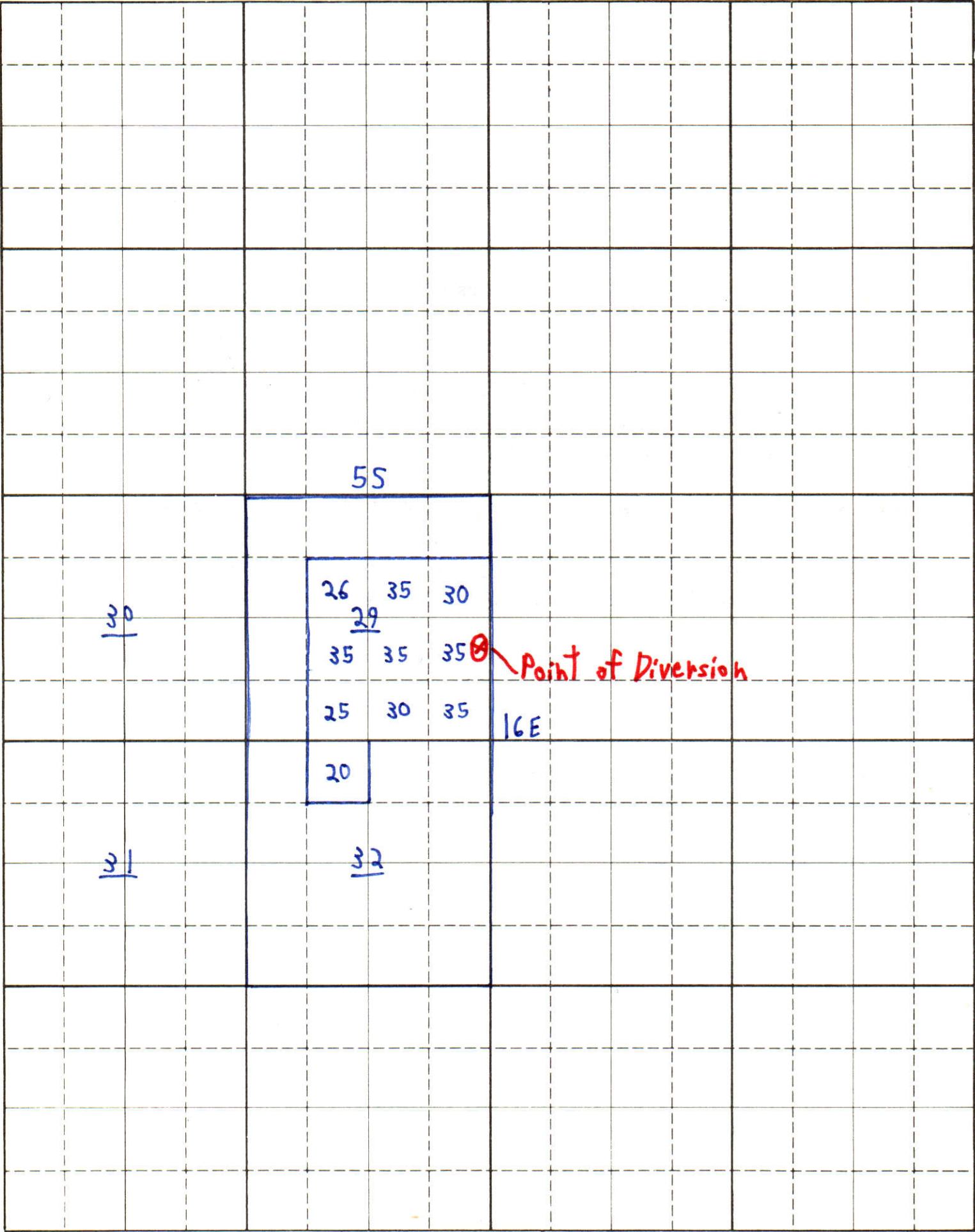


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Edward L. Smith
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 09 1993

Department of Water Resources

A. GENERAL INFORMATION

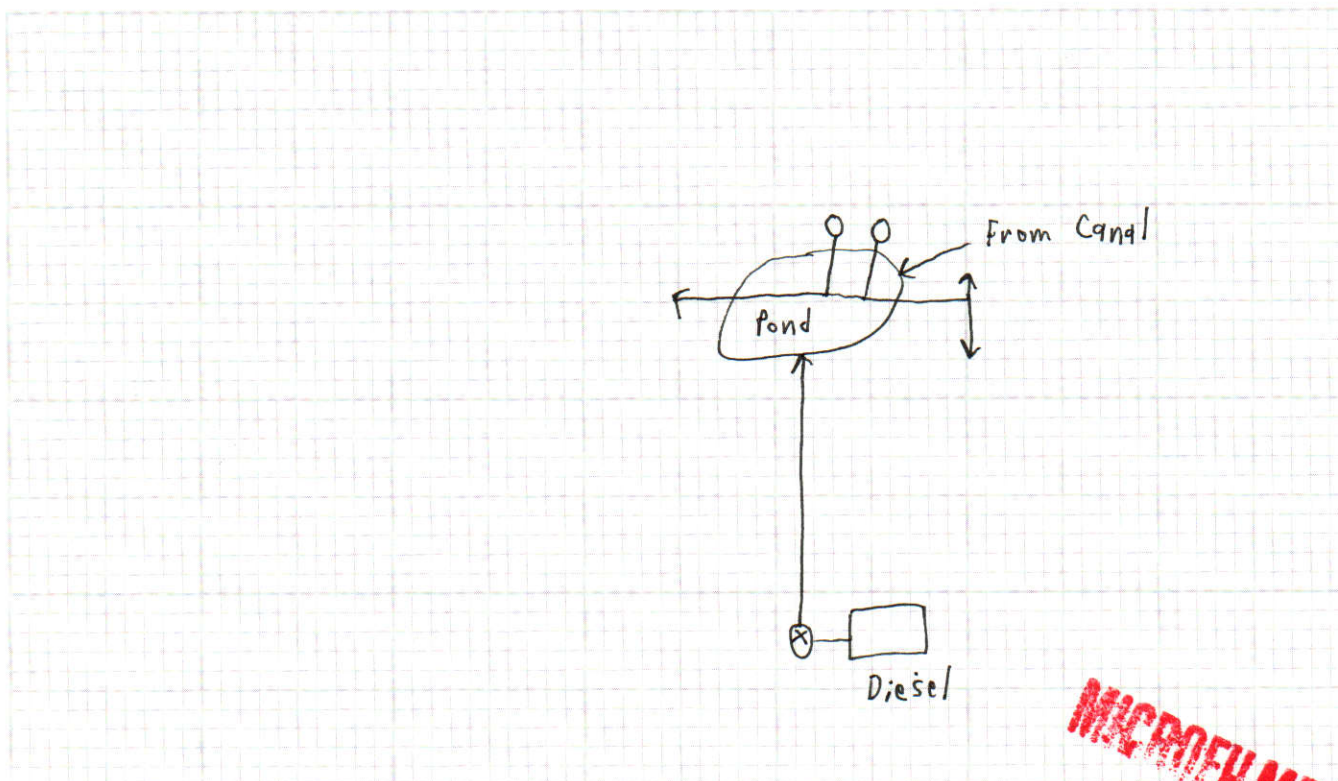
Permit No. 37-07591
Phone No. 733-0557
1. Owner: Doh L. Williams
Current Address: Rt. 3, Addison Ave. East, Twin Falls, ID 83301
2. Accompanied by: Kelly Humm EXAM. DATE: 7-14-92
Address: 1850 S., 2246 E., Gooding, ID 83330 Phone No. 934-5977
Relationship to Permit Holder: renter/farm operator
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-0613, 0614, 0059 Part (surface water)
_____ ☐ 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



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JUN 29 1995

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).

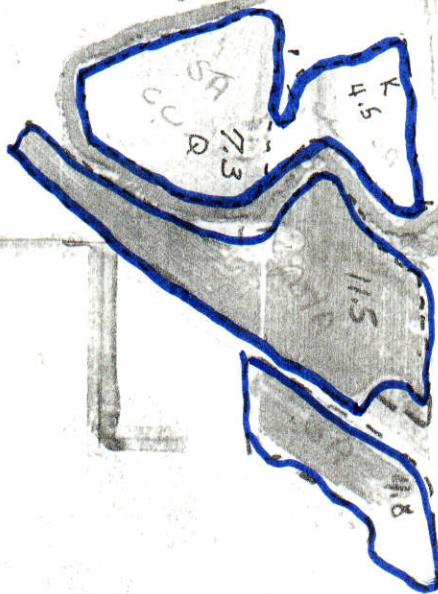


37-7591

370

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37-7591



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Not To scale

6L9

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37-07591



Re-lift Pumps

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JUN 29 1995

37-07591



Well & Mainline.
Power Pole To Re-lift Pumps
In Upper Right Corner of Photo



Well & Diesel Motor

37-07591

JUN 29 1995

37-07591



Partial Views of P/U

APPROVED

JUN 29 1995

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

JUN 20 1977

Department of Water Resources
Southern District Office

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 9 day of June, 1977, and the date of the last publication was on the 16 day of June, 1977.

Melba Thorne

Subscribed and sworn to before me this 16 day of June, 1977.
(SEAL)

Mary Ann Haggan
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice
Number of Insertions
Lines tabular at 315c
36 Lines straight at 21c 7.56
36 Subsequent lines at 15c 5.40
TOTAL COST 12.96

RECEIVED

COPY OF NOTICE

(Paste Here)

Water Permit
TITLE OF NOTICE

Shirk (37-7591)
PLAINTIFF ATTORNEY

OK
6/20/77

LEGALS

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Elwood L. &/or Florence L. Shirk, Gooding, Idaho 83330 has on 5/4/77 submitted Application No. 37-7591 for a permit to appropriate 6.12 cubic feet per second of water from groundwater by means of well, pump, sprinkler within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, Twp. 5S, Rge. 16E., B.M., Lincoln County to be used from Apr. 1 to Nov. 1, for irrigation purposes of 306 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 5S, Rge. 16E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before June 27, 1977.

/s/ C. Stephen Allred
Director

Pub: 6-9, 16

7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

No 1640

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07591

Priority: May 30, 1979

Maximum Diversion Rate:

5.21 CFS

This is to certify, that DON L WILLIAMS
BEVERLY E WILLIAMS

305 CLEAR LAKE LN
BUHL ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 4, 1977; and has submitted Proof of Beneficial Use on February 9, 1981. An examination indicates that the works have a diversion capacity of 5.280 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	5.21 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 29, Township 05S, Range 16E
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>
05S	16E	29	SWNE 28.1	SENE 27.7	SENE 25.3	
			NESW 32.3	SESW 19.2	NESE 29.2	
			NWSE 33.3	SWSE 23.3	SESE 28.6	247
		32	NWNE 3.4	NENW 10		13.4

Total number of acres irrigated: 260.4

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 42-322, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
5. 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.
6. 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 1041.6 af for the lands above.

RECORDED

JUN 29 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07591

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 27TH
day of JUNE, 1995.


Acting for KARL J. DREHER, Director



RECORDED

JUN 29 1995

APPROVED

State of Idaho
Department of Water Resources

RECEIVED

JUN 22 1995

Depart:

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07591

Date of Priority: May 30, 1979 Maximum Diversion Rate: 5.21 CFS
Comes now DON L WILLIAMS
BEVERLY E WILLIAMS
305 CLEAR LAKE LN
BUHL ID 83316

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-07591, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.21 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESE, Sec. 29, Township 05S, Range 16E
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>
05S	16E	29	SWNE 28.1	SENE 27.7	SENW 25.3	
			NESW 32.3	SESW 19.2	NESE 29.2	
			NWSE 33.3	SWSE 23.3	SESE 28.6	247
	32		NWNE 3.4	NENW 10		13.4

Total number of acres irrigated: 260.4

APPROVED

JUN 29 1995

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

Signed at Buhl, Idaho, this 20 day of June, 1995.

Don L Williams
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07591

RECEIVED
JUN 22 1995
Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by ET # 0032969 Date 6-22-95

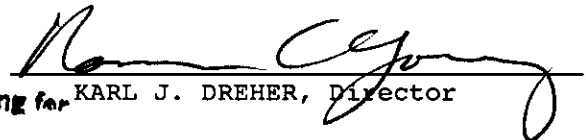
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-07591 with the following;

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. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
5. 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.
6. 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 1041.6 af for the lands above.

Witness my hand this 27TH day of JUNE, 1995.


Acting for KARL J. DREHER, Director

RECEIVED
JUN 29 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
)
NO. 37-07591 IN THE NAME OF) ORDER OF REINSTATEMENT
)
DON L. AND BEVERLY E. WILLIAMS)
_____)

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 37-07591 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 37-07591 to appropriate the public waters of the State of Idaho with a proposed priority of MAY 04, 1977.

2. On MAY 21, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.

3. The fee was due on JULY 20, 1986, 60 days from the date of the notice; however, the fee was not received until AUGUST 15, 1988, 756 days late.

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JUN 29 1995

CONCLUSIONS OF LAW

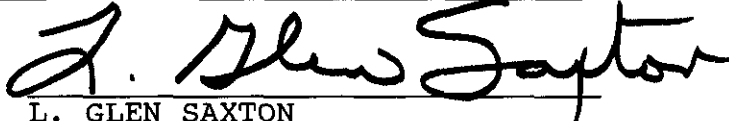
1. The Director may reinstate a lapsed permit upon payment of the examination fee.
2. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.
3. Permit No. 37-07591 should be reinstated with the date of priority advanced 756 days.

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 37-07591 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 37-07591 is advanced to MAY 30, 1979.

Dated this 5th day of June, 1995.


L. GLEN SAXTON
Chief, Water Allocation Bureau


JUN 29 1995

4/86
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AUG 15 1988

Department of Water Resources
State of Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$200.00
Date 8/15/88
Receipt # 5001437
Receipt by TC
Sent to S.O.

RECEIVED

AUG 16 1988

1. Permit No. 37-7591

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Don L. Williams

3. Post Office Address: Rt 3 (Addison Ave E.) TWIN FALLS, ID 83301

Telephone No. 733-0557

4. Source of Water: Ground water

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 250 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 5.0 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

Feb 10, 1981

8. Person to contact to accompany the department representative during the field examination:

Jim Arkhoosh or Mitch Arkhoosh (operator)
(Name)

Arkhoosh Bros. - office in Gooding (Address) SEP 28 1988 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Aug 15, 1988
Date

Don L. Williams
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
~~Original Permit~~	~~37-7591~~	~~Elwood L. &/or Florence L. Shirk~~	~~6.12 cfs~~
Full Assignment	37-7591	Don L. & Beverly E. Williams	6.12 cfs

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SEP 28 1988

State of Idaho

Department of Water Resources

SEP 30 1981

ASSIGNMENT OF PERMIT

Department of Water Resources

SEP 28 1981

I, Elmer L. Shirk
Flora L. Shirk

, hereby assign to

of Rt 3 Twin Falls, Idaho

Address

CHECK ONE



All my right, title, and interest in and to Permit No. 37-7571
to appropriate the public waters of the State of Idaho.



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 that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 5th day of August, 1981.

Elmer L. Shirk
Permit Holder

Flora L. Shirk
Spouse of Permit Holder

State of Idaho)

County of Gooding) ss.

On this 8th day of August, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Mae Mawar
Notary Public residing at
Gooding, Idaho 83330

My commission expires:

1983

Identification No. _____

Application No. 37-7591

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Elwood L. &/or Florence L. Shirk Phone: 934-4308
post office address Rte. #2, Gooding, Idaho 83330

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

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29 Township 5S
Range 16E., B.M. Lincoln County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 6.12 ~~7.12~~ ^{for} irrigation purpose from April 1 to November 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 6.12 ~~7.12~~ ^{cfs} 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, sprinkler

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 250 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 15,000.00.

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: _____ hp 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: _____

RECORDED

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

[illegible]

Total number of acres to be irrigated 306

c. Describe any other water rights used for the same purposes as described above. decreed rights to Little Wood River 5.5cfs 1884-1899, 2.7cfs supplement from American Falls Reservoir

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 _____

The diagram is a hand-drawn map on a grid, showing a river system and a lake. The river starts at a 'Point of Diversion' and flows into a lake labeled 'ICE'. The map includes various numerical values and labels.

Labels and Values:

- Point of Diversion:** Indicated by a line pointing to a specific location on the river.
- ICE:** A label for a lake or body of water.
- 5S:** A label located near the top of the river.
- 30:** A value written near the top left of the river.
- 31:** A value written near the bottom left of the river.
- 32:** A value written near the bottom center of the river.
- 26, 35, 30:** A row of values written near the top of the river.
- 35, 35, 35:** A row of values written near the middle of the river.
- 25, 30, 35:** A row of values written near the bottom of the river.
- 20:** A value written near the bottom left of the river.

Carol L. Smith
(Applicant)

Proposed Priority 5/ 4/77

Received by JS Date 5-4-77 Time 11 am
Preliminary check by ADM Fee \$ 95.00 ~~\$34.79~~
Receipted by AB Date 5/4/77
Publication prepared by Am Date 5/26/77
Published in Lincoln Cty. Journal
Publication dates 6/9 & 6/16/77
Publication approved mt Date 6/20/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

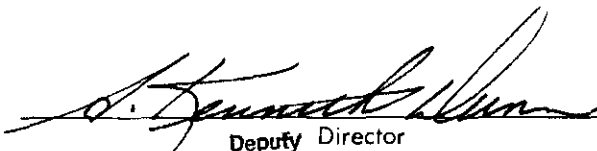
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7591, and said application is hereby APPROVED.

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 August 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

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.

Witness my hand this 22 day of August, 19 77.


Deputy Director



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

June 28, 1995

DON L WILLIAMS
BEVERLY E WILLIAMS
305 CLEAR LAKE LN
BUHL ID 83316

RE: WATER RIGHT NO. 37-07591

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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JUN 29 1995

JOSTENS

CLASS RINGS • GRADUATION ANNOUNCEMENTS • CAP AND GOWNS
DIPLOMAS • AWARDS • CHAMPIONSHIP RINGS

DON L. WILLIAMS
(208) 543-8784
Fax (208) 543-4599

Scholastic Division
305 Clear Lake Lane
Buhl, ID 83316

RECEIVED

JUN 22 1995

Department of Water Resources

June 20, 1995

Shelley W Keen
Water Rights Supervisor

Enclosed please find the check for
\$200.00 and the information you requested
in your letter dated June 5th

If you need more information
please contact me at the above address, fax,
or phone number.

Best regards,

Enc

Don L. Williams

RECEIVED

JUN 29 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

KARL J. DREHER
DIRECTOR

June 5, 1995

DON AND BEVERLY WILLIAMS
305 CLEAR LAKE LANE
BUHL ID 83316

RE: Permit No. 37-07591

Dear Mr. and Mrs. Williams:

Permit No. 37-07591 is currently being reviewed for licensing. However, there are a number of items that you need to address before a water right license can be issued.

First, the department's field examiner reported that you are beneficially using 5.21 cfs diverted from groundwater. However, because you submitted the examination fee for only 5.0 cfs, your license will be restricted to that amount. If you want your water right license to reflect the 5.21 cfs found by the field examiner, you must submit the additional examination fee of \$25.00, plus the late penalty of \$25.00, within 30 days. If we receive the additional examination fee after 30 days from the date of this letter, the priority date of your water right will be advanced in accordance with Section 42-217 of the Idaho Code.

Second, before a license can be issued, your permit must be amended to correspond with the field examiner's findings related to the place of use description of your water use. Please review the enclosed amendment application carefully. If you concur with the examiner's findings, sign the amendment and return it with the statutory \$50.00 amendment fee. The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

Finally, as you are probably aware, we are proceeding with an adjudication of water rights in the Snake River Basin. In the commencement order for the adjudication, Judge Hurlbutt required notices of claim to be filed for all water rights for which proof of beneficial use was filed prior to November 19, 1987. Proof of beneficial use for right 37-07591 was submitted in 1981. Therefore, a claim to this right is required to be filed with the

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JUN 29 1995

Mr. and Mrs. Williams
Re: Right No. 37-07591
June 5, 1995
Page 2

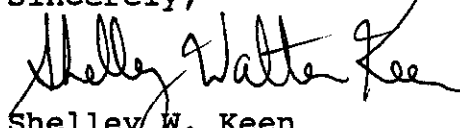
department. However, I can find no record of a claim for this right.

I have enclosed a draft claim form for you to complete. Please review the form, sign it, have your signature notarized, and return the form to me with the claim fee. The fee is \$50.00 plus a \$50.00 late fee. If you have a compelling reason for not filing the claim by the July 12, 1988 filing deadline for Lincoln County, you may appeal the late fee by completing and returning the enclosed Request for Extension of Time. If your request is granted, your late fee will be refunded to you.

Also enclosed is an order advancing the priority date of this right. Because the examination fee was paid 756 days late, your priority date has been advanced by that number of days.

Please address the three items listed above within 30 days. Once each of the items is resolved, the licensing process for this right will proceed. If you have any questions, please contact me as soon as possible at (208) 327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

Enclosures

MICROFILMED

JUN 29 1995

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 37-07591

FROM: BRENDA CHAPMAN

RE: PRIORITY ADVANCE REVIEW

DATE: 12-AUG-1994

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	MAY 04 1977	124
EXAM FEE NOTICE		
Exam Fee Notice Date:	MAY 21 1986	141
Exam Fee/Info Sheet Received Date:	AUGUST 15 1988	957
Exam Fee or Info Due Date:	JULY 20 1986	201
Days Late:		756 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	MAY 04 1977	124
Total Days Late:		756 DAY(S)
New Priority Date:	MAY 30 1979	150

RECORDED

JUN 29 1995

MEMORANDUM

TO: File 37-07591
FROM: Brenda Chapman
DATE: August 12, 1994
RE: Review Schedule

=====

Further processing of the above referenced right has been delayed until the file can be reviewed by the water right supervisor.

The issue involves non-filing of the required SRBA claim and subsequent examiner's recommendation to void the permit.

JUN 29 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-7591 DATE 8-12-94

6-5-95



NAME Yes No Or Address Change? CHECK

PRIORITY DATE ✓ — Advance? YES Advanced to: MAY-30-1979
Order to reinstate needed? YES
Incorrect fee for rate recommended? YES
FEES P/D UP TO 5.0 CFS

SOURCE — ✓ Changes or just clarification of originally intended source? —
Notice of Intent to Void necessary? —

POINT OF DIV — ✓ Amendment needed? —
✓ Overlaps? Surface Water Rights

PLACE OF USE ✓ — Amendment needed? Add NWNE OF SEC 32
✓ Overlaps? —

DIV RATE — ✓ Measurement Q = — Theoretical Q = 5.28
260.4 x .02 = 5.208 or 5.21 CFS

Capacity: 5.28 Combined rates exceed capacity —
Permit/fee limits: 5.0 Allowable: 5.0/5.21

ANNUAL VOLUME — ✓ Season of use: 4/4.0 (4-1 to 10-31) new
Calculations: 260.4 x 4 = 1041.6

Flow limit: — cfs x — x 1.9835 = —
Combined volumes exceed capacity/allowable —

USES — ✓ Change in Nature of Use or additional uses? —
Amendment necessary? —

REMARKS WB3 WB8 WB7 Multiple p/d(s) in 1/4 1/4? —
Other WB7

CONDITIONS — ✓ Measuring/Locking Devices —
✓ Watermaster control - District —
✓ Irrigation Overlap —
✓ Water Quality —
✓ Other —

COMMENTS: REDUCE ACRES ; Supplemental water ; No claim FILED.
Additional fee + penalty letter necessary. (Proof filed in 1981)

RECOMMENDED

CFS

VOLUME

LICENSE —

Irrigation

5.0
5.21

Special
1ST AMENDMENT LETTER P41+P38+S05
FINAL AMENDMENT LETTER P42+S05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 09 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-07571
1. Owner: Don L. Williams Phone No. 733-0557
Current Address: Rt. 3, Addison Ave. East, Twin Falls, ID 83301
2. Accompanied by: Kelly Human EXAM. DATE: 7-14-92
Address: 1850 S., 2246 E., Gooding, ID 83330 Phone No. 934-5977
Relationship to Permit Holder: renter/farm operator
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

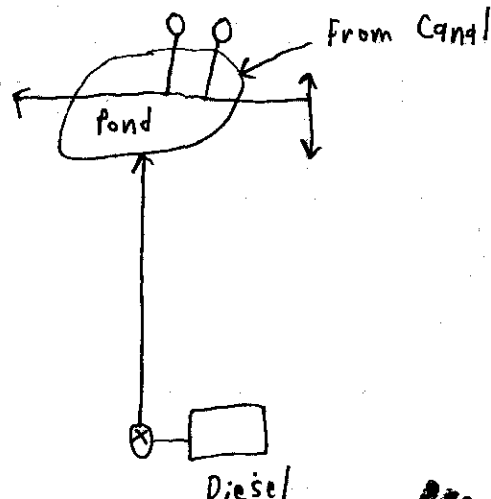
1. Other water rights with same place of use: 37-0613, 0614, 0059 Part (surface water)

☐ 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



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).

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JUN 29 1995

System Description (continued)

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

Well, motor, pump, diesel motor for power. Open discharge into pond. Two re-lift pumps in pond pressurize sprinklers. Main water supply comes from Little Wood R. & American Falls Reservoir. Well supplements surface rights as needed, but has not been used in a long time according to Mr. Human. He plans to put the well into operation soon, probably with electric rather than diesel power.

☐ 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
Well	U.S. Motors	150	1366161	Waukesha	23405 Diesel
Main Pump				Layne & Bowler	14632 Pump
Re-lift Pump	GE	125	None	Aurora	No tag
"	U.S. Motors	50	R-1782-01-170-D	Layne	44759

*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
✓		NE	NE	SE	29	55	16E	Lincoln	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	16E	29			28.1	27.9				25.3	32.2			19.2	29.2	32.3	32.3	28.6	247
		32			3.4			10											13.4
																			260.4

MICROFILMED

Do not use this space

JUN 29 1985

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Theoretical Capacity is 5.28 cfs, Allow .02 cfs x 260.4 = 5.21 cfs allowable

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 260.4 \times 4 = 1041.6$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 221.5$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1041.6$

2. Volume Calculations for Other Uses:

REPROFILMED
JUN 29 1985

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Not to exceed 5.21 cfs for all rights combined or 1041.6 AFA.
* Additional exam fee of \$25. required, if not paid, only 5.0 cfs can be licensed.
Permit has not been claimed in SRBA as of 10-29-92 (proof filed in 1988). Permit must be cancelled if owner will not file claim - suggest owner be contacted prior to licensing.

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	5.21 *	1041.6
Totals:			5.21	1041.6

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

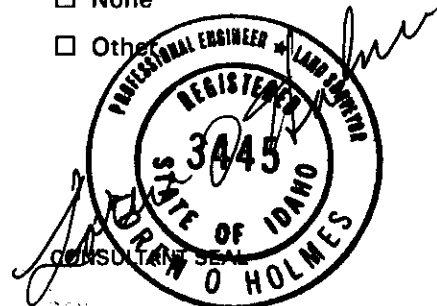
J. AUTHENTICATION

Field Examiner's Name J. E. Stanton

Signature J. E. Stanton

Certification Date 3/31/93

Field Report Preparation Date 10-29-92



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

MICROFILMED

JUN 29 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-07591

DATE: 7-17-92

BY: J.E. Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

Q = $\frac{(8.8) \times (150) \times (0.70)}{[(175) + (0 \times 2.31)]}$

5.28 cfs

LIFT FROM:

measurement ()

owner (X)

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner (X)

estimate (X)

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS Re-lift pumps have a theoretical capacity greater than that of the well. Horsepower is greater, and pressure head is less than lift head.

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season) (days)

3/15 - 11/15 246

4/1 - 11/1 215

4/15 - 10/15 184

3/1 - 12/1 276

POTENTIAL = $(214) \times (1.98) \times (5.28)$

(260.4)

POTENTIAL = 8.6

REQUIRED Acre Feet/Acre/Annum

= 4.0

(AF/Ann/Ac irrigation requirement from chart for area)

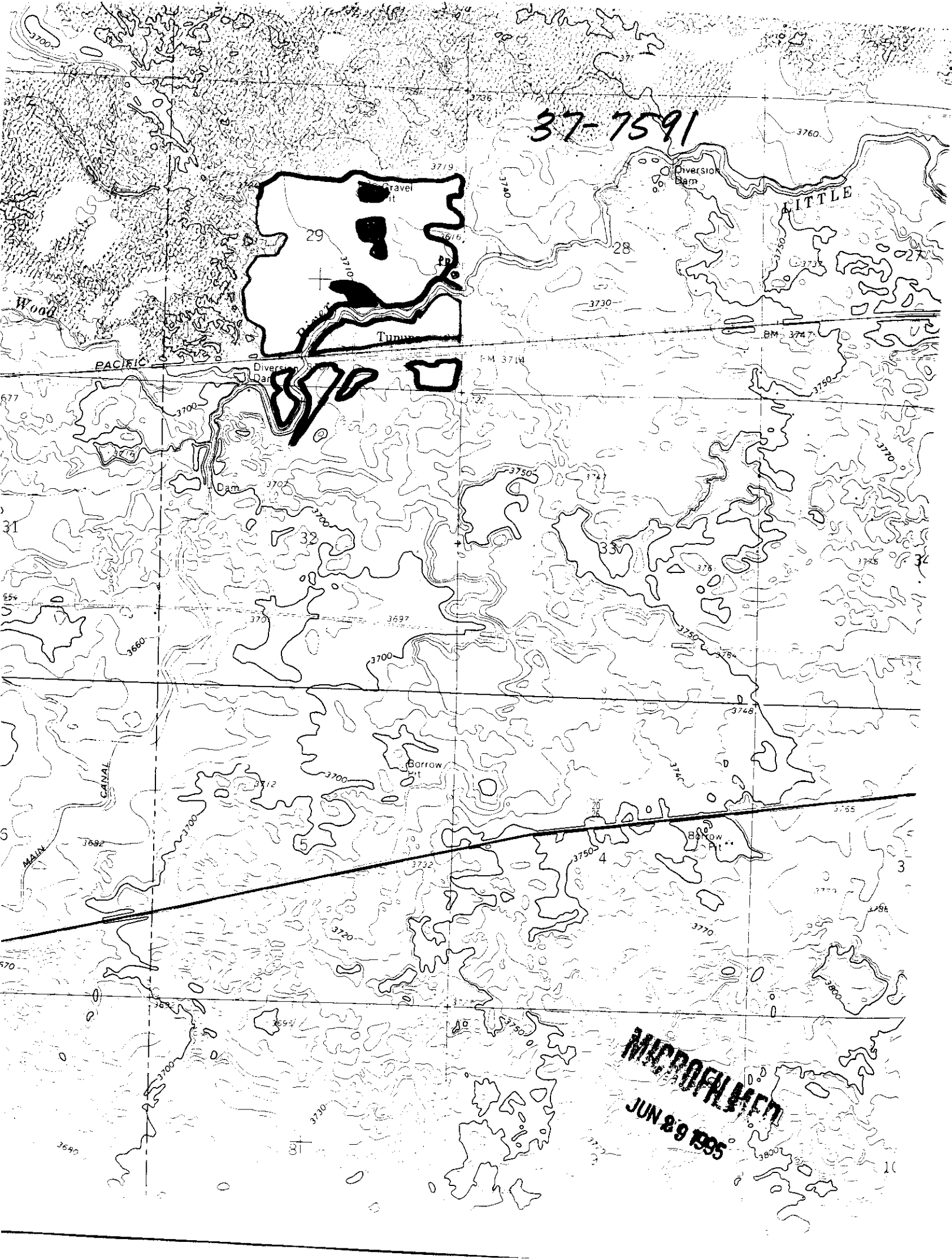
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (X)

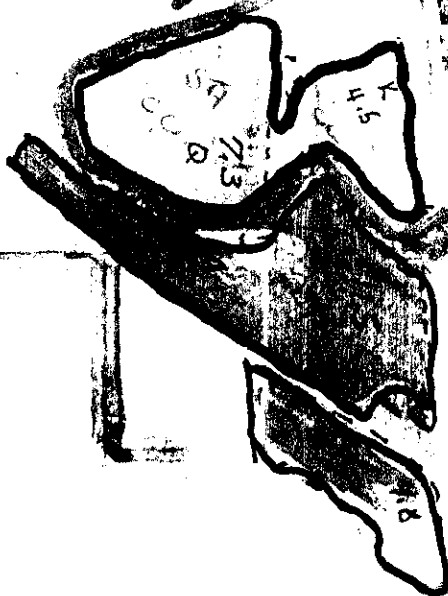
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

RECORDED
JUN 29 1995

37-7591



37-7591



D. WILLIAMS
D. OLSON

27.1

29.28
32.33

3.11

MICROFILMED
JUN 29 1995



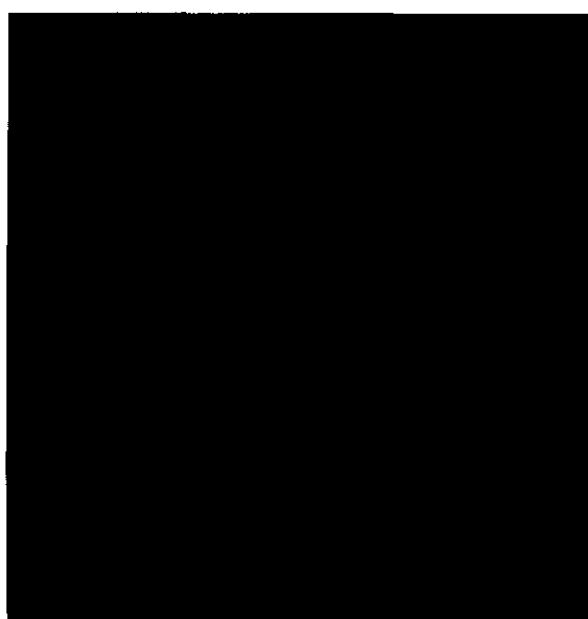
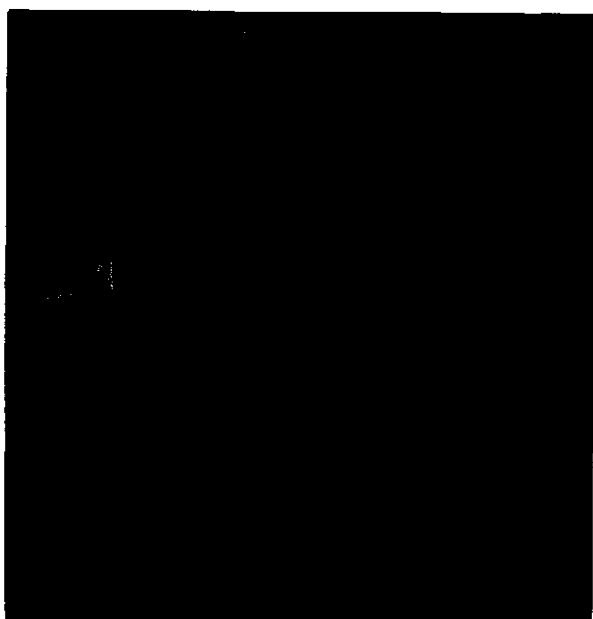
NOT TO scale

6L9

NOT REVENUE
JUN 29 1995

JUN 2 9 1995
RECEIVED

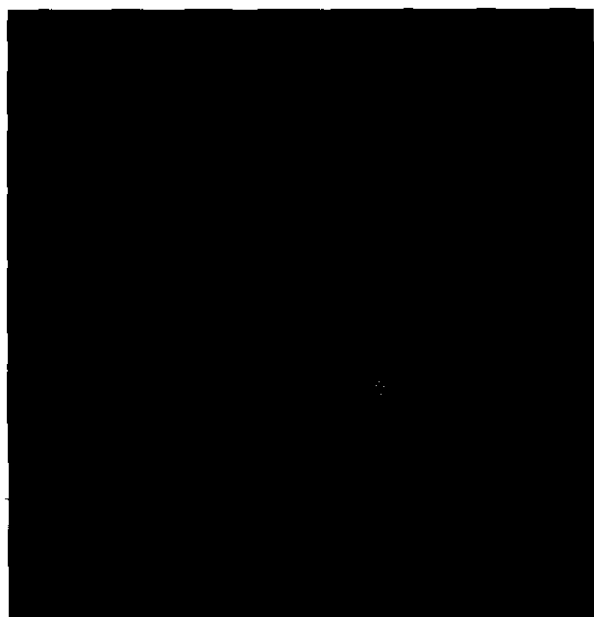
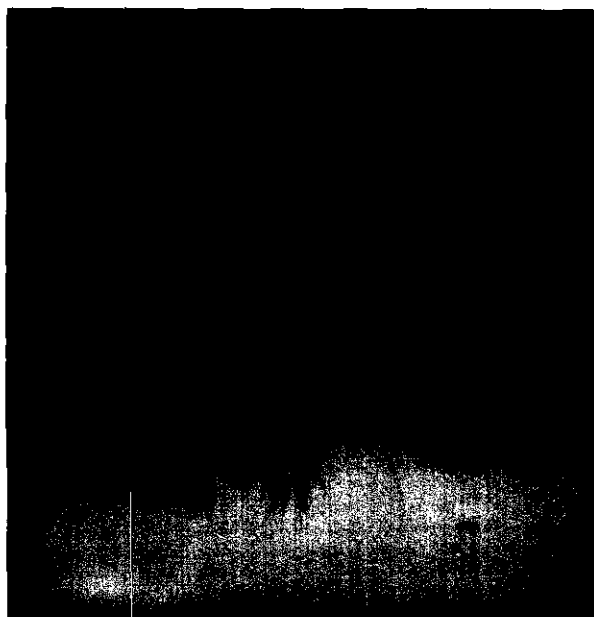
Re-lift pumps



JUN 29 1995

Well's Mainline.
Power Pole To Re-lift Pumps
In Upper Right Corner of Photo

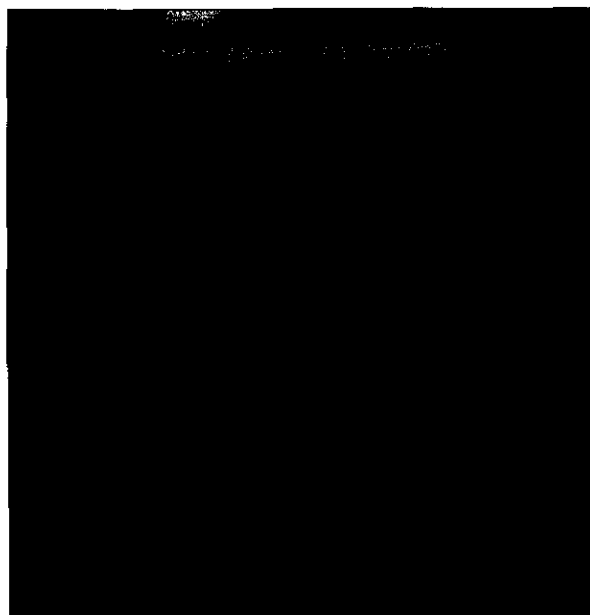
Well's Diesel Motor



37-07591

JUN 2 9 1965

Partial Views of P/U





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

March 22, 1988

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

37-7591

Don L. & Beverly E. Williams
Route 3
Twin Falls, ID 83301

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on July 20, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on May 21, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before May 22, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

MAILED

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

37-7591
SHIRK, ELWOOD L.
SHIRK, FLORENCE L.
RT. 3
TWIN FALLS, ID 83301

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 22, 1987

Dear Permit Holder:

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Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
tehouse
 Boise, Idaho 83720

Mon & Beverly L.
Williams

Rt 3,
Twin Falls
83301

Lincoln
RECEIVED
MAY 29 1987

Department of Water Resources

UNDELIVERABLE AS ADDRESSED

Rt 3
all

SEP 28 1988

UND 00 01278611 05/27/87
NOTIFY SENDER OF NEW ADDRESS
RETURN TO SENDER
UNDELIVERABLE/UNKNOWN
USPS USPS *

63



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

37-7591
SHIRK, EDWOOD L.
SHIRK, FLORENCE L.
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TWIN FALLS, ID 83301

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Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Don L. and Beverly E. Williams
Rt. 3, 37-7591
Twin Falls, ID 83301

Mailing address:
Statehouse
Boise, Idaho 83720

138446

May 21, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

SEP 28 1988

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed ~~at this time~~. A listing



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

37-7591
SHIRK, ELWOOD L.
SHIRK, FLORENCE L.
RT. 3
TWIN FALLS, ID 83301

869881

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

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Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

4/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. _____

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: _____

3. Post Office Address: _____

_____ Telephone No. _____

4. Source of Water: _____

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted _____ cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

8. Person to contact to accompany the department representative during the field examination:

_____ (Name)

_____ (Address) _____ (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

_____ Date

_____ Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
tehouse
Boise, Idaho 83720

remained to

on 5/21/86

NCN: 138446

Don L. + Beverly E. Williams

*Rt 3, Twin
Falls, Id*

*834 unknown
01*

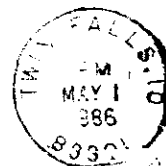
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RECEIVED

28 1988



RECEIVED

MAY 2 1986

Department of Water Resources

CERTIFIED MAIL

138698

NO.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

37-7591
SHIRK, ELWOOD L.
SHIRK, FLORENCE L.
RT. 3
TWIN FALLS, ID 83301

869881

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

SEP 28 1988

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECORDED

SEP 28 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 10, 1981

Don L. & Beverly E. Williams
Rt 3 Twin Falls, ID

RE: Permit No. 37-7591

Dear Mr. and Mrs. Williams,

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Also enclosed is a duplicate
Beneficial Use card.

JJ:jg

Enclosure

RECEIVED

SEP 28 1988

DEPARTMENT OF WATER RESOURCES

I, Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7591.

Name(s) of Permit Holder: Elwood L. &/or Florence L. Shirk

Post Office Address: Route #2, Gooding, Id 83330

Tel. No. 934-4308

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 306 (acres)
☐ Other

Department of Water Resources
 Measuring Device: Request ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Request ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

2-10-81
 Date

Elwood L. Shirk
 Signature of Permit Holder

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

February 24, 1981

William L. &/or Elwood L. Shirk
Rt. 2
Gooding, Idaho 83330

Re: Permits 37-7576 and 37-7591

Dear Mr. & Mrs. Shirk:

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

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

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

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

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

MICROFILMED

August 25, 1977

Re: Permit No. 37-7591

Elwood L. &/or Florence L. Shirk
Route #2
Gooding, ID 83330

Dear Mr. &/or Mrs. Shirk:

Enclosed is a copy of your approved Application for Permit No. 37-7591 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

RECEIVED
AUG 29 1977
FLEENOR

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

JUN 20 1977

Department of Natural Resources
Southern District Office

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 9 day of June

19 77, and the date of the last publication was on the 16

day of June, 19 77

Melba Thorne

Subscribed and sworn to before me this 16

day of June, 19 77
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

36 Lines straight at 21c 7.56

36 Subsequent lines at 15c 5.40

TOTAL COST 12.96

COPY OF NOTICE

(Paste Here)

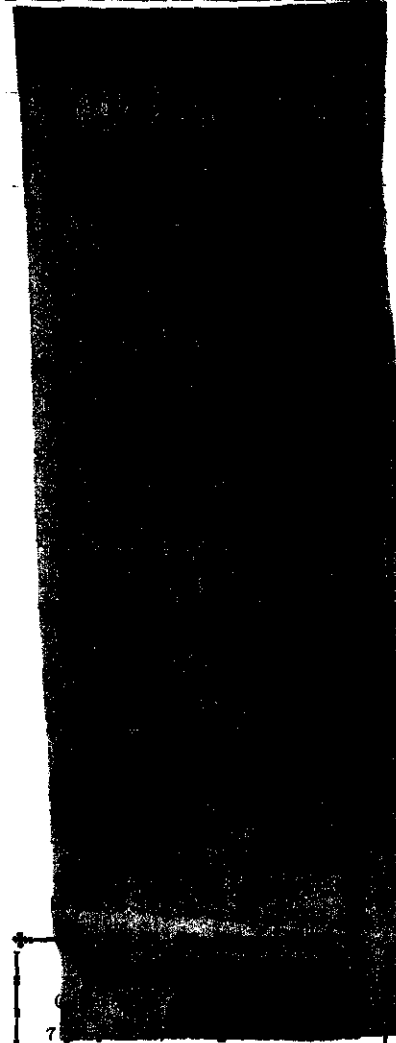
Water Permit

TITLE OF NOTICE

Shirk (37-7591)

PLAINTIFF ATTORNEY

OK
6/20/77



7 pt. per line, tabular 315c
7 pt. per line, successive
insertions 15c

No 1640

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Elwood L. &/or Florence L. Shirk

Cooding, ID 83330

has on 5/4/77 submitted Application No. 37-7591

for a permit to appropriate 6.12 cubic feet per second ~~acre feet per annum~~

of water from groundwater

by means of well, pump, sprinkler

within the NE1/4, Sec. 29, Twp. 5S, Rge. 16E., B.M., Lincoln County

to be used from Apr. 1 to Nov. 1,

for irrigation purposes of 306 acres

within the S1/4, SE1/4, E1/4, SE1/4, Sec. 29, NE1/4, Sec. 32, Twp. 5S, Rge. 16E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before June 27, 1977.

C. Stephen Allred

Director

Published in the Lincoln County Journal

on June 9 and June 16, 1977

MICROFILMED

SHONI LEGAL we 6/12/77

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Elwood L. &/or Florence L. Shirk, Gooding, Idaho 83330 has on 5/4/77 submitted Application No. 37-7591 for a permit to appropriate 6.12 cubic feet per second of water from groundwater by means of well, pump, sprinkler within the NE $\frac{1}{4}$ Sec. 29, Twp. 5S, Rge. 16E., B.M., Lincoln County to be used from Apr. 1 to Nov. 1, for irrigation purposes on .06 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 5S, Rge. 16E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before June 27, 1977.

/s/ C. Stephen Allred
Director

Pub: 6-9, 16

May 26, 1977

Lincoln County Journal
P. O. Box 704
Shoshone, ID 83352

RE: Application For Permit #37-7591-Elwood L. &/or Florence L. Shirk

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Senior Water Resource Agent

MLS:sm

Enclosure

Bill submitted: _____

MICROFILMED

6/5/95

JACK Shirk called wanting to know when this will be licensed. His family are no longer shown as the owners of record + no AOT claim has been filed. Filed proof in 1981.

Do you want to call him? His # is 934-5781.

Don + Beverly Williams

305

Clear Lake Lane

Buhl ID 93316

1. ^{Add.} Fee for rate
2. Amendment
3. SRDA claim filed 6/26/95