313

Re: Application for Permit No. 37-8215

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On May 17, 1985, you filed with the Department of Water Resources (Department) Application for Permit No. 37-8215 which proposed the diversion of .15 cubic feet per second from groundwater for the irrigation of 5 acres.

The Department mailed a letter and questionnaire to you on July 6, 1990. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984.

This letter also requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1.

If no development has been completed as authorized by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE

Sr. Water Resource Agent

MICROFILMED

NOV 02 1990

Enclosure
cc: Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 6, 1990

RE: APPLICATION FOR PERMIT NO. 37-8215

Dear APPLICANT:

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

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

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

MICROFILMED

NOV 02 1990

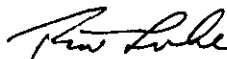
Page 2

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

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

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

NOV 02 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

SLUDER, C.D., &/or Myra Joan

INITIAL REVIEW BY: ADM

APPLICATION NUMBER: 37-8215

CHECK:

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

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
- ☐ Idaho Fish and Game Department. _____
- ☐ Idaho Department of Lands. _____
- ☐ U.S. Bureau of Land Management. _____
- ☐ U.S. Forest Service. _____
- ☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
- ☒ Yes ☐ No Other rights on same place of use. 37-0316A - Big Wood River
- ☐ Yes ☐ No* In form for advertising.
- ☐ Yes ☐ No Final date for protests: _____
- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

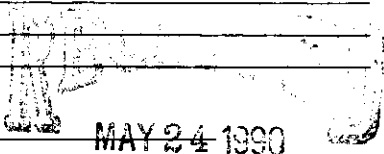
FINAL REGIONAL PROCESSING REVIEW:

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

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
- By: _____ Date: _____


MAY 24 1990

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						

IDENT. NO. 37-8215

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

WATER RIGHT
DATA ENTRY LOG

[illegible]