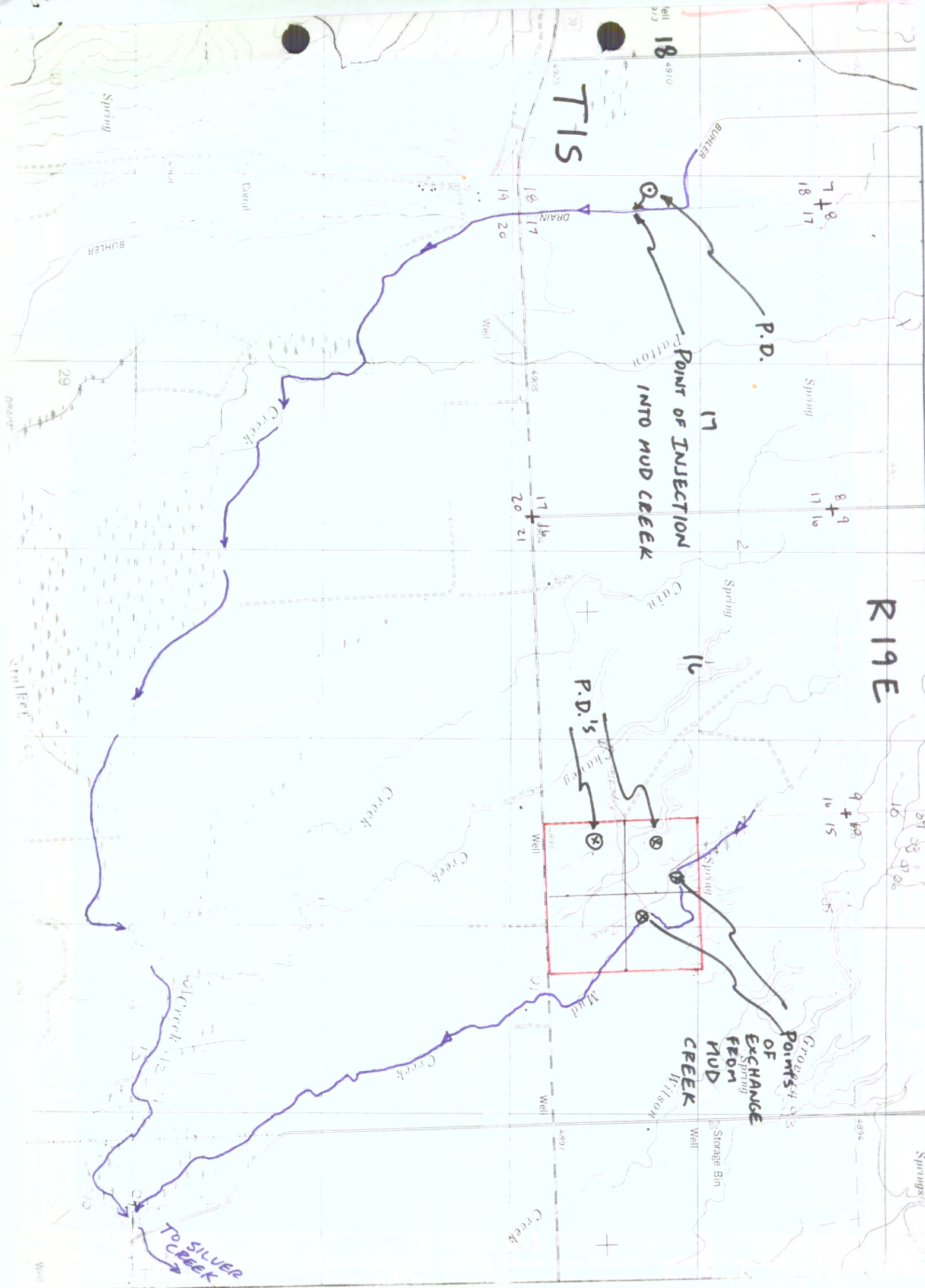




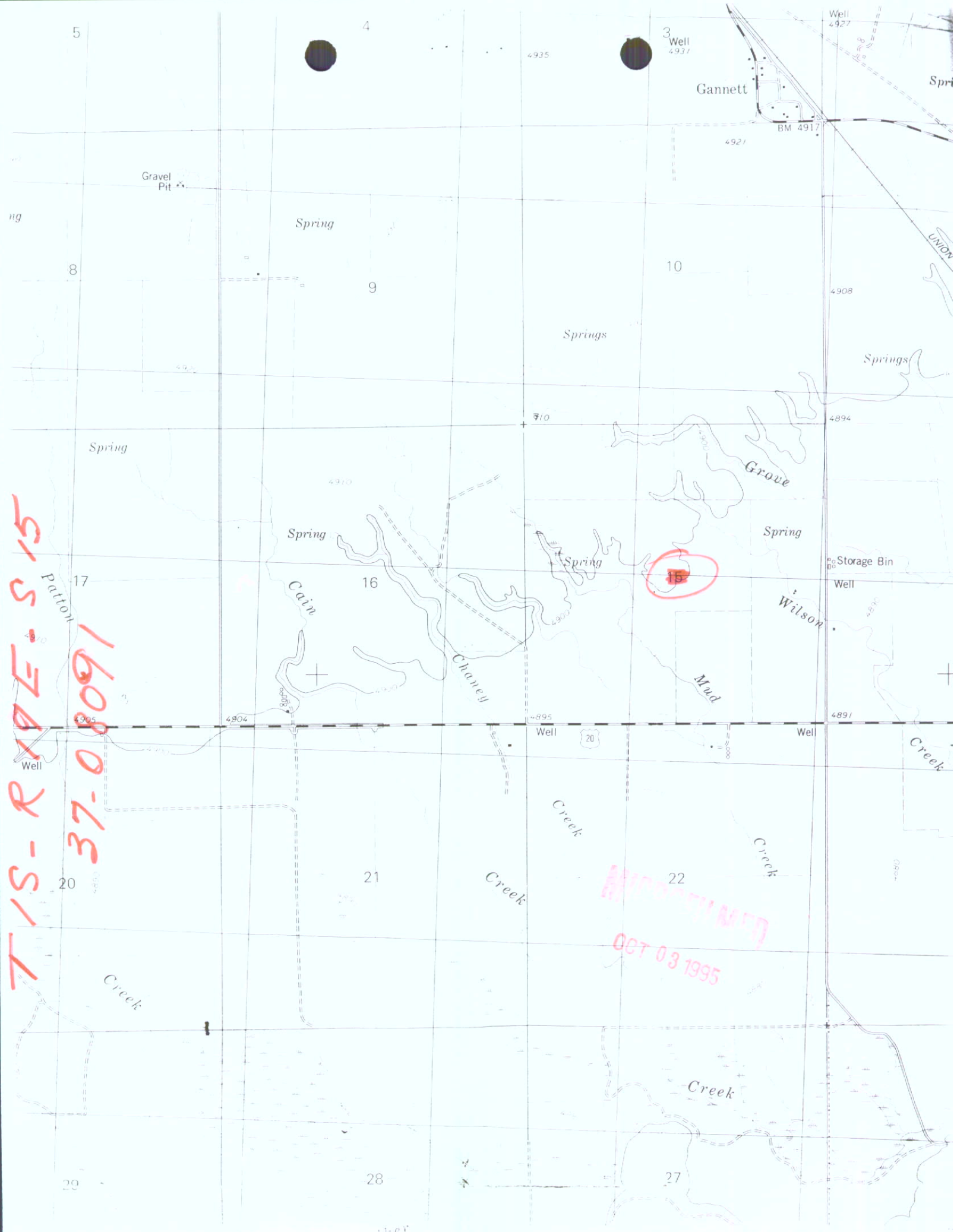
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

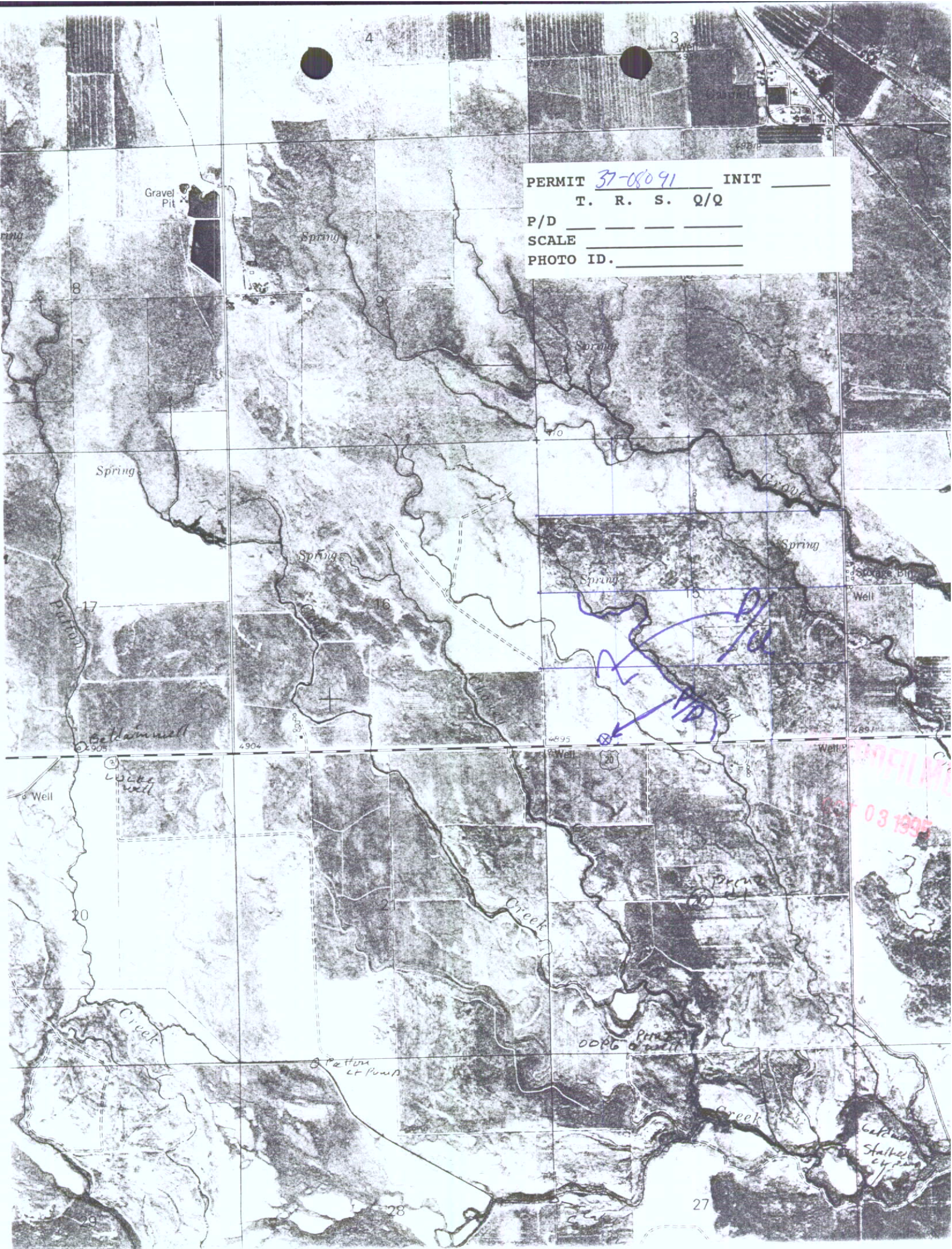
MAR 22 1990

Dean D. Hays Inc
 (Applicant)
Dean D. Hays Jr - Sec

TIS-R 19E-S 15
37-08091



PERMIT 37-08091 INIT _____
T. R. S. Q/Q
P/D _____
SCALE _____
PHOTO ID. _____



$$\begin{array}{r} 9 \\ 10 \\ \hline 1615 \end{array}$$

OCT 03 1995

OCT 03 1995

37-08091



#1

P/D



#2

Mounted
Polysonic
transducers

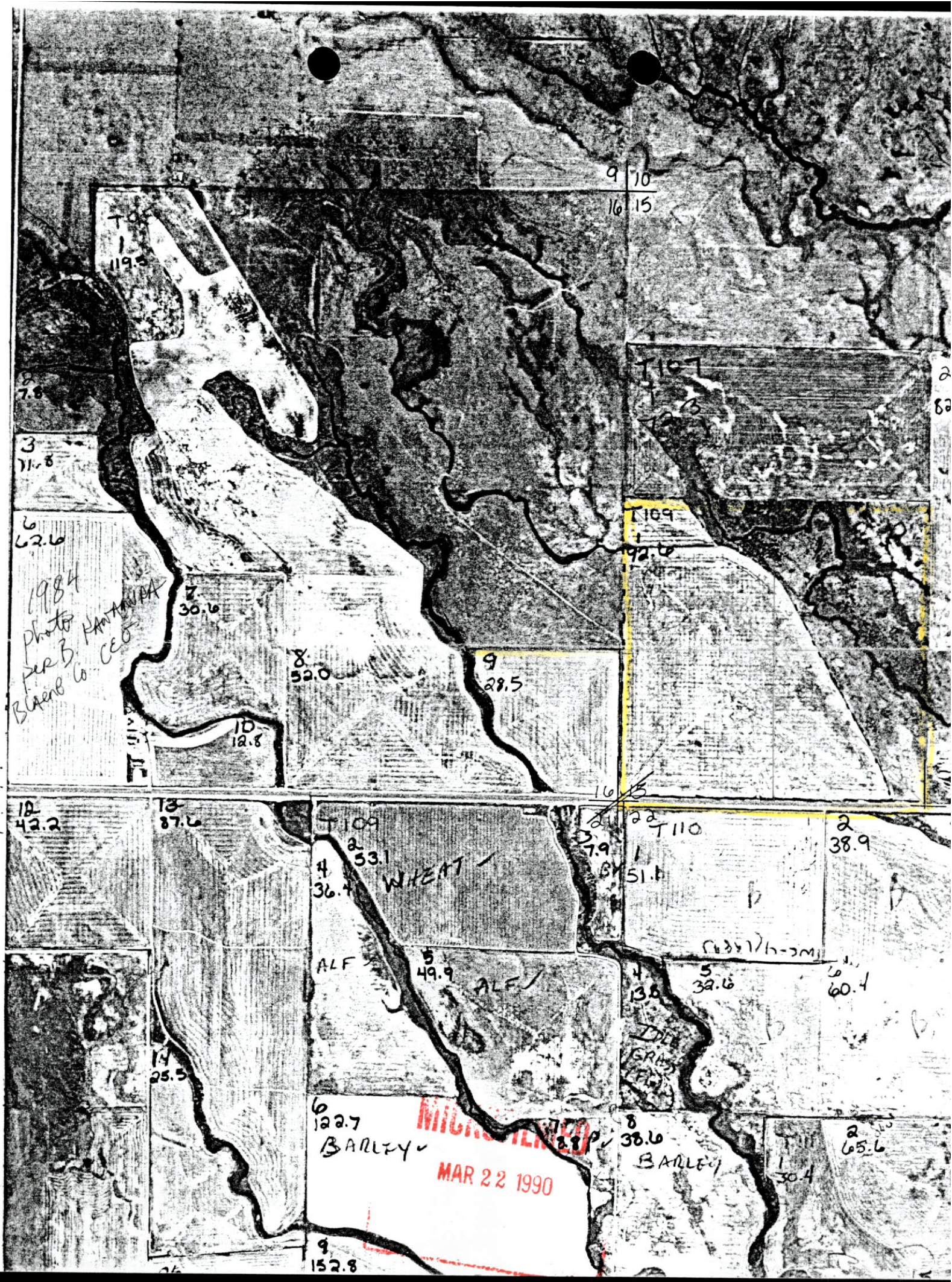
RECEIVED
OCT 03 1995

37-08091

#3 P/u

PROPERTY
OCT 08 1995





SILVER CREEK IRRIGATION CO., INC.

P. O. Box 748 Phone 768-3539

FICABO, IDAHO 83348

CUSTOMER'S ORDER NO.		PHONE		DATE	
NAME		ADDRESS		11 13 1984	
CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
			X		
Received on Account Check # 254966 6/35					254966
				TAX	
SOLD BY				RECEIVED BY	TOTAL
					254966

All claims and returned goods **MUST** be accompanied by this bill.

MAR 22 1990

PRODUCT 609-3/NEBS Inc., Groton, Mass. 01471.

Thank You

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08091

Priority: April 29, 1983

Maximum Diversion Rate:

2.22 CFS

Maximum Diversion Volume:

388.5 AF

This is to certify, that NORTHWEST FARM CREDIT SERVICES ACA
DEAN R ROGERS INC

129 EASTLAND DR

PO BOX 288

TWIN FALLS ID 83303-0288

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 15, 1983; and has submitted Proof of Beneficial Use on March 11, 1994. An examination indicates that the works have a diversion capacity of 2.770 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	2.22 CFS	388.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 15, Township 01S, Range 19E
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>
01S	19E	15	NESW 6	NWSW 32	SWSW 39	111
			SESW 34			

Total number of acres irrigated: 111

CONDITIONS OF APPROVAL AND REMARKS

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

OCT 03 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

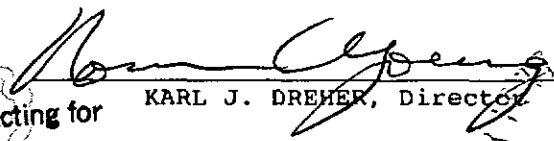
WATER RIGHT NO. 37-08091

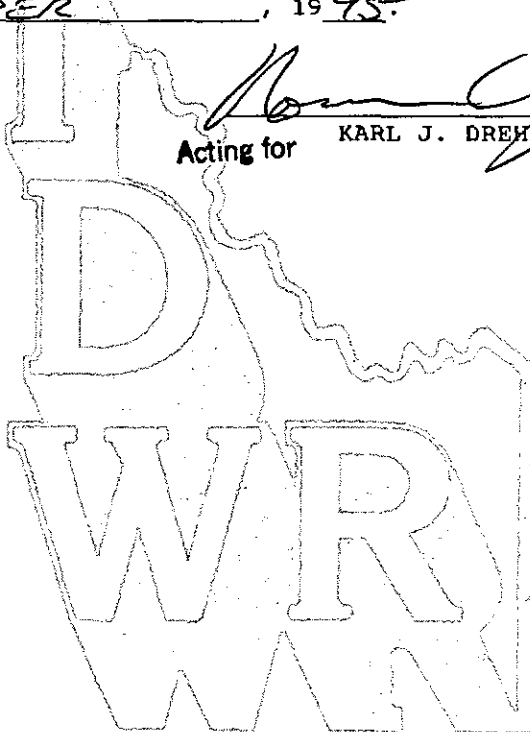
CONDITIONS OF APPROVAL AND REMARKS

7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of SEPTEMBER, 1995.

Acting for


KARL J. DREHER, Director



OCT 03 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 37-08091 IN THE NAME	)	ORDER ADVANCING
OF DEAN R. ROGERS, INC.	)	DATE OF PRIORITY
_____	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 37-08091 for the issuance of a license, the Department finds, and orders as follows:

FINDINGS OF FACT

1. On March 19, 1990, the Department approved Application for Permit No. 37-08091 to appropriate the public waters of the State of Idaho with a proposed priority of April 15, 1983.

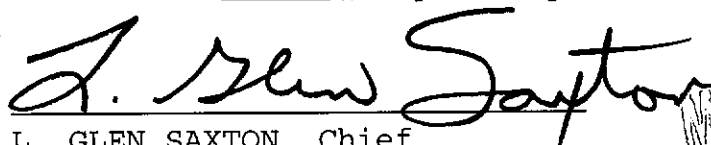
2. On April 15, 1993, the permit holder submitted a request for extension of time;

3. On April 20, 1993, the Department approved the extension request and advanced the priority date to April 19, 1983, since the extension request was submitted after the proof due date of April 1, 1993;

4. The priority date should have been advanced to April 29, 1983, but the Department made a typographical error on the extension request and transmittal letter.

IT IS THEREFORE HEREBY ORDERED that the date of priority of Permit No. 37-08091 is advanced to April 29, 1983.

Dated this 11th day of September, 1995.


L. GLEN SAXTON, Chief
Water Allocation Bureau

NOT RECORDED

OCT 03 1995

RECEIVED

RECEIVED

MAR 14 1994

OFFICE USE ONLY

 Amt. of Fee \$ 175.00
 Date 3-11-94
 Receipt No. 506626
 Receipt by J. F. Johnston

MAR 11 1994

 Department of Water Resources
 Southern Region Office

 STATE OF IDAHO Department of Water Resources
 DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08091 Telephone No. 208-788-3644
2. Name(s) of Permit Holder(s): Dean R Rogers Inc.
3. Mailing Address: Rt# 1 Box 305 - Bellevue Idaho 83313
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Dollmer Drilling Date Drilled: 4-20-92
Ken Dollmer

OPTIONAL:

Pump horsepower: 600 Pressure (psi): 50-60 Dynamic pumping level (ft.): 0 *antesign to surface then pressure*
Well flows

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
 Irrigation 160 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 3.2 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 175.00 (See License Fee Schedule on back of Instruction Sheet)

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

Dean R Rogers Inc. 788-3644 Request July measurement
 Name Telephone No.
Rt# 1 Box 305 - Bellevue Idaho 83313
 Address

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

3-15-94
 Date

Dean R Rogers Inc. Sec.
 Signature (and title, if on behalf of a company or organization)

APR 11 1994

RECEIVED

RECEIVED

Form 204
11-91

APR 15 1993

APR 19 1993

For Office Use Only
\$15 Fee Received by J. Edenton
Date 4-15-93
Receipt No. 5015639

Department of Water Resources
Southern Region Office

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 37-08091

Name(s) of Permit Holder: Dean Rogers Inc.

Mailing Address: Route #1 Box 305 - Bellevue Id. 83313

Date Proof is Due 4-1-1993 Telephone No. 208-288-3644

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

Well has been drilled in 1992 additional mainline
was laid in Oct 1992
I have talked to people in Twin Falls office
concerning proof of beneficial use several hundred dollars posting \$30,000.00

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

Inability to obtain well driller slowed completion of project. We are now proceeding
as fast as possible toward completion.

Permit holder(s) request an extension to 4-1, 19 94

FEE: \$15.00

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1994.

IT IS FURTHER ORDERED that this permit be REINSTATED and the priority advanced to April 19, 1983, pursuant to Section 42-218a, Idaho Code.

Signed this 20th day April, 19 93

Chief, Water Allocation Bureau

RECEIVED

MAY 20 1993

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	37-08091	Dean R Rogers Inc	3.20
Full Assignment	37-08091	Dean R Rogers Inc Northwest Farm Credit Services	3.20

MICROFILMED

JUL 24 1992

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Permit 37-08091

FROM: Jim Stanton

DATE: 4-15-93

Mr. Dean Rogers was in today to file for an extension of time on this permit. He complained that he was not being notified about required paperwork on this permit. I noticed that the lapse notice was addressed to the lender rather than to the actual farmer. Mr. Rogers requested that he be sent copies of all correspondence relating to this permit. His address is Rt. 1 Box 305, Bellevue, ID 83313.

☒ For your information

☐ Response required

J.F. Stanton
signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

I, DEAN R. ROGERS, INC.,
hereby assign to (name and address)
DEAN R. ROGERS, INC., Box 305, Bellevue ID 83313, and NORTHWEST FARM
CREDIT SERVICES, ACA, 129 Eastland Drive, P. O. Box 288, Twin Falls ID
83303-0288

All my right, title and interest in and to Permit No. 37-08091 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
Permit No. _____ to appropriate the public waters of the State of Idaho.

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

Made this 18 day of June , 1992.

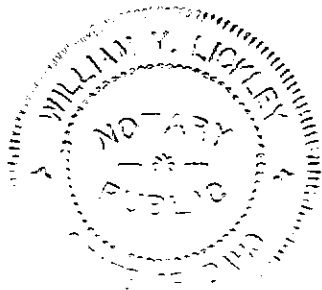
DEAN R. ROGERS, INC.

By Dean R. Rogers President
Attest Dean R. Rogers Secretary

STATE OF IDAHO)
County of Twin Falls) ss

On this 18 day of June, 1992, personally appeared
before me the signer of the above instrument, duly acknowledged to me that
it executed the same.

William V. Lickley
Notary Public for Idaho
Residing at
My Commission Expires



MICROFILMED

JUL 24 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08091

Proposed Priority: April 15, 1983 Maximum Diversion Rate: 3.20 CFS
This is to certify, that **DEAN R. ROGERS INC.**
RT. 1 BOX 305
BELLEVUE, ID 83313
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	3.20 CFS

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	
NWSW	Sec. 15, Township 01S, Range 19E
SWSW	Sec. 15, Township 01S, Range 19E
NESE	Sec. 18, Township 01S, Range 19E
	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>
01S	19E	15	NESW 40	NWSW 40	SWSW 40	160
			SESW 40			
Total number of acres irrigated:						160

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. 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.
6. 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.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

MICROFILMED

MAR 22 1990

Permit To Appropriate Water

NO. 37-08091

CONDITIONS/REMARKS:

9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

19th day of March, 1990.

for R. Keith Higginson, Director

MICROFILMED

MAR 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dean R. Rogers, Inc. Phone 788-2841 ³⁶⁴⁴

Post office address Rt. 1, Box 305 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 SW $\frac{1}{4}$ of Section 15 Township 1S

Range 19E B.M. Blaine County, additional points of diversion if any: _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, Twp. 1S, Rge. 19E (See remarks)

4. Water will be used for the following purposes:

Amount 3.2 for Irrigation purposes from 4/1 to 11/1 (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. 3.2 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 in Sec. 15.

Well, pump in Sec. 18, portable pump in Mud Creek (See remarks)

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

MAR 22 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	19E	15									40	40	40	40					160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. License No.

37-2685 shows irrigation of 55.8 acres in the S½SW¼, Sec. 15. This right has been forfeited on these acres.

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

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

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 This application proposes to divert from one well in Sec. 15 to apply water directly onto the lands. In addition, this application proposes to describe an exchange as provided by Section 42-105. The exchange would consist of a diversion from the point of diversion described in Sec. 18. This water would be injected and rediverted as follows:

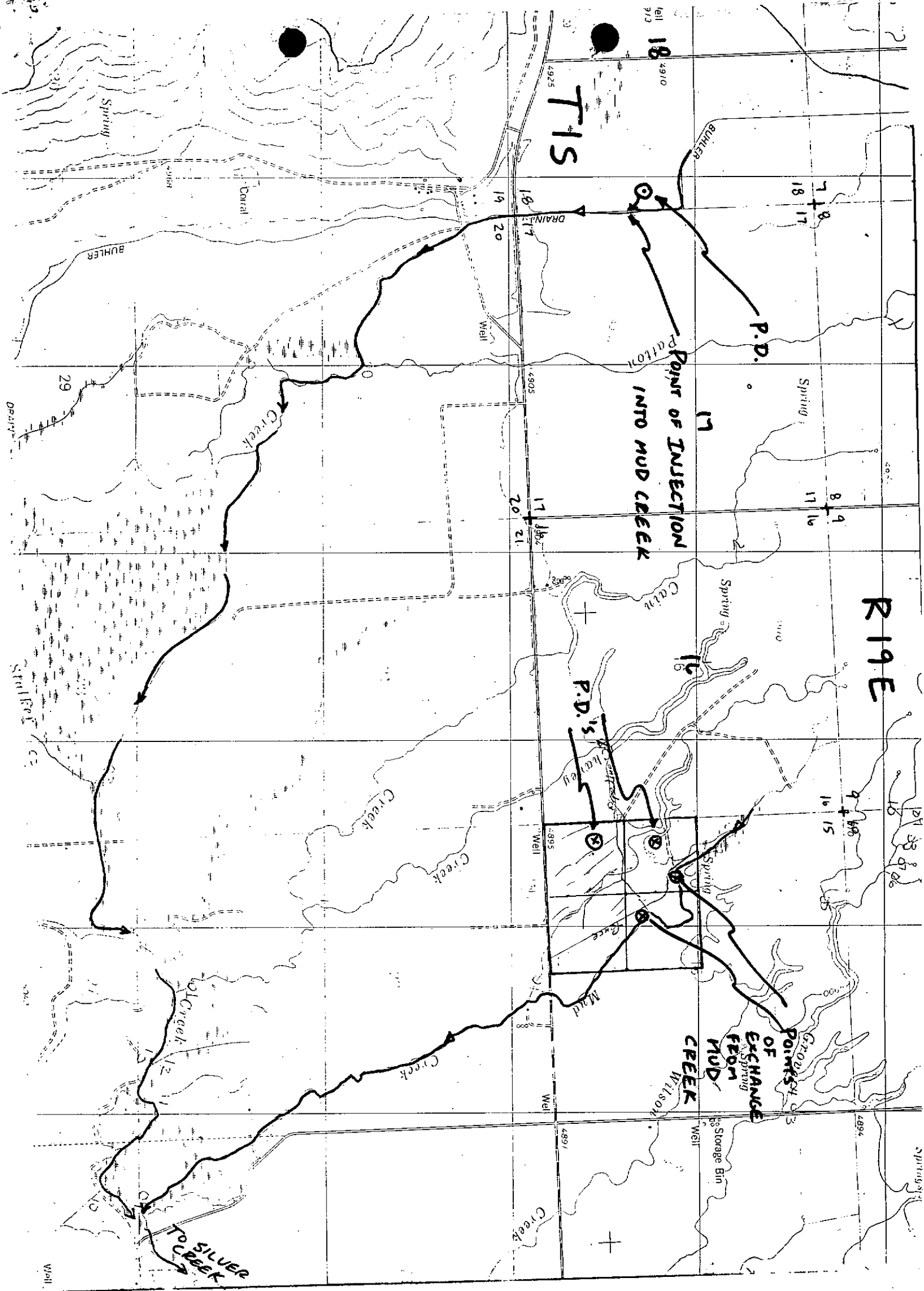
- Point of injection into Buhler Drain in the NE¼SE¼, Sec. 18, Twp. 1S, Rge. 19E

- Points of exchange from Mud Creek in the N½SW¼, Sec. 15, Twp. 1S, Rge. 19E

The point of diversion in Sec. 18 is an existing well, which although located near the Buhler Drain, is fully cased to a depth of about 200 feet. There are no existing water rights from Mud Creek that would be affected by this diversion. The downstream rights that would be satisfied by the injection into Buhler Drain are on Silver Creek, to which both Mud Creek and Buhler Drain are tributary.

RECORDED

MAR 23 1940



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

MAR 22 1990

Dean D. [Signature]
 (Applicant)
Dean D. [Signature] - Sec

Received by DRT Date Apr 15, 1983 Time 11:20
Preliminary check by DRT ADM Fee \$ 105.00
Receipted by RG Date APR 15, 1983 # 26498
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, 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
MAR 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 25, 1995

NORTHWEST FARM CREDIT SERVICES ACA
DEAN R ROGERS INC
129 EASTLAND DR
PO BOX 288
TWIN FALLS ID 83303-0288

RE: WATER RIGHT NO. 37-08091

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. Also enclosed is an Order Advancing Date of Priority due to a typographical error in your Extension of Time approval.

If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enclosures

MICROFILMED

OCT 03 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 037-08091 DATE 9-6-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ☒ Advance? YES Advanced to: 4-29-83 CORRECT IN DATABASE
 Order to reinstate needed? DONE
 Incorrect fee for rate recommended? NO

SOURCE ☒ Changes or just clarification of originally intended source? ☐
 Notice of Intent to Void necessary? ☐

POINT OF DIV ☒ Amendment needed? (DELETE NWSW OF 15 & NESE OF 18)
☒ Overlaps? ☐

PLACE OF USE ☒ Amendment needed? ☐
☒ Overlaps? ☐

DIV RATE ☒ Permit/fee limits: 3.2 CFS / 160 acres
 Meas Q = 2.77 Theo Q = Recommend: 2.22
111 acres x .02 = 2.22
 Combined rates exceed capacity ☐

ANNUAL VOLUME ☒ Volume Limit: new Season: 8/3.5 (4-15 to 10-15)
☒ Calculations: 111 x 3.5 = 388.5
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable ☐

USES ☒ Change in Nature of Use or additional uses? ☐
 Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater NO PPU Scenario NO
 Irr/Dom Combination N/A Shared G/W System NO

NEW REMARKS ☒ Multiple p/d(s) in ¼ ¼? ☐
☒ Other ☐

NEW CONDITIONS ☒ Watermaster control - District ☐
☒ Measuring/Locking Devices ☐
R30 Irrigation Overlap ☐
YES Other R55 R56 R57 ☐
☒ Water Quality ☐ Heat/Cool/Fish verified ☐

COMMENTS: Reduce acres & rate No surface water being used.

RECOMMENDATION

CFS

VOLUME

SRBA Claim Filed NO
 Adjustment Memo Needed NO

LICENSE ☒

1ST AMEND LETTER ☐
 2ND AMEND LETTER ☐

Irrigation

2.22

388.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 06 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08091

1. Owner: Dean R. Rogers Inc. Phone No. 788-3644

Current Address: Rt. #1 Box 305 Bellevue, ID 83313

2. Accompanied by: Dean Rogers EXAM DATE: 8-9-94

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	15	15	19E	Blaine	ASLS Aerial Photo

2. Place(s) of Use:

Indicate Method of Determination ASLS Aerial Photo

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	19E	15									6	32	39	34					111

RECEIVED
JUL 08 1995

E. NARRATIVE/REMARKS/COMMENTS

No water right overlaps were found for the point of diversion or for the place of use on this permit.

The permit states that there are 3 points of diversion for the 160 acres located in the SW quarter of section 15. When the field exam was conducted, only the point of diversion in the SWSW of section 15 was being used to irrigate this land. The point of diversion is an artesian well. A 60 Hp pump pumps water from this well and pressurizes it to 60 psi. Water is conveyed through the 8" buried steel mainline that runs east and west. The land is irrigated using two wheelines and several handlines.

No surface water is being diverted for the irrigation of this 160 acres of farmland.

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

OCT 03 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Flow = \frac{1146 + 1141 + 1138 + 1140 + 1137 + 1146 + 1143}{7} + 18(5.54) = 1241.29 \text{ gpm}$$

$$= 2.77 \text{ cfs}$$

$\frac{11}{64}'' \rightarrow \approx 40 \text{ psi}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 111(3.5) = 388.5 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.22(184) \times 1.9835 = 810.2 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 388.5 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$.02 \times 111 = 2.22 \text{ cfs}$$

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	2.22 cfs	388.5 afa
Totals:			2.22 cfs	388.5 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 Alan Hamster Date 8-11-94

Reviewer _____ Date _____

SEAL

$$5 \frac{5}{16}'' = 5280' \quad 1'' = 1000'$$

$$NWSW: 32.3, 32.3, 31.8 = \underline{32 \text{ ac}}$$

$$NESW: 5.5, 6.0, 6 = \underline{6 \text{ ac}}$$

$$SESW: 33.9, 33.4, 33.6, = \underline{34 \text{ ac}}$$

$$SWSW: \underline{39 \text{ ac}}$$

$$\underline{111 \text{ ac}}$$

$$f/ow = \frac{1146 + 1141 + 1138 + 1140 + 1137 + 1146 + 1143}{7}$$

$$= 1142 \text{ gpm} + 18(5.54) = \underline{2.77 \text{ cfs}}$$

$$= \underline{\underline{2.54 \text{ cfs}}}$$

RECEIVED
OCT 10 1964

OCT 10 1964

37-08091

MODE SELECT
INPUT

OUTER DIAMETER
7.9972 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1000 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.783 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

08-09 10:3200 *R
+002.90 % A12

MODE SELECT
T0 CHECK

0299.3 MMSEC
102.72 % T0

0299.3 MMSEC
102.72 % T0

08-09 10:4400 *R
+ 1.146E 3GPM

08-09 10:4500 *R
+ 1.141E 3GPM

08-09 10:4500 *R
+ 1.138E 3GPM

08-09 10:4500 *R
+ 1.140E 3GPM

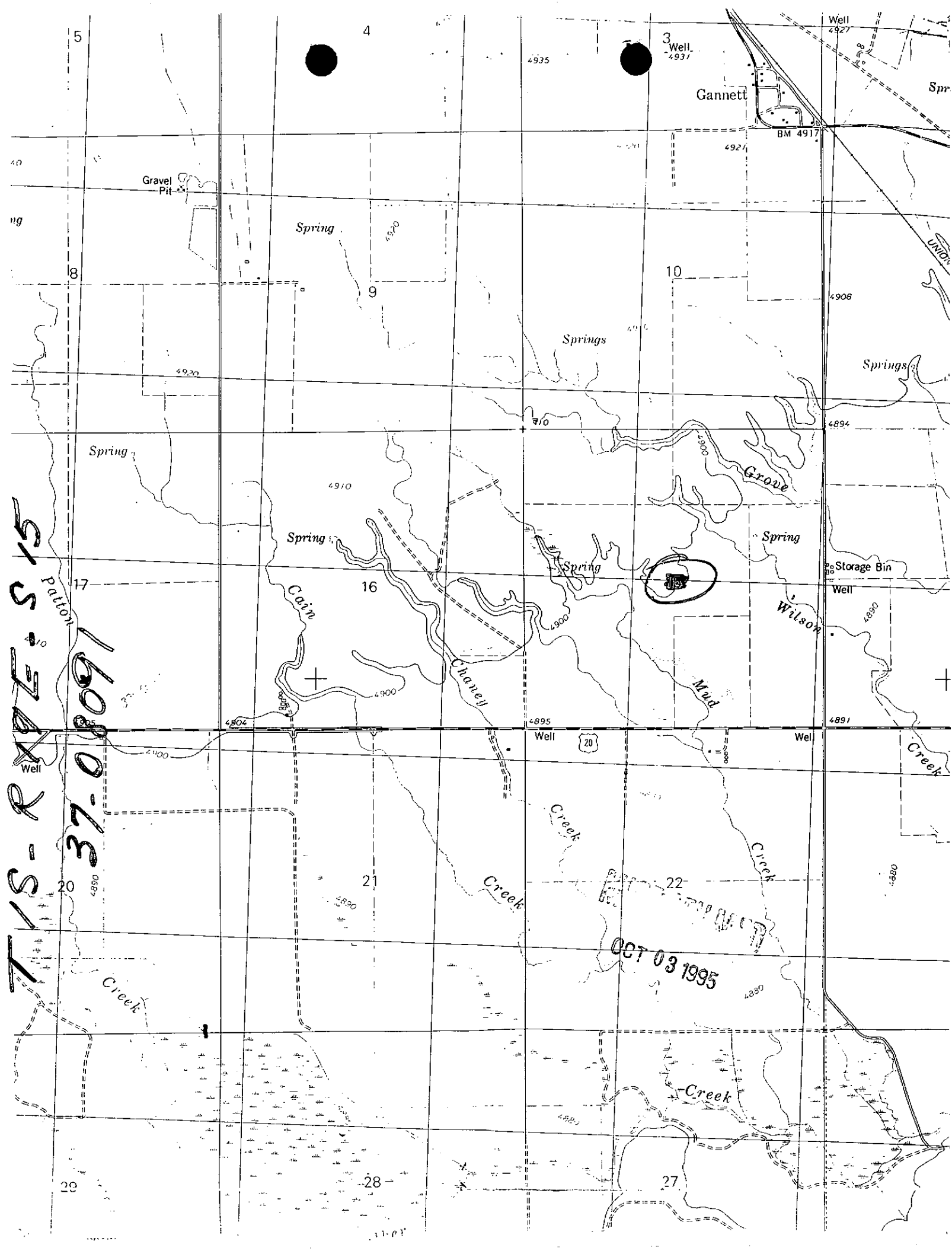
08-09 10:4600 *R
+ 1.137E 3GPM

08-09 10:4600 *R
+ 1.146E 3GPM

08-09 10:4600 *R
+ 1.143E 3GPM

RECEIVED
OCT 09 1995

71S-R 19E-S 15
37-08091



PERMIT 37-08091 INIT
T. R. S. Q/Q
P/D
SCALE
PHOTO ID.

Gravel
Pit

Spring

Spring

Well

Bottom
of Pond

03 1235

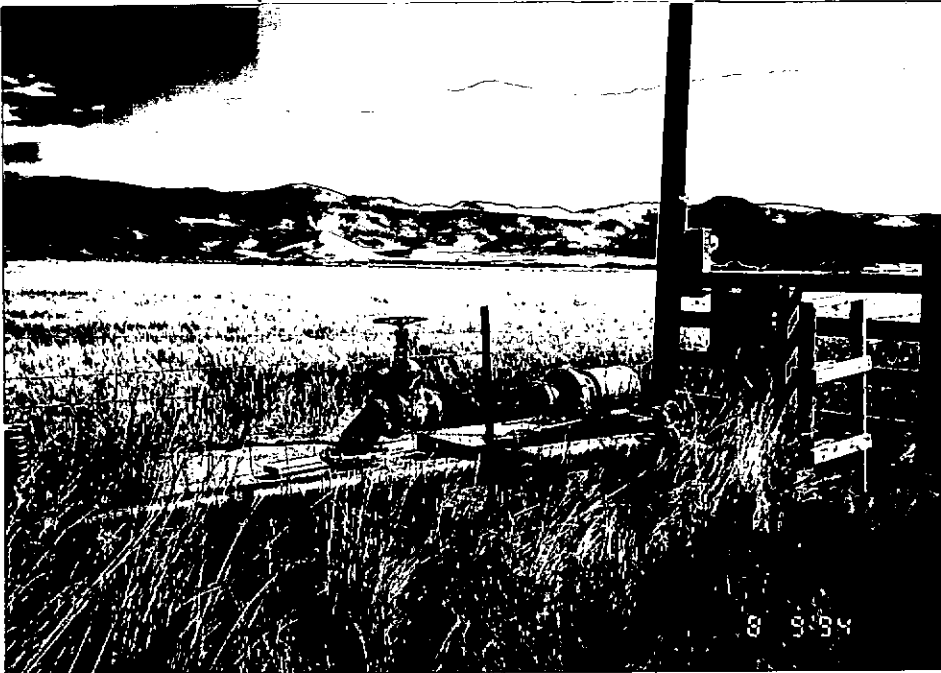
Gate
Stall
Creek

27

37-08091

#1

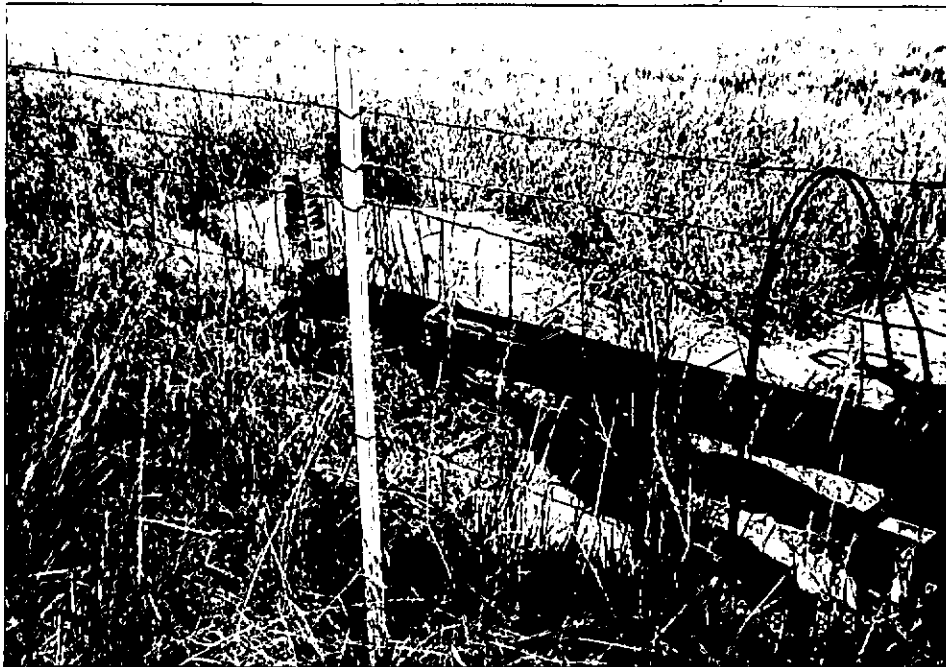
P/D



8 9 94

#2

Mounted
Polysonic
transducers



OCT 03 1995

37-08091

#3
P/A



OCT 09 1995

March 23, 1994

DEAN R RODGERS INC
ROUTE 1 BOX 305
BELLEVUE ID 83313

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08091

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 (copy enclosed) requires the permit holder to 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

Enclosure

c: IDWR - Region

RECEIVED

APR 11 1994

January 31, 1994

DEAN R ROGERS INC
NORTHWEST FARM CREDIT SERVICES ACA
129 EASTLAND DR
PO BOX 288
TWIN FALLS ID 833030288

PROOF DUE NOTICE

RE: PERMIT NO. 37-08091

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 April 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.

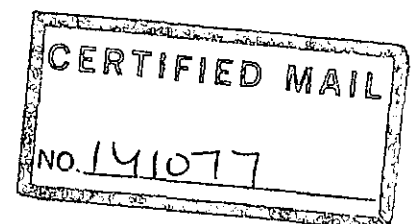
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

APR 11 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 20, 1993

Dean R Rogers Inc
Route 1 Box 305
Bellevue, ID 83313

Re: Permit No. 37-08091

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 April 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 April 19, 1983.

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 will 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
Northwest Farm Credit Services

NOT RECORDED

MAY 20 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 37-08091 Reviewed by Klg Date 4/19/93

BASIC INFORMATION

4/15/93 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to 4/1/94*

PRIORITY CALCULATION

Date extension received	<u>4/15/93</u>	=	<u>105</u>
Proof due date	<u>4/1/93</u>	=	<u>91</u>
Number of days late		=	<u>14</u>
Priority date	<u>4/15/83</u>	=	<u>105</u>
New Priority Date	<u>4/29/83</u>	=	<u>119</u>

DATA ENTRY

New Address add Mr. Rogers to
Change Proof Due Date 4/20/93 Klg
Change Priority Date _____

April 6, 1993

DEAN R ROGERS INC
NORTHWEST FARM CREDIT SERVICES ACA
129 EASTLAND DR
PO BOX 288
TWIN FALLS ID 833030288

LAPSE NOTICE

RE: PERMIT NO. 37-08091

Dear Permit Holder:

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

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 4/6/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

RECEIVED

MAY 20 1993

January 31, 1993

DEAN R ROGERS INC
NORTHWEST FARM CREDIT SERVICES ACA
129 EASTLAND DR
PO BOX 288
TWIN FALLS ID 833030288

PROOF DUE NOTICE

RE: PERMIT NO. 37-08091

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 April 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

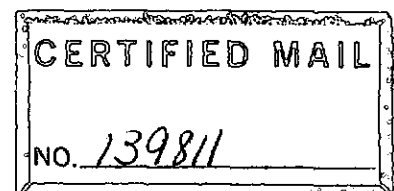
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

MAY 20 1993



WELL DRILLER'S REPORT

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

1. WELL OWNER

Name DEAN R ROGERS INC

Address RT-1 Box 305 - 28 Hillsdale Ranch Rd

BELLVIEW ID. 83313

Drilling Permit No. 37-91-S-183

Water Right Permit No. R37-8091

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Well diameter increase

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>1250</u> inches	<u>12</u> inches	<u>1'</u> feet	<u>198'</u> feet
<u>1250</u> inches	<u>8"</u> inches	<u>125'</u> feet	<u>339'</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch ☐ Gun

Size of perforation 1/4 inches by 3 inches

Number	From	To
<u>300</u> perforations	<u>316</u> feet	<u>339</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name N/A

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size N/A Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel N/A

Placed from N/A feet to _____ feet

Surface seal depth 30' Material used in seal: ☐ Cement grout

☒ Bentonite ☐ Puddling clay ☐

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 TOP OF WELL

7. WATER LEVEL

Static water level 715' feet below land surface.

Flowing? ☒ Yes ☐ No G.P.M. flow 350 GPM

Artesian closed-in pressure 12 p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature 57 OF. Quality Good

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
16"	0	3	TOP SOIL		☒
16"	3	24	SANDY GRAVEL		☒
16"	24	30	GRAVEL	☒	
12"	30	43	CLAY SAND & GRAVEL		☒
12"	43	47	BROWN SAND & CLAY		☒
12"	47	48	GRAVEL	☒	
	48	55	BROWN SAND & CLAY		☒
	55	56	GRAVEL		☒
	56	68	BROWN SAND & CLAY		☒
	68	69	GRAVEL		☒
	69	74	BROWN SAND & CLAY		☒
	74	75	GRAVEL	☒	
	75	80	BROWN SAND & CLAY		☒
	80	105	BROWN CLAY		☒
	105	120	CLAY CLAY		☒
	120	190	DARK CLAY CLAY		☒
12"	190	212	LAVA UNDER-REANDED		☒
			AT THIS POINT SET CASING		
			TO 198' & CEMENTED		
12"	212	275	CEMENTED GRAVEL		☒
8"	275	316	CEMENTED GRAVEL		☒
8"	316	339	GRAVEL & SAND	☒	

6. LOCATION OF WELL

Sketch map location must agree with written location.

N		
W		E
	X	

Subdivision Name UNRECORDED

MAY 20 1993

Lot No. _____ Block No. _____

County BLAINE

SW 1/4 SW 1/4 Sec. 15, T. 1 N ☐ E ☐

S ☒ R. 19 W ☐

11. DRILLERS CERTIFICATION

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

Firm Name VOLLMEYER DRILLING Firm No. 383

407 ECUSTIA

Address ABERNATHY, IDAHO 83210 Date 4/24/92

Signed by (Firm Official) Kenneth Hollen

and _____

(Operator) Kenneth Hollen

10.

Work started 03/02/92 finished 04/01/92

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 20, 1992

DEAN R ROGERS INC
PO BOX 305
BELLEVUE ID 83313

and

NORTHWEST FARM CREDIT SERVICES
129 EASTLAND DR
PO BOX 288
TWIN FALLS ID 83303-0288

Re: Permit No. 37-08091

Dear Permit Holder(s):

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

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

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:cz

MICROFILMED

JUL 24 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 37-08091
Name(s) of Permit Holder(s): Dawn R. Rogers Inc.
Post Office Address: RT. 1 Box 305 - #28 Hillside Ranch Road
Bellevue, ID 83313 Tel. No. 288-3644

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

I have been unable to find a driller to put in the well.

A lawsuit over power hookups now makes the project questionable

*Note: A financing difficulty is
not an acceptable reason.

2-26-91
Date

Dawn R. Rogers
Signature of Permit Holder

* new litigation, not Swan Falls

PLACE
STAMP
HERE

RECEIVED
FEB 28 1991



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
JUL 24 1992



7

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

DEPARTMENT OF WATER RESOURCES

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

DEAN R. ROGERS INC.
RT. 1 BOX 305
BELLEVUE, ID 83313

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08091

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.

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

MAR 22 1990

1

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 22 1990

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

RECEIVED
FEB 26 1990

Department of Water Resources

DANIEL J. 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 3rd day of Jan, 1990, and

the date of the last publication was on the 10th day of Jan, 1990.

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

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 52
Number of Insertions 2
Lines tabular at 52 5.5¢/Pica
Lines straight at 52 28.60 4.5¢/Pica
Subsequent lines at 52 22.88 3.5¢/Pica
TOTAL COST 51.48

COPY OF NOTICE
(Paste Here)

2 Applications for Trust
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO (Boise)

Two file on trust water rights

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08091

DEAN R. ROGERS INC.
RT. 1 BOX 305
BELLEVUE, ID 83313

Source: GROUNDWATER
Diversification Pt: NWSW Sec 15 T
01S R 19E; SWSW Sec 15 T 01S R
19E; NESE Sec 18 T 01S R 19E

Use: IRRIGATION (3,200 CFS)
Total Diversification: (3,200 CFS)

Date Filed: 4/15/1983
In: T01S R19E S15 NESW NWSW
SWSW SESW

160.0 ACRES TOTAL

37-08102

THOMAS E. PARRY
P.O. BOX 642
SUN VALLEY, ID 83353

Source: GROUNDWATER
Diversification Pt: NESE Sec 5 T 02N R
18E

Use: IRRIGATION (.100 CFS)
COMMERCIAL (.160 CFS)

DOMESTIC (.040 CFS)

FIRE PROTECTION (.200 CFS)

Total Diversification: (.200 CFS)

Date Filed: 5/11/1983

In: T02N R18E S04 SWNW

NWSW; S05 SENE NESE

50 ACRES TOTAL

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

7. R. Keith Higginson, Director
7. Publish: Wood River Journal-January 3 & 10, 1990.

For per line successive
insertion....3.5/pica

MICROFILMED

MAR 22 1990

6918

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

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

DECEMBER 26, 1989

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 JANUARY 22, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

RECEIVED
MAR 22 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08091

DEAN R. ROGERS INC.
RT. 1 BOX 305
BELLEVUE, ID 83313

Source: GROUNDWATER

Diversion Pt: NWSW Sec 15 T 01S R 19E
 SWSW Sec 15 T 01S R 19E
 NESE Sec 18 T 01S R 19E

Use: IRRIGATION (3.200 CFS)
Total Diversion: (3.200 CFS)

Date Filed: 4/15/1983

In: T01S R19E S15 NESW NWSW SWSW SESW
160.0 ACRES TOTAL

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

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

R. Keith Higginson, Director

MICROFILMED

MAR 22 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 37-8091

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 12-22-89

=====

The applicant, Mr. Dean Rodgers, visited the office this past November in response to the department's trust water questionnaire. Mr. Rodgers claimed that a portion of the 160 acres under the application had been irrigated since either 1983 or 1984. He returned to the office several weeks later with a copy of an aerial photo (dated 1984), and several invoices for irrigation equipment related to this project.

The aerial photo was taken in early September, 1984. It does show that a portion of the land was developed. The field appears disked, but it is difficult to determine if it was irrigated in 1984. The same photo available as an infrared print was also reviewed. This photo confirms that the field was disked in early September, but does not necessarily confirm that the field was irrigated in 1984. The invoices related to the development are dated from September and October, 1984. Mr Rodgers explained that he was irrigating the land from a point in Chaney Creek just west of his property via a pump and pipeline. He also said that the creek between Chaney Creek and Mud Creek was rerouted to flow directly east over to Mud Creek and across the northern part of the 160 acre tract. The aerial photo does show the re-routing of the creek. The re-routing was apparently made to keep water from the creek off of the land and make it more suitable for irrigation.

The diversion from Chaney Creek is actually part of the exchange described under the application. Groundwater is diverted from a well in section 18 and injected into Buhler Drain, which discharges to Patton and Stalker Creeks, tributaries to Silver Creek. In exchange for the groundwater diverted into Buhler Drain, water is diverted from Chaney Creek for irrigation on land within the 160 acre tract (note: the exchange points from Mud Creek listed on the application were never developed). Rodgers has been irrigating about 93 acres within the 160 acre tract under this exchange system since at least 1984 or 1985 (field shown on photo was estimated at 93 acres). Since the application is now being reviewed under Swan Falls processing, Rodgers now wishes to pursue his original plans to drill a well in section 15.

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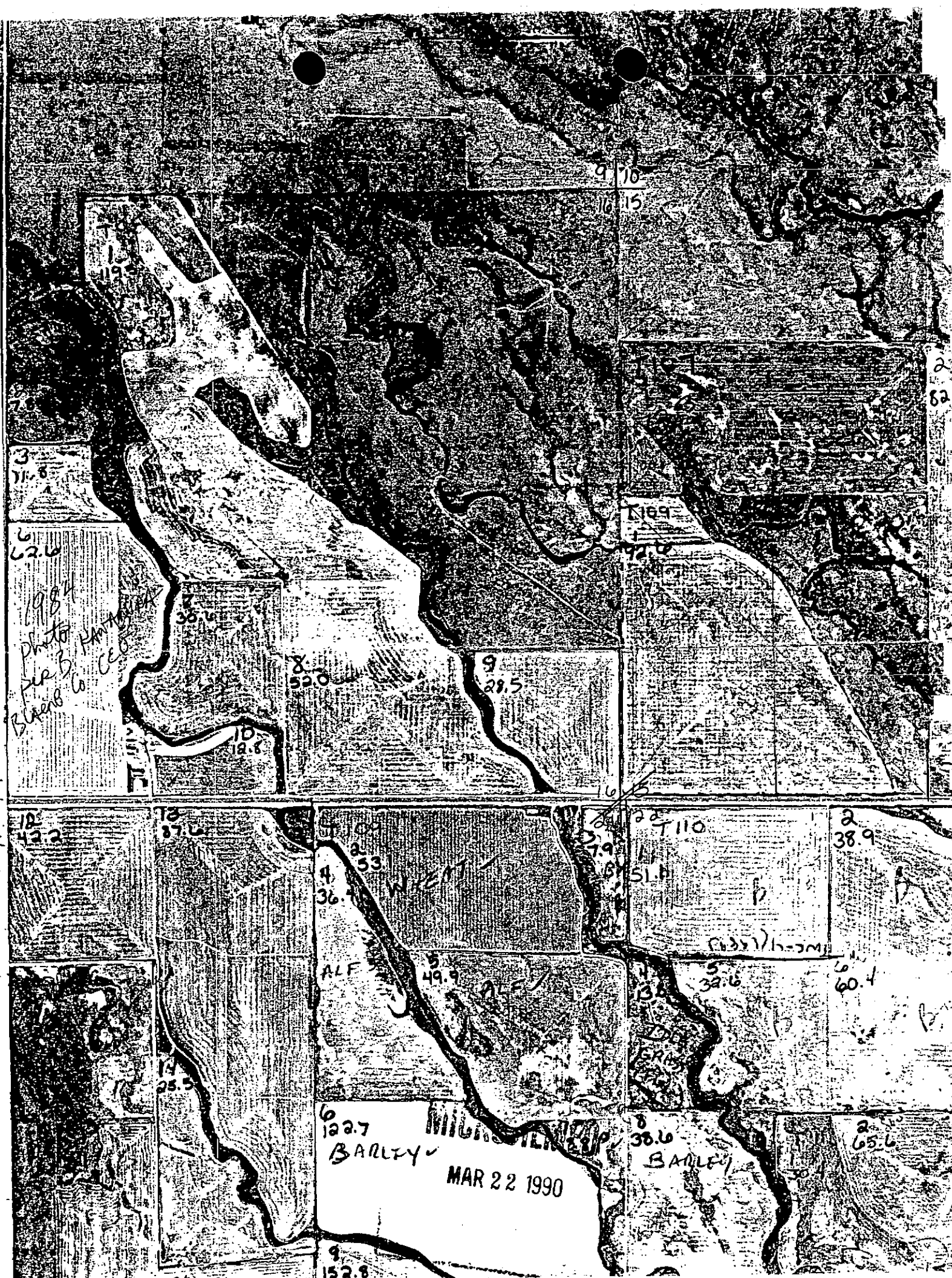


The application lists two wells in section 15. Rodgers apparently listed both points since he was not certain which 40 acre parcel the well might ultimately be located. He is still uncertain as to which tract he will locate the well. Furthermore, Rodgers does wish to irrigate an additional ten to twenty acres within the 160 acre tract. He claims that the entire tract is not irrigable and thus would not ever irrigate the full 160 acres.

Since the evidence submitted by Rodgers is not particularly conclusive as to the extent of development prior to 10/1/84, and since he is not certain as to the final number of acres he will develop and which tract the well will be drilled, I recommend that we advertise the application as it is presently recorded and count 160 acres as trust acres. The 160 acres would count toward the annual 20,000 acre depletion limit.

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MAR 22 1990

SILVER CREEK IRRIGATION CO., INC.

P. O. Box 748 • Phone 702-3539

FICABO, IDAHO 83348

CUSTOMER'S ORDER NO.		PHONE		DATE	
NAME		ADDRESS		14 13 1984	
CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT
			X		
Received on Account Debit 6135				2549.66	
BOLD BY				TAX	
RECEIVED BY				TOTAL	
				2549.66	

All claims and returned goods MUST be accompanied by this bill.

MAR 22 1990

PRODUCT 609-3 **NETIS** Int., Ginton, Mass. 01471:

Thank You

SILVER CREEK IRRIGATION CO.

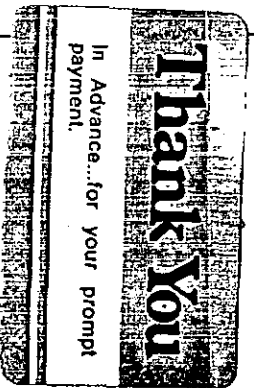
BOX 748
PICABO, IDAHO 83348
(208) 788-3539

DEAN RODGERS, INC.-SYSTEM
RT 1 BOX 305
BELLEVUE, IDAHO 83313

ACCOUNT NUMBER
28575
STATEMENT DATE
10/31/84

TERMS
NET

TRANSACTION DATE	INVOICE TYPE	CHECK NO.	CHARGES	CREDITS	AMOUNT DUE
10/26/84	00021370 IN		2618.96		2618.96



11/13/84
RECEIVED
MAR 22 1990

TWIN FALLS, IDAHO 83301

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REFILMED
MAR 22 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 13, 1989

RE: Permit Application No. 37-8091

Dean R. Rodgers Inc.
Rt. 1 Box 305
Bellevue, ID 83313

Dear Mr. Rodgers:

Enclosed is an application for a drilling permit. I was unable to find any drilling permit applications associated with Water Permit Application No. 37-8091. I recommend that you complete and return the drilling permit application at your earliest convenience. If you wish, you may request that the issuance of the drilling permit be expedited. This will allow you to obtain a drilling permit prior to actual approval of the water right application. The water right can not be formally approved until after the advertising and protest period has ended, which would be the latter part of December if the application is advertised during the first week of December.

Please call me directly at 327-7864 if you have questions concerning this matter.

Sincerely,

Tim Luke
Sr. Water Resource Agent

TL: at

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MAR 22 1990





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 23, 1989

RE: APPLICATION FOR PERMIT NO. 37-8091

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 your 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, the department asks that you complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments and/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.

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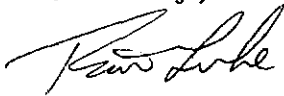
Page 2

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 should 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 shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

cc: Region

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MAR 22 1990