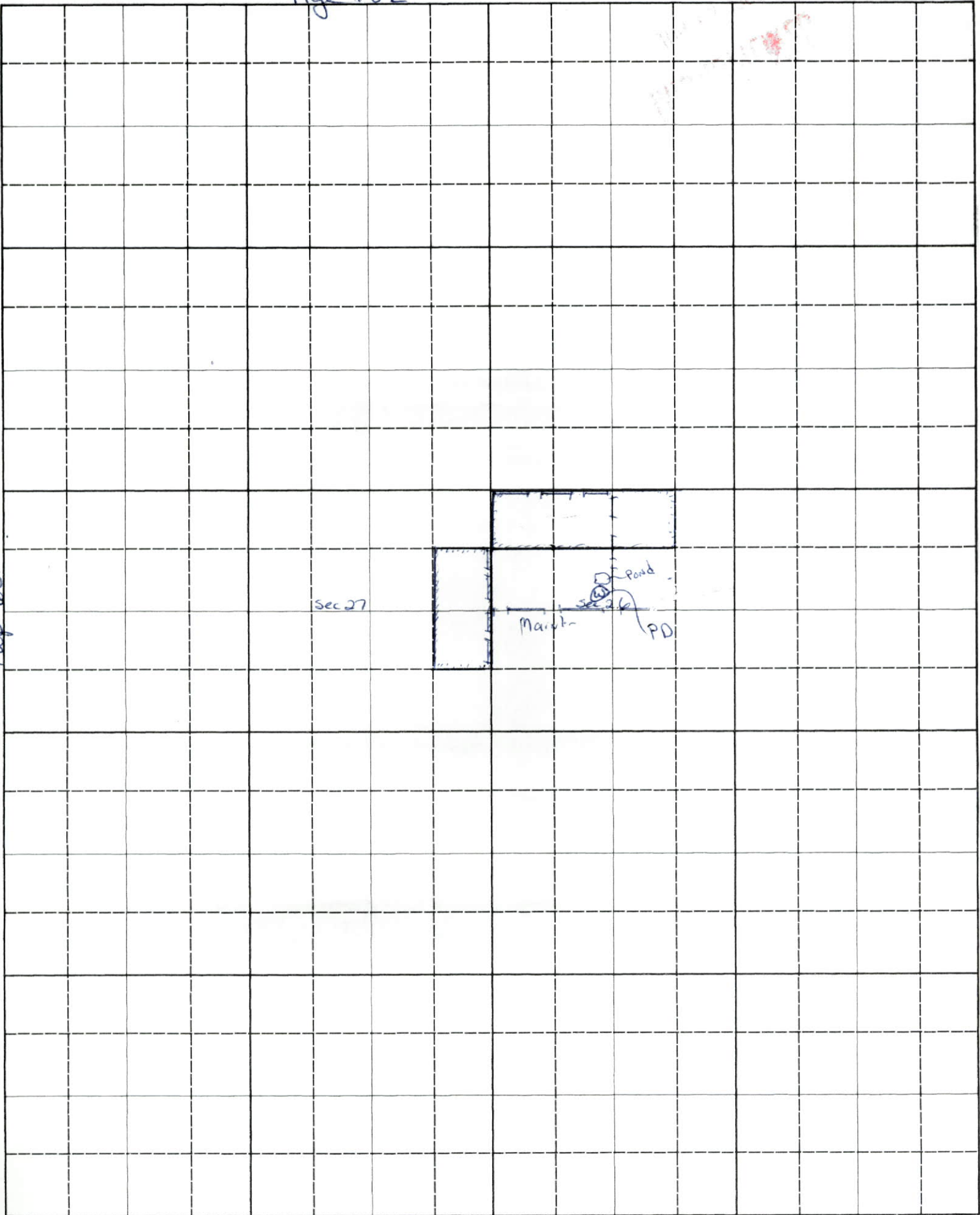


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Rge 18E

Twp 6S



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

JUN 13 1989

Fishing Farms - Lloyd C. Fishing Mgr.
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 28 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08078
Phone No. 544-7768
1. Owner: Kisling Farms
Current Address: 432 S 550 E, Dietrich, ID 83324
2. Accompanied by: Floyd Kisling EXAM. DATE: 7-26-95
Address: same Phone No. _____
Relationship to Permit Holder: owner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

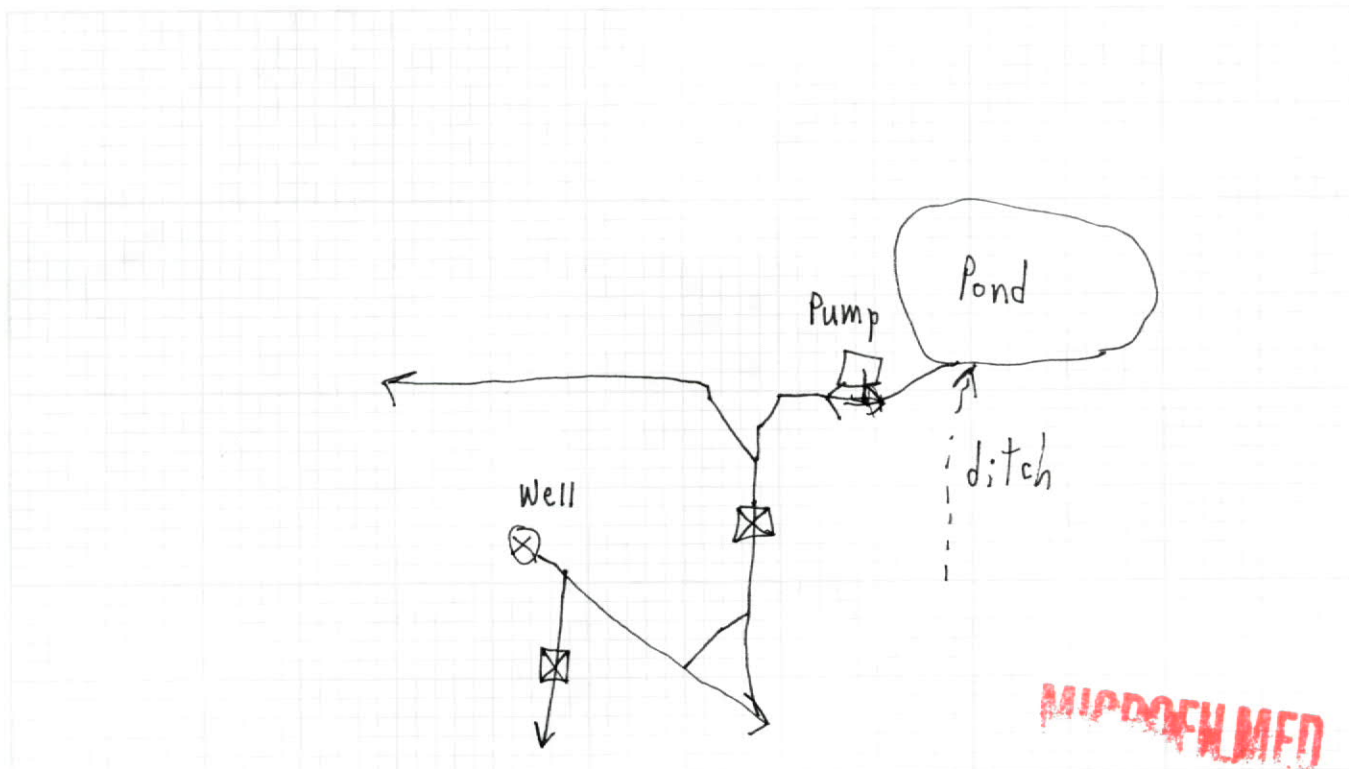
1. Other water rights with same place of use: 262 canal shares on this 360-acre farm

☐ Copies Attached
2. Other water rights with same point of diversion: 37-2654

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

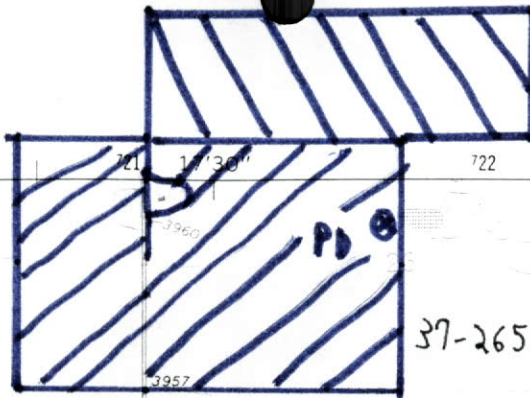
2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

RECEIVED

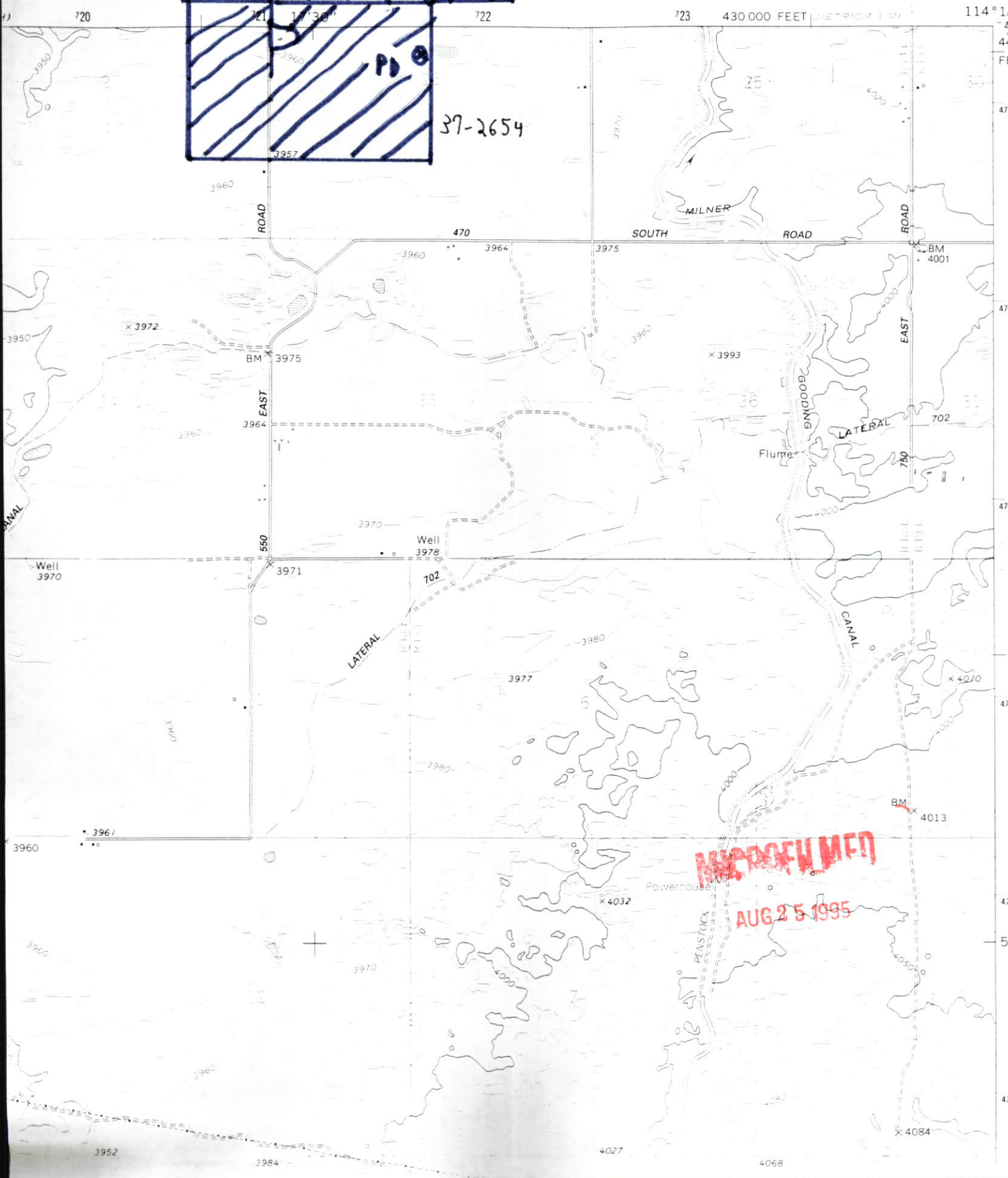
AUG 25 1995

37-8078

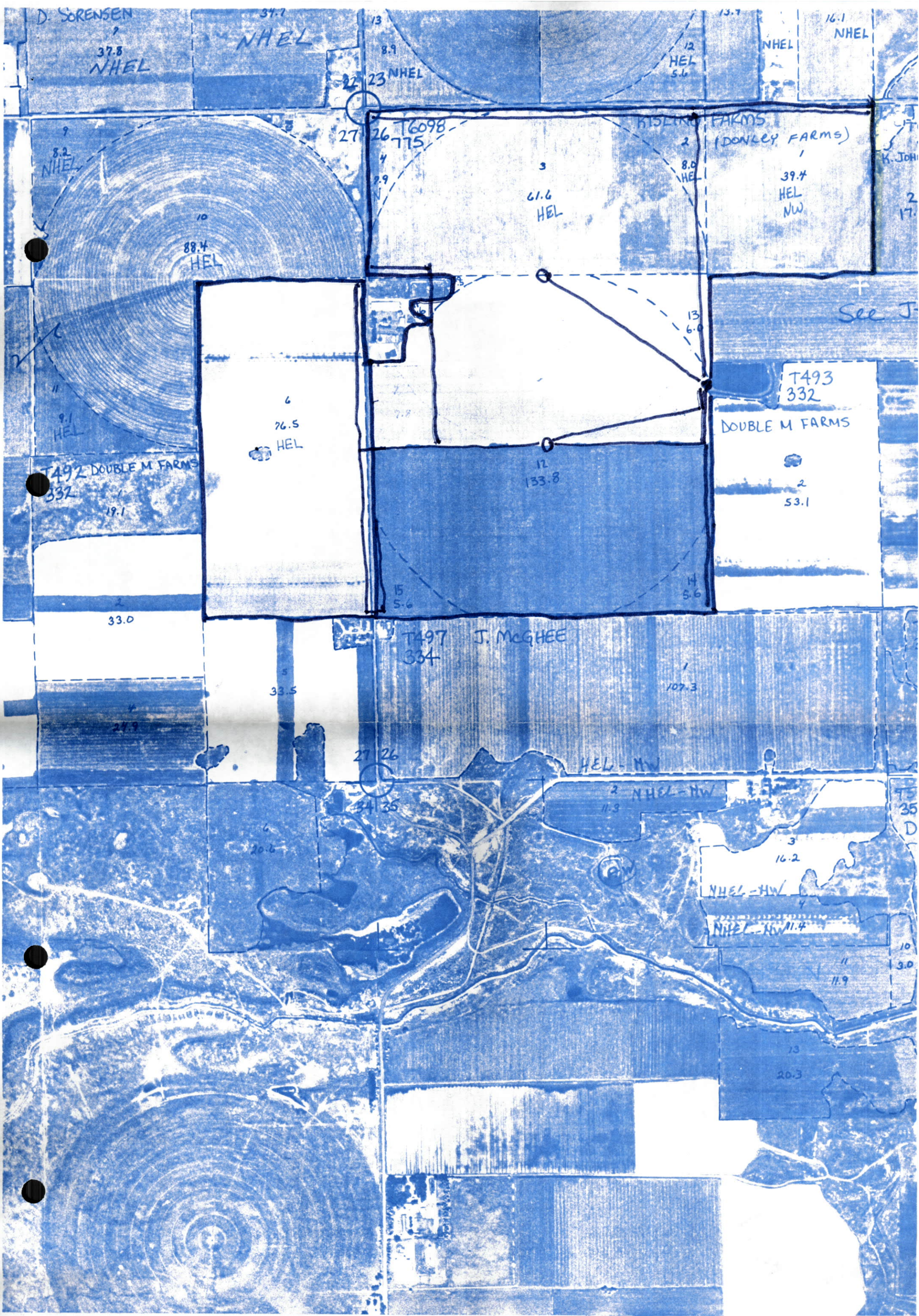
SHOSHONE SE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



37-2654



13
20.3





P/U

RECEIVED
AUG 25 1995

37-08078



Wells Pump, Mainlines



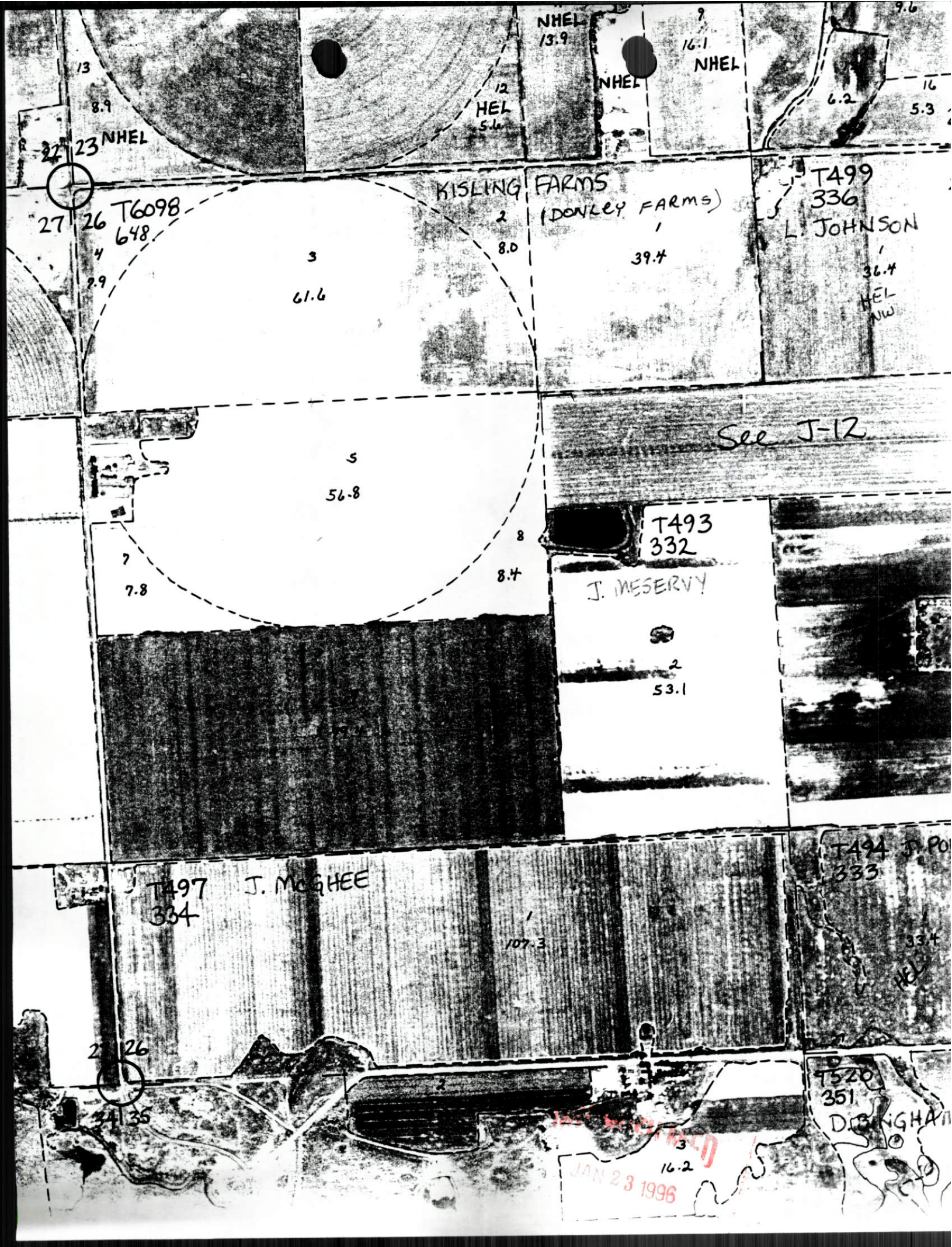
Pond, Pump, Mainline

Measuring
Point



AUG 25 1978

37-08078



NHEL
13.9

NHEL
16.1

NHEL

12
HEL
5.6

9.6
16
5.3
6.2

22 23 NHEL

27 26 T6098
648

KISLING FARMS
(DONLEY FARMS)

T499
336
L. JOHNSON

3
61.6

2
8.0

39.4

36.4
HEL
NW

See J-12

T493
332

J. MESERVY

2
53.1

T497 J. MCGHEE
334

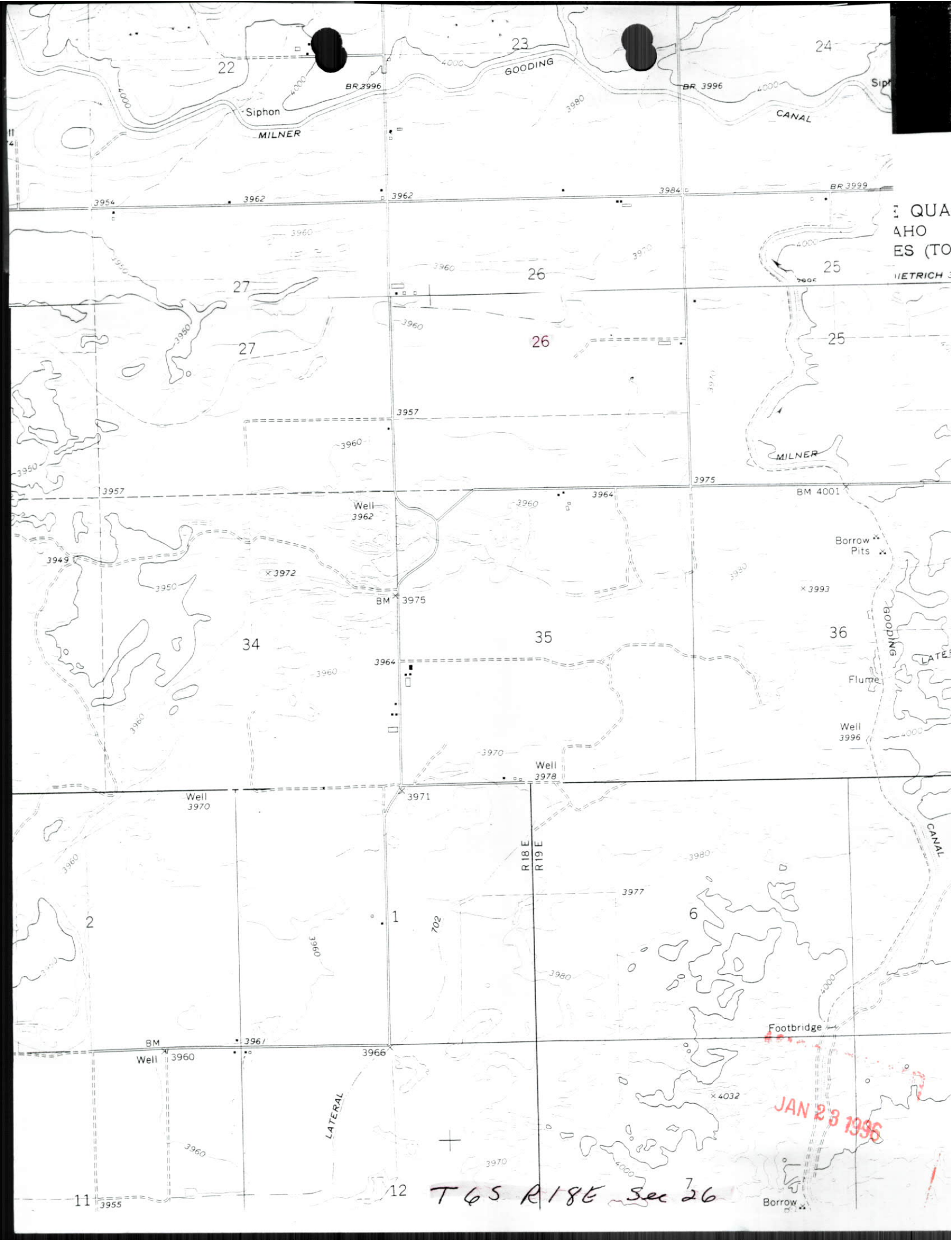
107.3

T494 J. PO
333

33.4
HEL

T520
351
D. BINGHAM

JAN 23 1996



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08078

Priority: May 15, 1983

Maximum Diversion Rate:

2.00 CFS

This is to certify, that KISLING FARMS

432 S 550 E

DIETRICH ID 83324

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 7, 1983; and has submitted Proof of Beneficial Use on July 9, 1990. An examination indicates that the works have a diversion capacity of 2.130 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SENEW, Sec. 26, Township 06S, Range 18E
LINCOLN 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>
06S	18E	26	NWNE 39	NENW 39	NWNW 38	116

Total number of acres irrigated: 116

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Right 37-02654 is also diverted through the point of diversion described above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
7. The total combined rate of diversion under this right and Right 37-02654 shall not exceed 2.13 cfs nor a combined annual diversion volume of 936.0 af.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 464.0 af for the lands above.

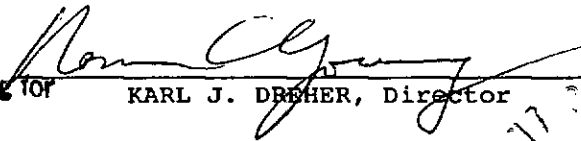
AUG 25 1995

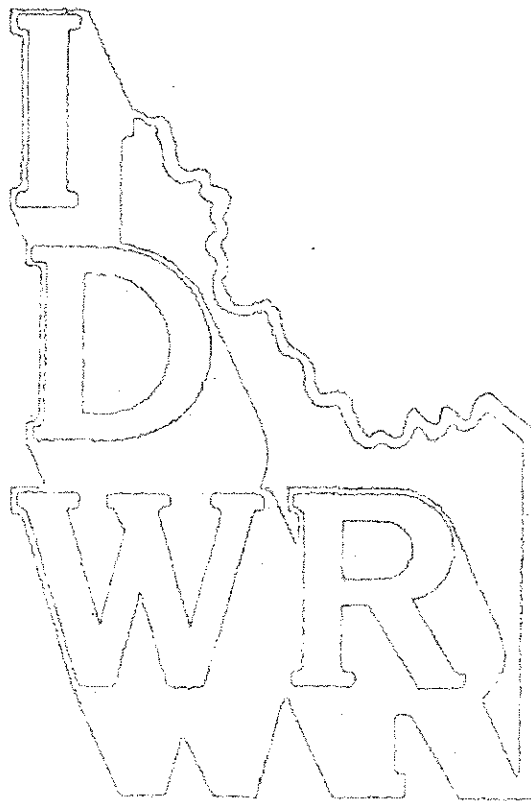
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08078

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 21ST
day of August, 1995.

Acting for  KARL J. DREHER, Director



RECEIVED
AUG 25 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-8078 IN THE)
NAME OF KISLING FARMS) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1990; and,

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

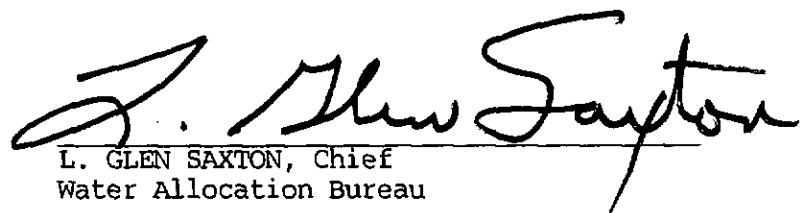
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 9, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-8078 be REINSTATED and the priority advanced to May 15, 1983.

Dated this 29th day of October, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 26 1990

RECEIVED

JUL - 9 1990

STATE OF IDAHO

Department of Water Resources
Southern Region OfficeDEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 37-08078 Telephone No. 544-7768Name(s) of Permit Holder(s): Kisling FarmsPost Office Address: 432 S. 550 E., Dietrich, ID 83324Source of Water: GroundwaterIf ground water, well driller's name: Higgleson Date drilled: 1961

Extent of Use:

Domestic _____ (No. of households) Irrigation 120 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2.0 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 1961

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? X Yes No Installed? X Yes NoFee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Floyd Kisling
Name Telephone No.

Same
Address

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

MICROFILMED

NOV 26 1990

July 9, 1990 Floyd O. Kisling, Agr. Ext.
Date Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Kisling Farms Phone 544-7768
Post office address RT#2 Box 2334, Dietrich, ID 83324
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26 Township 6S
Range 18E B.M. Lincoln County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 cfs for Irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.0 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 16" well with 8" column
water stands @ 140' pump is a 125 hp. Turbine
pump pipe to sprinklers
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 16 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 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

JUN 13 1989

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

Rge 18E

Twp 12S

Sec 27

Marsh

Pond

PD

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

JUN 13 1989

Fishing Farms - Lloyd C. Fishing Mgr.
(Applicant)

Proposed Permit 4/7/83

Received by T. G. Blaw Date 4-7-83 Time 3:30
Preliminary check by [signature] Fee \$ 65.00 # 26182
Received by [signature] Date 4-7-83
Publication prepared by SG Date 2/10/89
Published in Northside News
Publication dates 2/15 & 2/22/89
Publication approved M. Baldwin Date 3/13/89
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-8078, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

Witness my hand this 9th day of May, 1989.

[Signature]

RECEIVED
JUN 13 1989



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

July 5, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KISLING FARMS
1951 GALENA DR
TWIN FALLS ID 83301-8308

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #37-2654 and
Water Rights #37-8078 and 37-10183
Change of Address

8-1-02
Response.
no

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by July 23, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

U.S. POSTAL SERVICE
PS FORM 3547

KISL432 833242010 1502 07 06/28/02
FORM 3547

Flugld.
Kisling Cll
259869-
Dietrich

$\frac{Cl_2O_5}{56.202, \text{ g}}$
Glad Dietrich

37-8078 WPC

37-1010
pid. 1-10-6

37-2654-3

INTER-DEPARTMENT MEMO--1

FROM S.W. Keen

DATE 8/28/95

TO File 37-08078

SUBJECT Phone call from Floyd Kisling

Floyd Kisling called today to request a meeting to discuss this license. He said he will be in Boise on 9/7/95 and will contact me then.

RECEIVED

JAN 23 1996

Shelly H. Keen
SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 22, 1995

KISLING FARMS
432 S 550 E
DIETRICH ID 83324

RE: WATER RIGHT NO. 37-08078

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

AUG 25 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08078 DATE 8-9-95



NAME	Change	OK	Or Address Change?
PRIORITY DATE	☒	☐	Advance? <u>YES</u> Advanced to: <u>5-15-83</u> Order to reinstate needed? <u>Done</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	☒	Amendment needed? _____ Overlaps? <u>37-02654 for 2.13 cfs / 936 g</u>
PLACE OF USE	☐	☒	Amendment needed? _____ Overlaps? <u>Canal Shares Only</u>
DIV RATE	☐	☒	Permit/fee limits: <u>2 CFS</u> Meas Q = <u>2.05</u> Theo Q = _____ Recommend: <u>2 CFS</u> <u>116 x .02 = 2.32 (Permit limited to 2 CFS)</u> Combined rates exceed capacity <u>YES-CONDITION</u>
ANNUAL VOLUME	☐	☒	Volume Limit: <u>(NEW) Season</u> <u>C/4.0 (4-1 to 10-31)</u> Calculations: <u>116 x 4 = 464 g</u> Flow limit: <u>2.13 cfs x 214 x 1.9835 = 904.1</u> Combined volumes exceed capacity/allowable <u>YES</u> <u>CONDITION</u>
USES	☐	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
ADDITIONAL INFO	Supplemental Groundwater <u>YES</u> PPU Scenario <u>NO</u> Irr/Dom Combination <u>NO</u> Shared G/W System <u>YES</u>		
NEW REMARKS	<u>NO</u> <u>YES</u>	Multiple p/d(s) in $\frac{1}{4}$ $\frac{1}{2}$? _____ Other <u>W36 (37-02654), WB3, WB8, W26, WB7</u>	
NEW CONDITIONS	☐	☒	Watermaster control - District _____ Measuring/Locking Devices _____ Irrigation Overlap _____ Other _____ Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: Reduce Acres

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
			Adjustment Memo Needed	<u>NO</u>
<u>Migration</u>	<u>2.0</u>	<u>464</u>		
		<u>(REMARKS)</u>	LICENSE	<u>✓</u>
			1ST AMEND LETTER	
			2ND AMEND LETTER	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 28 1995

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Kisling Farms Permit No. 37-08078
Current Address: 432 S 550 E, Dietrich, ID 83324 Phone No. 544-7768
2. Accompanied by: Floyd Kisling EXAM. DATE: 7-26-95
Address: same Phone No. _____
Relationship to Permit Holder: owner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

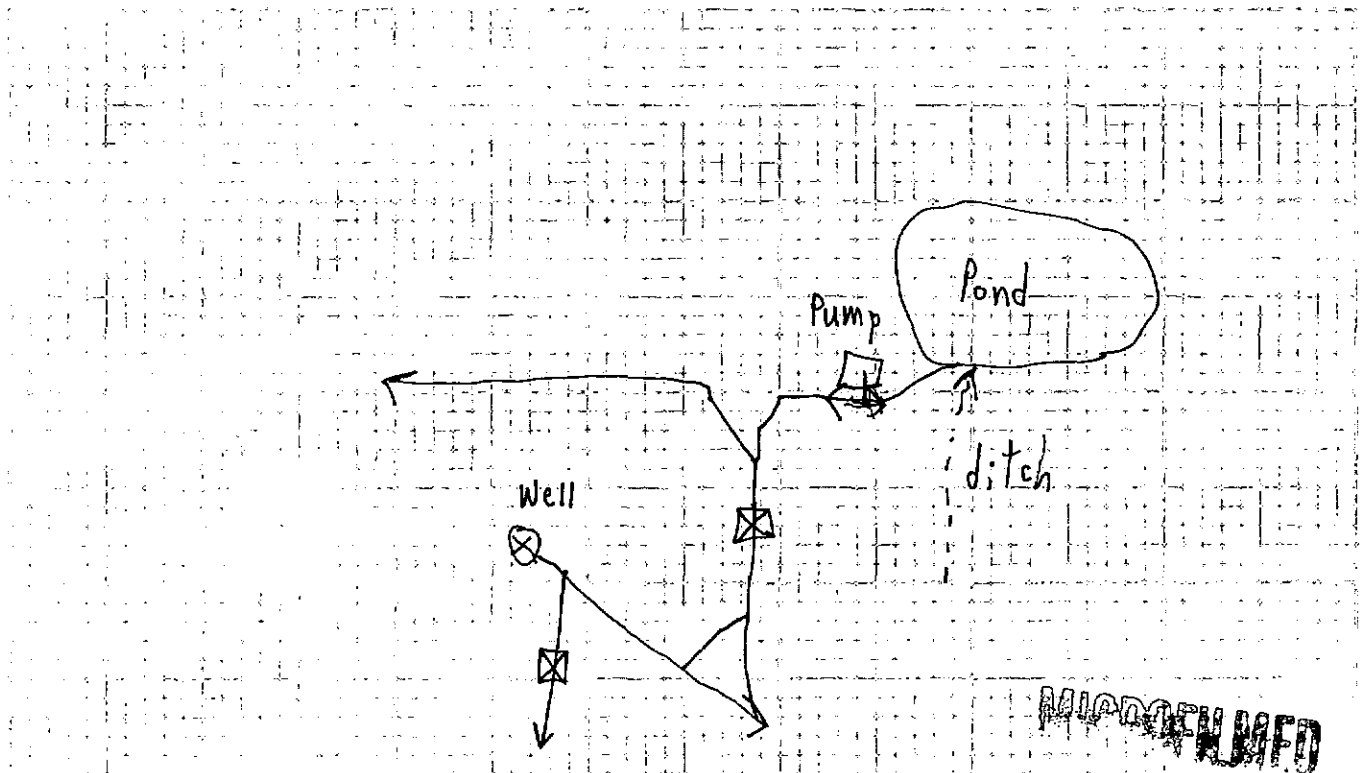
1. Other water rights with same place of use: 262 canal shares on this 360-acre farm

☐ Copies Attached
2. Other water rights with same point of diversion: 37-2654

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

AUG 25 1995

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

System Description (continued)

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

Well, motor, pump, buried mainline to sprinklers. Canal water feeds the same mainlines.
The land under this permit is watered with a half pivot, corner handlines, & wheel lines.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	125	KKJ1009113	Layne & Bowler	28949

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NW	26	65	18E	Lincoln	

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

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
Total P/U	65	18E	26		39		39	38	35	40	40	39							270
			27			39								39					78
																			348
P/U To Be Licensed	65	18E	26		39		39	38											116

Do not use this space

AUG 25 1995

MODE SELECT
INPUT

OUTER DIAMETER
10.0264 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2490 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
7.767 IN U

SPACING
7.767 IN U

ZERO MODE
AUT ZERO

ZERO MODE
CLEAR

ZERO MODE
ZERO OPR

07-26 09:5600 *R
+923.809E 0GPM

07-26 09:5700 *R
+915.620E 0GPM

07-26 09:5800 *R
+927.500E 0GPM

07-26 09:5900 *R
+915.620E 0GPM

07-26 10:0000 *R

07-26 10:0000 *R
+000.00 % AI1

+003.00 % AI2

0000.00 % AI2

0320.4 MMSEC

0320.4 MMSEC

0370.4 MMSEC
104.02 % T0

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

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

2. Measurements:

Measured 915-935 gpm, Average about 923 gpm = 2.05 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Allow 2.0 cfs permitted amount.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 116 \times 4 = 464 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 848.9$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 464 \text{ AFA}$

2. Volume Calculations for Other Uses:

RECORDED
AUG 25 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Well was measured with one pivot on, which represents the maximum capacity of the well according to Mr. Kisting. When only the well is used on the permitted ground, it is still a little short of water when run at full capacity. There are not enough canal shares to fully irrigate this farm, so the well is needed every year to supplement the canal water. The two sources are totally co-mingled, so either source can be used anywhere on the farm. This is a re-exam as agreed to by Jim Johnson. Unable to locate original exam. 13

Not to exceed 2.0 cfs when combined with Rt. 37-02654. Not to exceed 0.02 cfs/acre and 4.0 AFA/acre for all rights combined on this property.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	2.0	464
Totals:			2.0	464

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name J E Stanton
Signature J E Stanton
Certification Date _____
Field Report Preparation Date 7-27-95

CONSULTANT SEAL

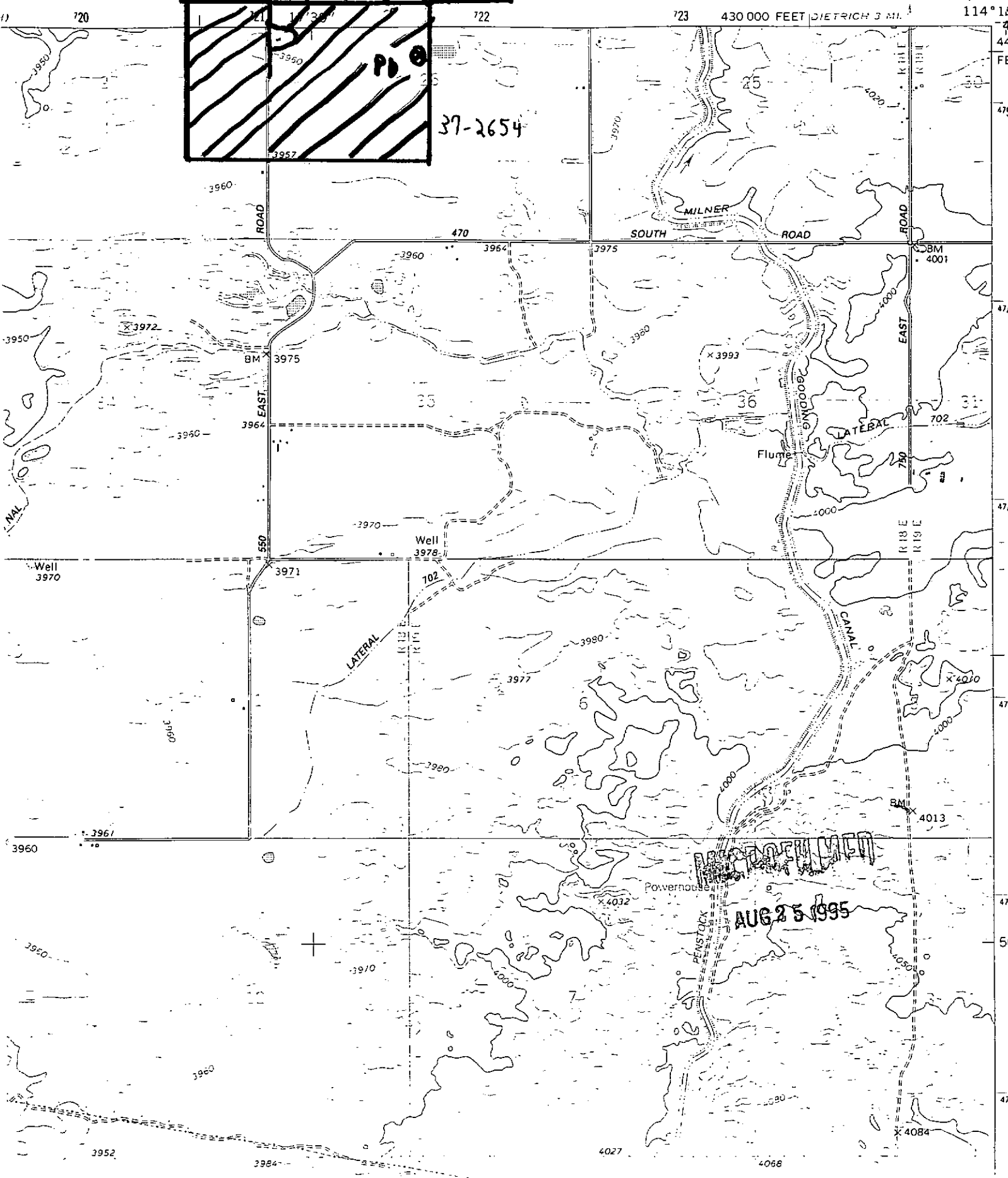
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

AUG 25 1995

37-8078

SHOSHONE SE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)







P/U

APPROVED
AUG 25 1995

37-08078



Well, Pump, Mainlines



Pond, Pump, Mainline

Measuring
Point



AUG 2 1964

37-08078



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

January 20, 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Kisling Farms
Rt. 2 Box 2334
Dietrich, Id 83324

RE: Permit No. 37-08078

Dear Mr. Kisling;

This letter is in follow up to our telephone conversation yesterday in which you indicated that you did in fact use water under this permit on the N1/2 of Section 26 Twp 6S Rge 18E.

I understand that your irrigation system is designed such that you can utilize both surface water and groundwater for irrigation of approximately 300 acres. You also indicated that groundwater is only used when necessary and normally you only use surface water.

Apparently when the examiner arrived to conduct a field examination to verify use of water under this permit you had misunderstood his questions and mistakenly told him that only canal water was used on the land covered by this permit.

I am returning the field examiner's report to our Twins Falls office and another field examination will be scheduled. The examiner will contact you prior to the examination.

Your permit will not be voided at this time. If you have any questions please let me know.

Sincerely,



Jim Johnson, Manager
Water Permits Section

cc Jim Stanton
j:\kisling.ltr

MAILED

AUG 25 1995



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

R. KEITH HIGGINSON
DIRECTOR

January 17, 1995

Kisling Farms
Rt. 2 Box 2334
Dietrich, ID 83324

RE: Permit to Appropriate Water No. 37-08078

NOTICE OF PENDING ORDER TO VOID PERMIT

Dear Permit Holder(s):

On April 7, 1983, the Director of the Department of Water Resources approved Application for Permit No. 37-08078 for diversion of water from groundwater for irrigation purposes in the SE 1/4 NW 1/4, Sec.26, Twp. 6S, Rng. 18E, B.M. Lincoln County.

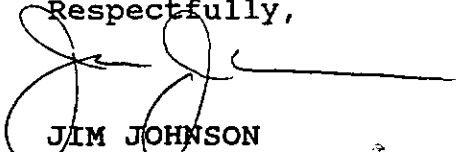
On 10/16/91, a Beneficial Use Field Report Prepared by an employee of the Department reported that no water was diverted under this permit from the source listed above.

The purpose of this letter is to inform you that I will take action to void your application after thirty (30) days from the date of this letter unless you have an explanation for no beneficial use.

If you are no longer interested in this right you can shorten the voiding process by signing and returning the enclosed withdrawal form.

If you have any questions in regard to this matter, please feel free to contact me at 327-7947.

Respectfully,


JIM JOHNSON
Water Right Supervisor

JJ:rl

Enclosure

c: southern

RECEIVED

AUG 25 1995

RECEIVED

JAN 05 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 02 1994

Department of Water Resources

A. GENERAL INFORMATION1. Owner: Kisling FarmsCurrent Address: 432 S. 550 E., Dietrich, ID 833242. Accompanied by: Floyd Kisling

Address: _____

Relationship to Permit Holder: owner3. Source: None tributary to _____Permit No. 37-8078Phone No. 544-7768EXAM. DATE: 10-16-91

Phone No. _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

2. Other water rights with same point of diversion: _____

☐ Copies Attached☐ Copies of Field Exam's Attached**C. SYSTEM DESCRIPTION**

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

Will you please microfilm this exam? It came in after the fact since it was to originally be voided.

THANKS Brenda

1-23-96

RECEIVED

JAN 23 1996

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

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

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

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

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

RECEIVED
JAN 23 1996

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Mr. Kisling stated that he used the well on the N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 26 1st year, but is now using the well only for pivot on the S $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ SW Sec. 26. That ground is covered by the original license on this well. The land under the permit is watered only with canal water and will be in the future, according to Mr. Kisling. It is more economical to operate this way.

Since there is now no beneficial use of water under this permit, recommend permit be cancelled. Mr. Kisling is aware of this, & did not object.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Totals:				

2. Recommended Amendments

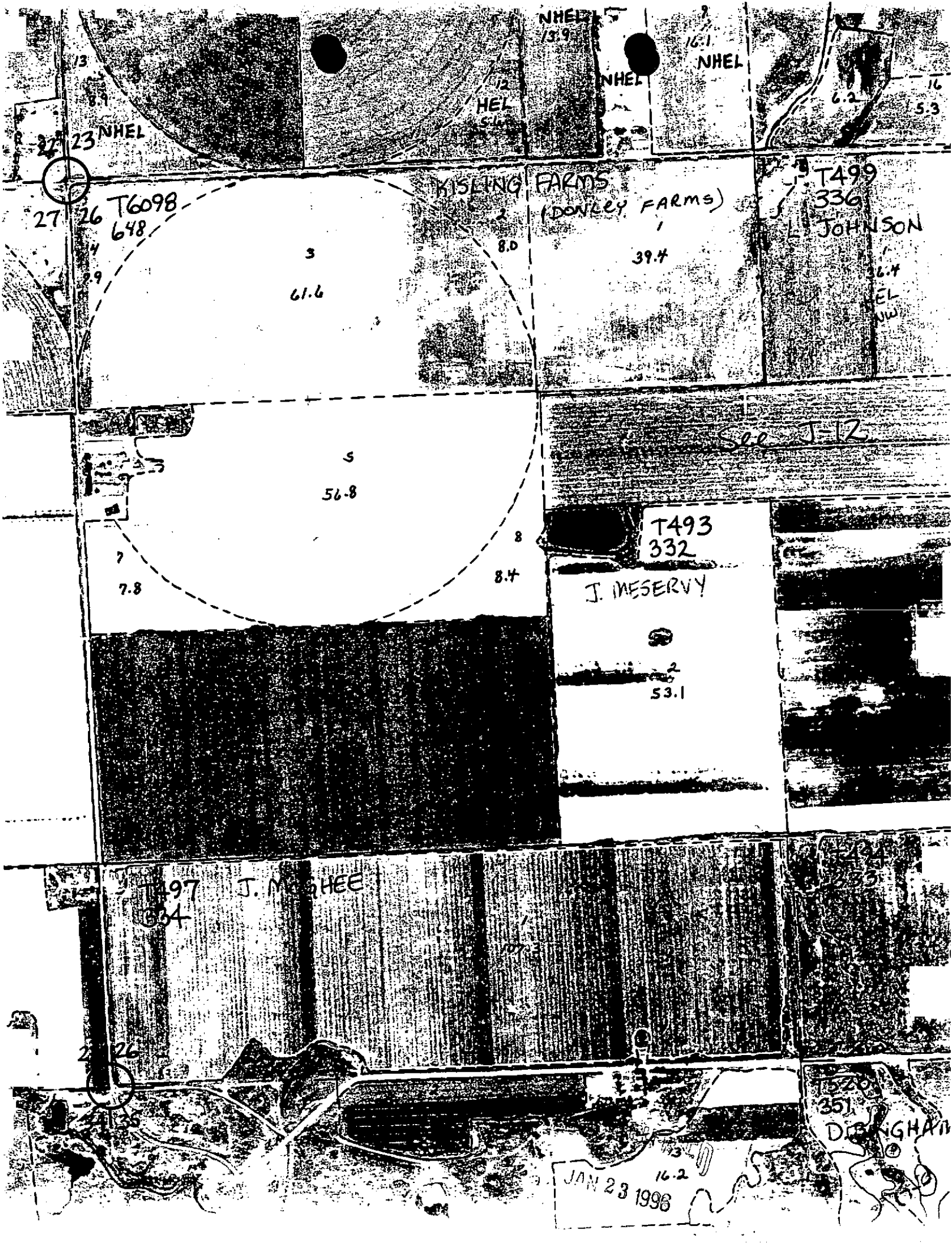
- | | | |
|---|--|--------------------------------|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☐ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

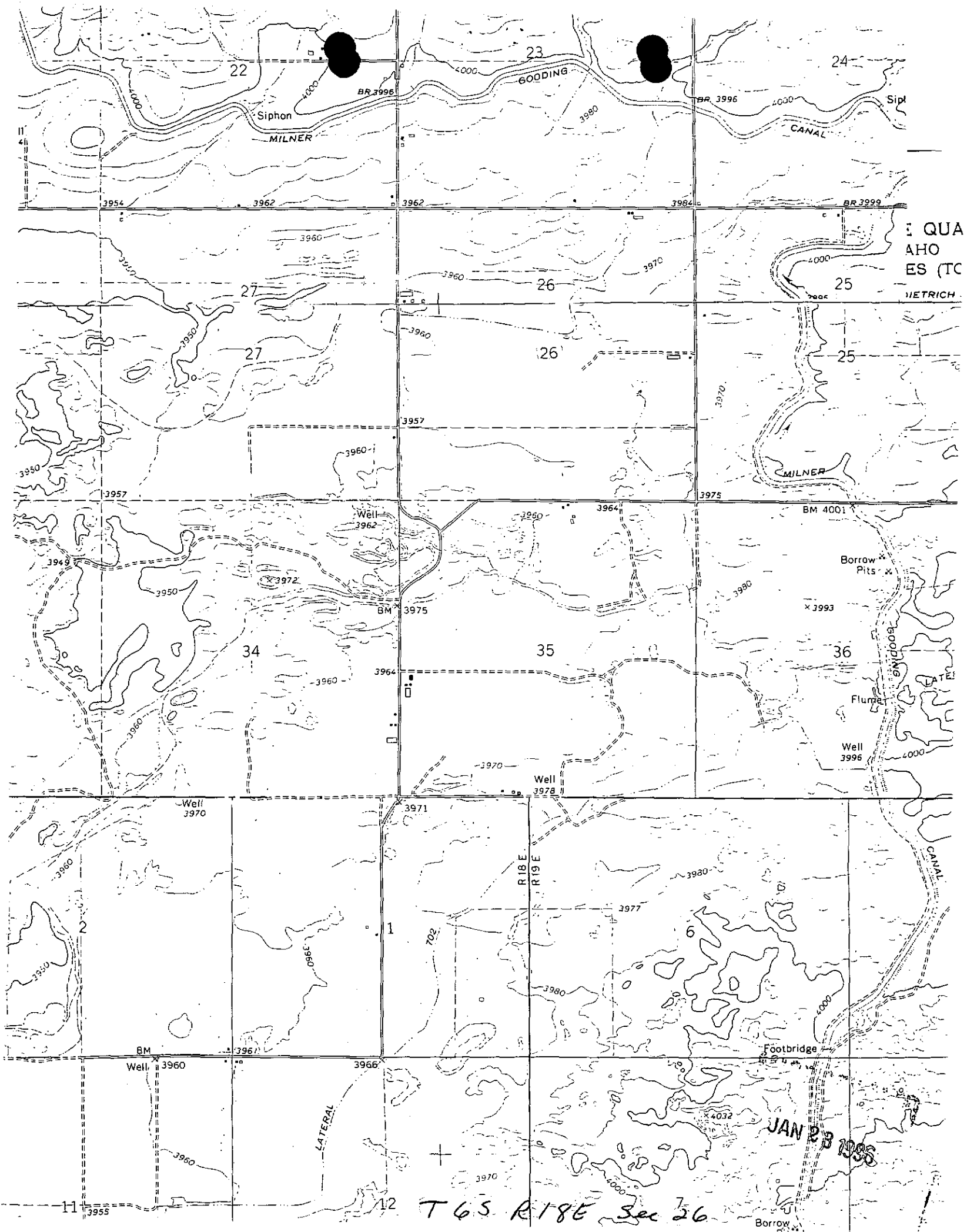
J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date _____
Field Report Preparation Date 10-22-91

CONSULTANT SEAL

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





November 2, 1990

KISLING FARMS
RT. 2 BOX 2334
DIETRICH, ID 83324

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08078

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

NOV 26 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8078

Date: 10-24-90

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

- y Is a measuring device or access port required?
y Has one been installed?
u Waiver or modification of measuring device requested

Remarks: Well drilled in 1961

Proof acceptable
Reinstate

y Priority Calculation:
Date proof received July 9 190
Date proof due June 1 -152
No. of days late = 38
Priority date Apr. 7, 83 + 97
NEW PRIORITY DATE May 15, 83 = 135

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

JS

June 13, 1990

KISLING FARMS
RT. 2 BOX 2334
DIETRICH, ID 83324

LAPSE NOTICE

RE: PERMIT NO. 37-08078

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 March 31, 1990. 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

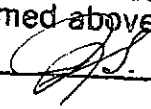
LGS:RF

MICROFILMED

NOV 26 1990

CERTIFICATION OF MAILING

I hereby certify that on 6-15-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



138467
March 31, 1990

KISLING FARMS
RT. 2 BOX 2334
DIETRICH, ID 83324

PROOF DUE NOTICE

RE: PERMIT NO. 37-08078

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 June 1, 1990.

(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,

Rita Fleck
Secretary/Records Manager

Enclosures **MICROFILMED**

NOV 26 1990

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

RECEIVED

NOV 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 10, 1989

KISLING FARMS
RT. 2 BOX 2334
DIETRICH, ID 83324

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08078

Dear Permit Holder:

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

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

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

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.

MICROFILMED

JUN 13 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 13 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 2, 1989

Kisling Farms
Rt. 2 Box 2334
Dietrich ID 83324

Re: Application for Permit No. 37-8078

Dear Applicants:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published once a week for two consecutive weeks in a newspaper printed within the county wherein the point of diversion lies.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

MICROFILMED

JUN 13 1989

AFFIDAVIT of PUBLICATION RECEIVED

State of Idaho,
County of Jerome

SS.

FEB 24 1989

Department of Water Resources
Southern Region Office

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

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

of said advertisement was on the 15 day of Feb

19 89 and the date of the last publication was on the 22
day of Feb 19 89

Subscribed and sworn to before me this 22nd
day of Feb 19 89
(SEAL)

Norma DeVoe
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at	5¢/Pica
<u>1638</u> Lines straight at	<u>65.52</u> 4¢/Pica
Subsequent lines at	<u>57.33</u> 3.5¢/Pica
TOTAL COST <u>122.85</u>	

COPY OF NOTICE (Paste Here)

App Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEPENDANT

Dept. of Water Resources
2148 4th Ave E
Twin Falls, ID
83301

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

38-08273
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversión Pt: SESE Sec 21 T 06S R 23E
Use: IRRIGATION (800 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 NESE NWSE
SESE - 40.0 ACRES TOTAL

38-08274
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversión Pt: NWSW Sec 22 T 06S R
23E
Use: IRRIGATION (3,100 CFS)
Date Filed: 5/09/1985
In: T06S R23E S22 NWNE NENW
SWNW NESW
S22 NWSW SWSW, SESW - 155.0
ACRES TOTAL

38-08275
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversión Pt: NWSE Sec 23 T 06S R 23E
Use: IRRIGATION (8,000 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 SWNW SENW
NESW NWSW
S21 SWSW SESW
S28 NWNW SWNW NESW NWSW
S28 SWSW NWSE - 320.0 ACRES
TOTAL

38-08289
4 H FARMS INC., RT. 1 BOX 70A,
HAZELTON, ID 83335
Source: GROUNDWATER
Diversión Pt: NWSW Sec 28 T 10S R
20E
SESE Sec 29 T 10S R 20E
Use: IRRIGATION (1,090 CFS)
Date Filed: 5/26/1985
In: T10S R20E S29 SESE - 3.0 ACRES
TOTAL

37-08083
WHITTAKER, JAMES, RT. 1 BOX 52,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversión Pt: NWNE Sec 11 T 07S R
18E
Use: IRRIGATION (2,000 CFS)
Date Filed: 1/08/1983
In: T07S R18E S10 NENE SENE
S11 NENE SENE NWNW NESW
S11 NESE NWSE - 201.0 ACRES
TOTAL

37-08078
KISLING FARMS, RT. 2 BOX 2334,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversión Pt: SENW Sec 25 T 06S R 18E
Use: IRRIGATION (2,000 CFS)
Date Filed: 4/07/1983
In: T06S R18E S28 NWNE NENW
NWNW - 120 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 in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before MARCH 8, 1989.
R. Keith Higginson, Director
Pub: 2-15, 22

37-08078

KISLING FARMS
RT. 2 BOX 2334
DIETRICH, ID 83324

Source: GROUNDWATER

Diversion Pt: SENW Sec 26 T 06S R 18E

Use: IRRIGATION (2.000 CFS)

Date Filed: 4/07/1983

In: T06S R18E S26

NWNE

NENW

NWNW

~~120~~ ACRES TOTAL

MICROFILMED

JUN 13 1989

37-08078
KISLING FARMS, RT. 2 BOX 2334,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversion Pt: SENW Sec 28 T 06S R 18E
Use: IRRIGATION (2.000 CFS)
Date Filed: 4/07/1983
In: T06S R18E S28 NWNE NENW
NWNW - 120 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 in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before MARCH 6, 1989.

R. Keith Higginson, Director
Pub: 2-15, 22 N13587

OK
TJ 2/13/89

RECEIVED

MAR 13 1989

FORM 4

RECEIVED

FEB 13 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

MAY 16 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 378078Name(s) of Permit Holder: Kisling FarmsPost Office Address: Rt 2 Box 2334 Dietrich, Id 83324Telephone No. 544 7768Source of Water: groundwaterExtent of Use: Domestic (number of households)Stockwater (number and type of stock)Irrigation 360/20% of X (acres)Other/Remarks this application was made to

add 1 more acre to existing license 37-2654 - no actual
further development except acquiring an additional 12 acres

Indicate the date water was first diverted and beneficially used under this permit: 1961 and every year thereafter

Measuring Device: Required? Yes X No
Installed? Yes X No

Flow Measurement Port: Required? Yes X No
Required? Yes X No

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

(Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

3/14/85

Date

Signature of Permit

(and Title, if appropriate)

MICROFILMED

JUN 13 1989

Statement of development for exemption
from Swan Falls processing. Not acceptable
as proof of beneficial use.