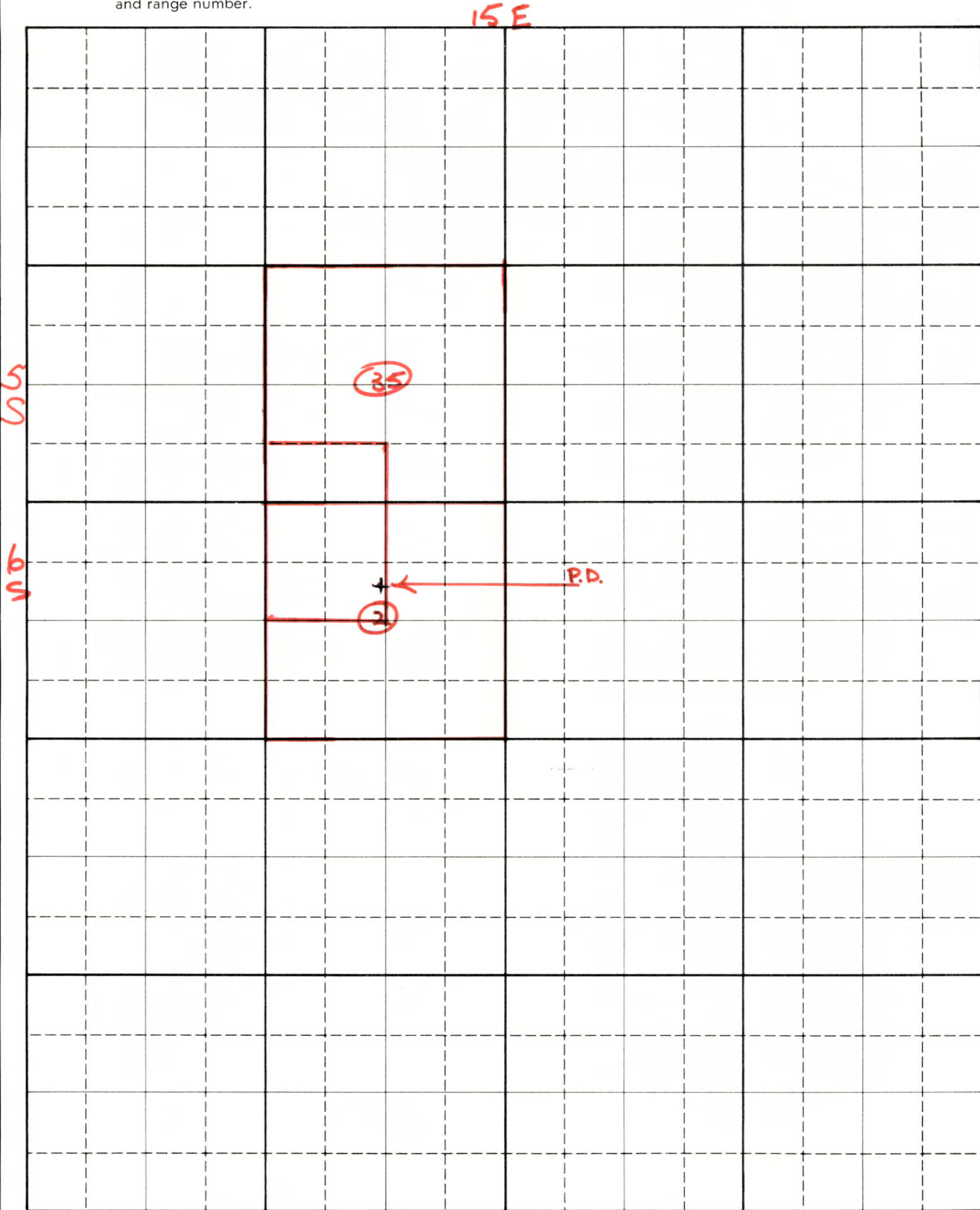


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Harry O. Batteff
(Applicant)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Harvey D. Bothoff, Route 2, Gooding, Idaho has on August 8, 1973 submitted Application No. 37-7259 for a permit to appropriate 4.3 cubic feet per second of water from groundwater by means of deep well pump and sprinkler system within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 6S, R. 15E, B. M., Gooding County to be used from March 15 to November 15 for irrigation of 215 acres within the NW $\frac{1}{4}$ Sec. 2, T. 6S; S $\frac{1}{2}$ -SW $\frac{1}{4}$, Sec. 35, T. 5S; R. 15E, 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 Administration, 1041 Blue Boulevard North, Twin Falls, Idaho, 83301 on or before September 3 1973.

R.Keith Higginson
Director

8-16-2tc



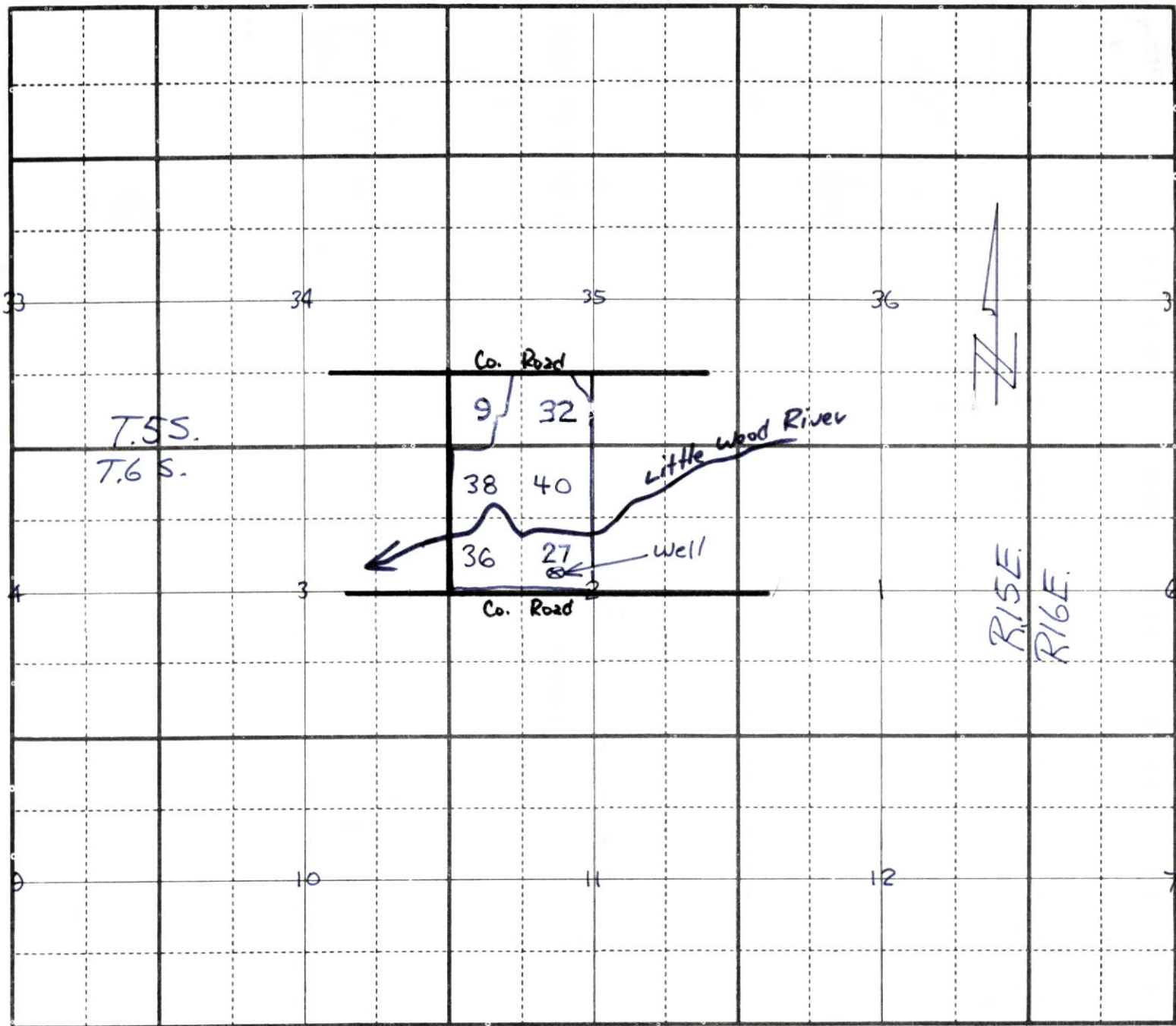
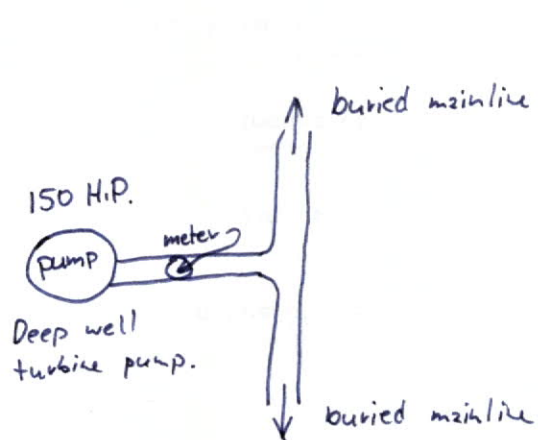


Diagram of System



Summit



"NOT TO SCALE"

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)
License of Water Right No. 37-7259 Priority September 12, 1973 Amount 3.64 cfs

THIS IS TO CERTIFY, that HEBER D. DURRANT
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 37-7259 issued pursuant to Application for Permit dated August 8, 1973,
and has submitted proof to the Department of Water Resources on October 16, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.67 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>3.64</u> cfs and	<u>728</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 3.64 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
728 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 6S,
Rge. 15E, B.M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	15E	35											9	32					41
6S	15E	2					40	38	36	27									141

Total number of acres irrigated 182

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
October, 19 79.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-7259)
IN THE NAME OF HEBER DALE DURRANT)

ORDER OF REINSTATEMENT

WHEREAS, on August 8, 1973, Harvey D. Bothoff filed with the Department of Water Resources an application for permit to appropriate 4.3 cubic feet per second of water from a groundwater source to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 6S, Rge. 15E B.M., Gooding County, to be used for irrigation purposes; and,

WHEREAS, on September 12, 1973, the Department approved said application and issued Permit No. 37-7259 with the condition that proof of beneficial use be submitted to the Department on or before September 1, 1978; and,

WHEREAS, on September 5, 1974, Harvey D. Bothoff assigned Permit No. 37-7259 to Heber Dale Durrant; and,

WHEREAS, on June 30, 1978, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on September 7, 1978, the Department notified the permit holder that Permit No. 37-7259 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on October 16, 1978;

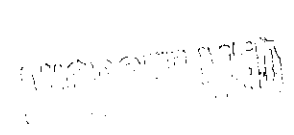
IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-7259 be REINSTATED and the priority advanced to September 12, 1973.

Dated this 2nd day of November, 1978.



L. GLEN SAXTON

Chief, Operations Bureau



RECEIVED

SEP 5 1974

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Harvey D. Bothoff, hereby assign to Huber D. Durante
of Box 60, Rt. 2, Gooding, Id. Address see correct name
on proof - kw 4/9/85

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 37-7259
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 list-
ing 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 September, 19 74.

Harvey D. Bothoff
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 5th day of September, 1974, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Lydia L. Tippet
Notary Public residing at
Twin Falls, Idaho

My commission expires: 2-24-78

MICROFILMED

Identification No. _____

Application No. 37-7259

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

ASSIGNED TO: HUBER D. DURANTE
Box 60, Rt. 2,
9/5/74 Gooding, ID

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Harvey D. Bothoff
post office address Route 2, Gooding, Idaho 83330
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2 Township 6S
Range 15E B.M. Gooding 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 4.3 cfs for Irrigation purpose from Mar. 15 to Nov. 15 (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. 4.3 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well pump and motor and sprinkler system

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 _____ inches; proposed depth of well is _____ 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 \$ 35,000.
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: _____

37 7259

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	15E	2					40	40	40	40									160
5S	15E	35											15	40					55

Total number of acres to be irrigated. 215

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

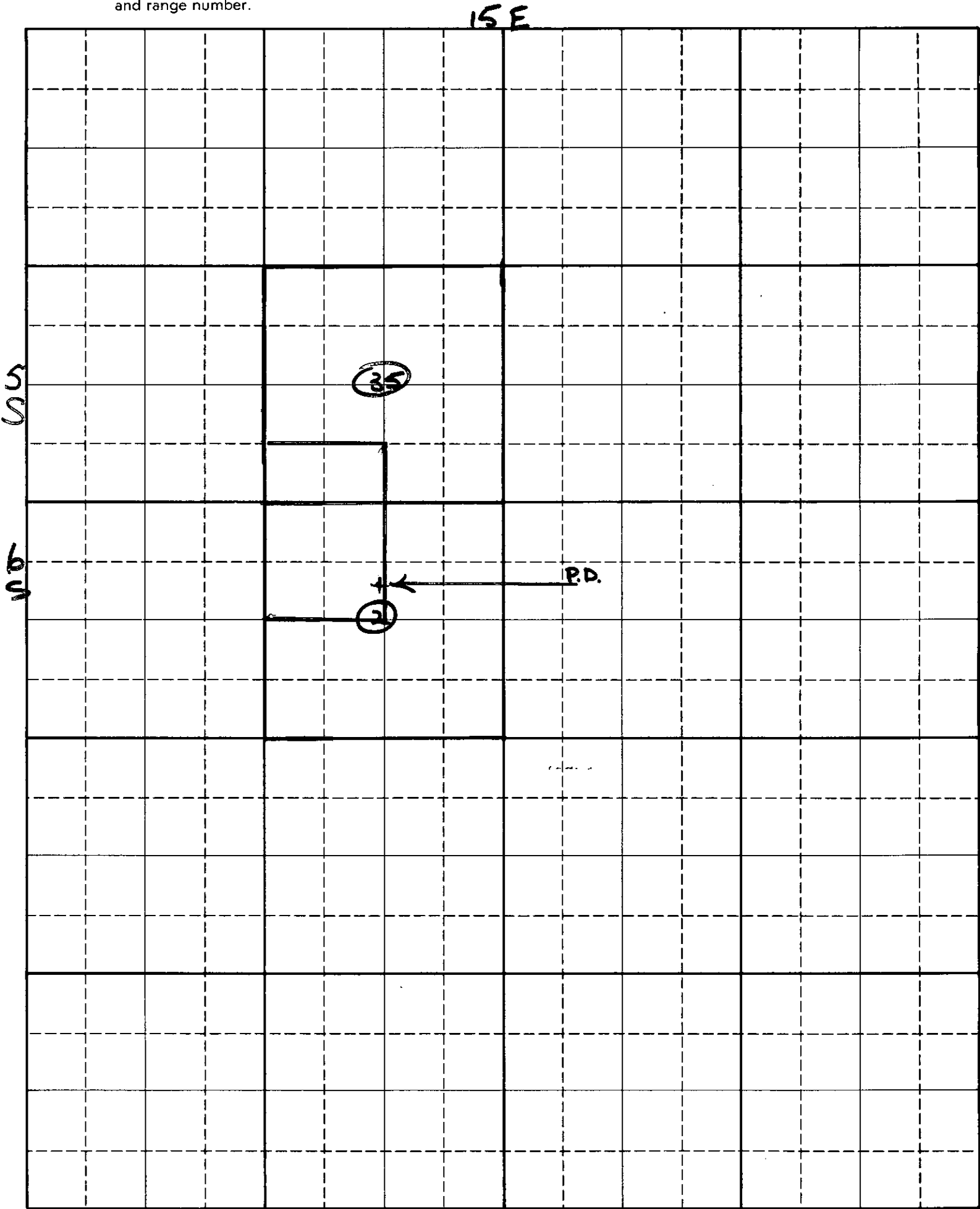
9. a. Who owns the property at the point of diversion Applicant

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

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.

Harry O. Borthoff
(Applicant)

Received by MMS Date 8-8-73 Time 10:15
Preliminary check by KOF Fee \$ 65.00
Receipted by jmm Date 8-8-73 # 10976
KOF Publication prepared by jmm Date 8-9-73
Published in Gooding County Leader
Publication dates 8-16 & 8-23-73
Publication approved jmm Date 9-4-73
Priority ~~reduced to~~ 8-8-73 Reason _____

Protests filed by: _____

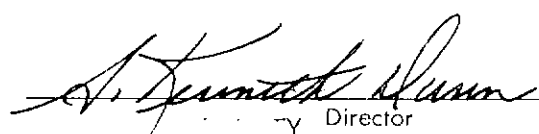
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by dr BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7259, 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 September 1, 1978.
 - c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- 2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of September, 1973.


Director

Affidavit of Publication

RECEIVED

State of Idaho,
County of Gooding }

ss.

SEP 4 1973

Alan F. Mencher, being first duly sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding,
County of Gooding, 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 pro-
vided 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 16 day

of August, 1973, and the date of the last publication

was on the 23 day of August, 1973

Subscribed and sworn to before me this 30th

day of August, 1973
(SEAL)

Darla Bratt

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14¢

Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Water Permit

Title of Notice

No 37-7259

Plaintiff Attorney

H. W. Bathogg

Defendant

Plaintiff

Bill to

Dept. of Water Admin
1041 Blue Lakes Blvd N.
Jim Falls, Id

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions.....10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions.....10c

No 1955

37 7259

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Harvey D. Bothoff, Route 2, Gooding, Idaho has on August 8, 1973 submitted Application No. 37-7259 for a permit to appropriate 4.3 cubic feet per second of water from groundwater by means of deep well pump and sprinkler system within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 6S, R. 15E, B. M., Gooding County to be used from March 15 to November 15 for irrigation of 215 acres within the NW $\frac{1}{4}$ Sec. 2, T. 6S; S $\frac{1}{2}$ - SW $\frac{1}{4}$, Sec. 35, T. 5S; R. 15E, 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 Administration, 1041 Blue Boulevard North, Twin Falls, Idaho, 83301 on or before September 3 1973.

R.Keith Higginson
Director

8-16-2tc



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Storehouse
Boise, Idaho 83720
(208) 384-2215

November 2, 1979

Re: Permit No. 37-7259

Heber D. Durrant
Route #2
Gooding, ID 83330

Dear Mr. Durrant:

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 9, 1979

Re: Permit No. 37-7259

Heber D. Durrant
Route #2
Gooding, ID 83330

Dear Mr. Durrant:

A representative of this Department made an examination of the works covered by your Permit No. 37-7259 on May 17, 1979, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 3.64 cfs Source: groundwater

The maximum quantity diverted shall not exceed 728 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 6S, Rge. 15E, B.M.

Beneficial use: Irrigation of 182 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35,
Twp. 5S, Rge. 15E, and the NW $\frac{1}{4}$, Sec. 2, Twp. 6S, Rge. 15E, B.M.

Priority date established: September 12, 1973 (late proof)

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

RECEIVED
OCT 10 1979
BOISE, IDAHO

RECEIVED
MAY 12 1978
Department of Water Resources
Southern District Office

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Name of permit holder Heber Dale Durrant
 Post office address Rt 2, Gooding, Id Phone 934-5362
 Person to contact _____ Phone _____
 Source of water supply: Groundwater ☒ Surface water ☐ _____
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 4.3 c.f.s. for irrigation
 _____ AF/Annum (nature of use)
 Period of Use: from 3-15 to 11-15
 (mo.-day) inclusive (mo.-day)
 Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)
 Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)
 Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)
 Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)
 Other uses: _____

Permit No. 37-7259
 Examination for 6/2

4. Total amount to be appropriated:

Max Rate of Diversion 4.3 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6S N/S, Range 15E E/W, B.M., Section 2, Subdivision SE 1/4 NW 1/4 Gooding
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County _____
 Other Points of Diversions: _____

Description of diverting works: 150 hp pump 12" x 180', wheel line sprinkler system

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
<u>6S</u>	<u>15E</u>	<u>2</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									<u>160</u>
<u>5S</u>	<u>15E</u>	<u>35</u>											<u>15</u>	<u>40</u>					<u>55</u>

TOTAL ACREAGE 215

MICROFILMED

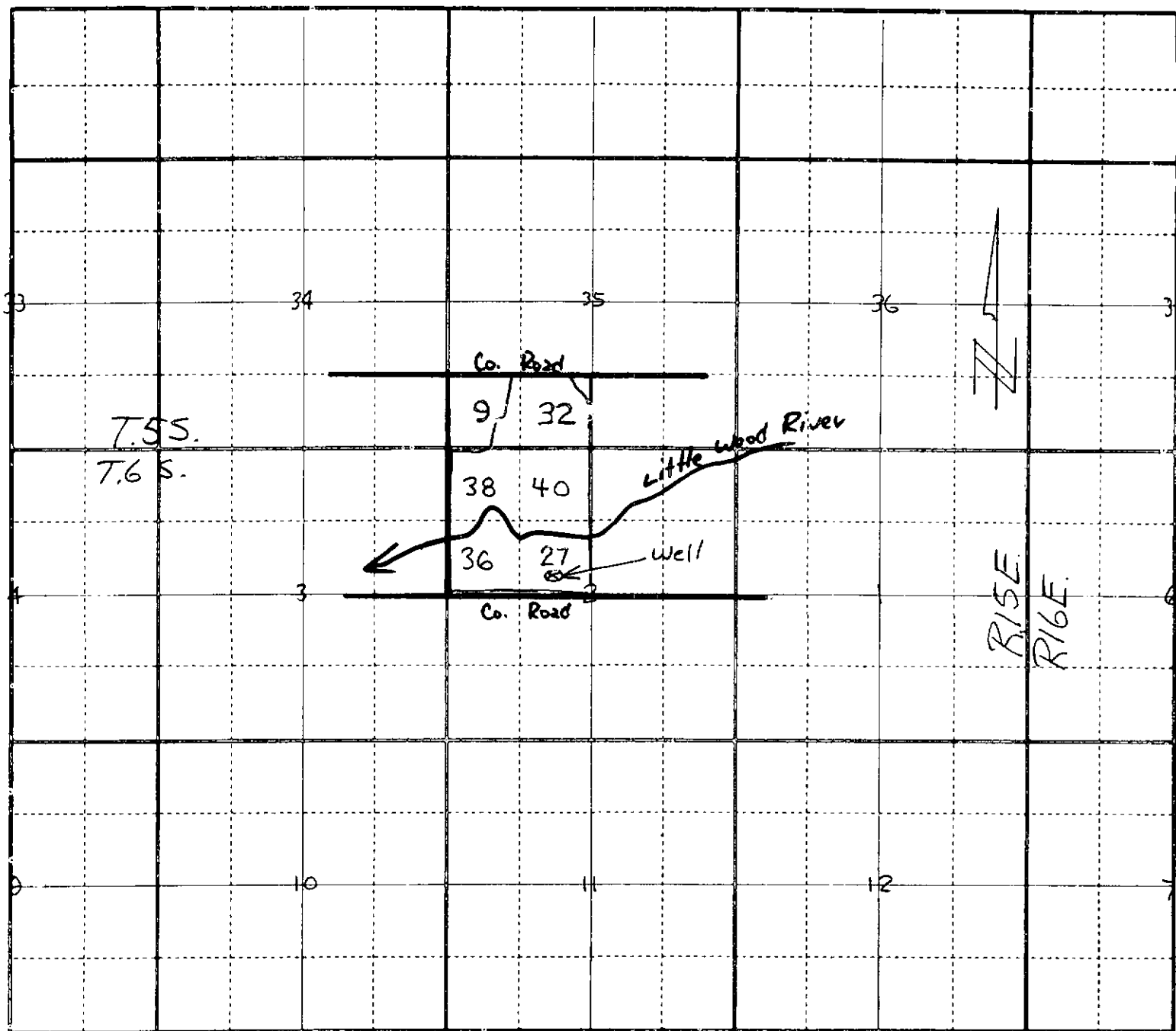
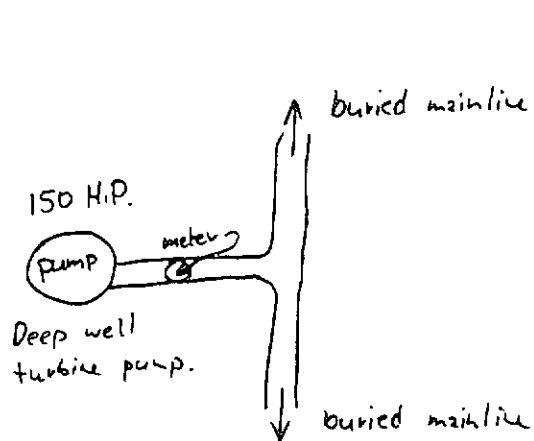


Diagram of System



DATE OF EXAM 5/17/79

ACREAGE
Found 182
Recommended 182

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 3.64 c.f.s. V = 728.0 AF/Ann. from 3-15 to 11-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 3.67 cfs Method of measurement Muesco Rate-2-Flow inline meter

Total Q recommended 3.64 Meter No. 781-723 Type Rate-2-Flow Condition Good

Total V recommended 728.0 A.F./Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$$Q_{meas} = (1000 \text{ gal} / 36.4 \text{ sec}) \times (60 \text{ sec/min}) \div (448.8 \text{ gpm/cfs}) = 3.67 \text{ cfs}$$

$$Q_{rec} = (182 \text{ Acres}) \times (0.02 \text{ cfs/Acre}) = 3.64 \text{ cfs}$$

$$V_{rec} = (182 \text{ Acres}) \times (4.0 \text{ A.F./Ac./Ann.}) = 728.0 \text{ A.F./Ann.}$$

SYSTEM DESCRIPTION:

A 150 H.P. Newman Electric Motor, serial 51227501 drives a Peerless Pump, serial 233520 rated at 1800 gpm @ 1770 RPM @ 280 TDH. The pumping system delivers water to a buried mainline pipe network which delivers water to 11 wheel-lines of various lengths. Nozzle sizes on the weather-tech sprinklers vary; they include 1/64 & 5/32 sizes.

REMARKS:

Mr. Durrant was present during the exam.

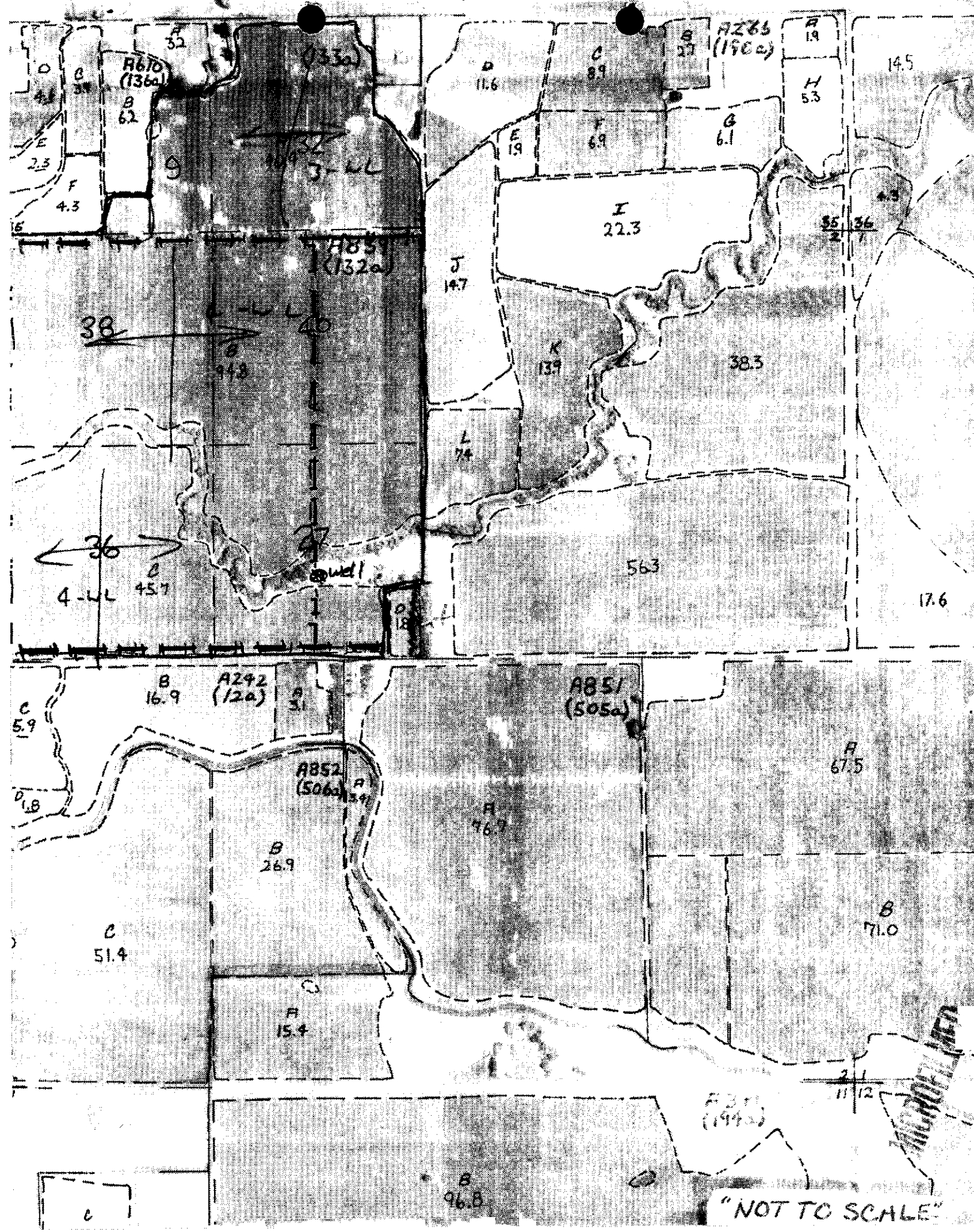
* Checked phone book & last name is Durrant rather than Duranti - also Heber rather than Huber. p 10/9/79

Examiner's Signature Allen D Merritt Date 5/21/79

Checked by Terrill Blau Date 5-21-79

Approved by _____ Date _____

Turner





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

November 1, 1978

Heber Dale Durrant
Route 2
Gooding, ID 83330

Dear Mr. Durrant:

Re: Permit No. 27-7259

Enclosed is a copy of the Order reinstating your permit and advancing your priority to September 12, 1973.

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.

If you have any questions regarding the field examination, please contact our regional office in Twin Falls.

Sincerely,

RITA FLECK
Water Rights

RECEIVED
NOV 1 1978
BOISE, IDAHO

Identification No. _____

Permit No. _____
RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

OCT 16 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder HEBER DALE DURRANT
b) Post Office Address ROUTE 2 GOODING IDAHO
2. Permit Number 37-7259
3. Date of Priority that you are prepared to establish SEPTEMBER 1, 1978
4. a) Source from which water was appropriated WELL
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 2
Township 45, Range 15E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 4.3 CFS for IRRIGATION purposes from MAR. 15 to NOV 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4.3 C.F.S. cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: DAVE GARFF With Rancher
Err. With Muesco Flow meter

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 150 Horse Power Pump

Twelve 12" inch well casing; well depth 180 FT
wheel line sprinkler system

b) Describe the type and size of measuring device which you have installed at your point of diversion:

Muesco Flow meter Model SSC
SERIAL NO 755439

c) Give well driller's name and address and the date the well was completed:

Victor Cherry Route 1 Gooding Idaho
May 10th 1977

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Exam type

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

We use 11 wheel line to irrigate 200 acres.

Legal Description as closed

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated 200

10. Remarks: Sorry I am late, I had this
water mixed up with one so don't use
any more Thank you

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

Oct 1, 1976
(Date)

John C. C. C. C.
(Signature)

State of Idaho)
) ss.
County of Bozeman)

On this 13th day of Oct, 19 76, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

(Name) M. C. C.
Notary Public residing at Bozeman

My commission expires life term

The description of the real property covered by this mortgage consists of one page marked
Exhibit "A" which is attached hereto and is by reference made a part hereof.

FLB #156526-3

EXHIBIT "A"

Township 5 South, Range 15 East of the Boise Meridian
Section 35: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, described
as follows:

Beginning at the NW corner of E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
thence S 0° 06' W, 1080.6 feet along the

West line of said E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, to the true point of be-
ginning;

thence S 89° 40' E, 296.53 feet;
thence N 3° 29' W, 351.68 feet;
thence N 14° 33.2' E, 302.9 feet;
thence S 88° 54' E, 260.39 feet;
thence N 32° 17' E, 144.93 feet;
thence S 8° 47' E, 29.55 feet;
thence N 83° 52' E, 153.45 feet;
thence N 17° 15' W, 187.72 feet;
thence N 4° 00' E, 159.20 feet to the

North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence N 89° 48' E, along the North
line of SE $\frac{1}{4}$ SW $\frac{1}{4}$, 880.2 feet, more or less, to a point
300 feet West of the NE corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

thence S 0° 06' W, 607.37 feet;
thence S 87° 06' E, 87.25 feet;
thence S 31° 32' E, 357.07 feet to the

East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence S 0° 06' W, along said East

line 420.0 feet to the SE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence West along the South line of
SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 1980 feet, more or less, to the
SW corner of the E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;

thence N 0° 06' E along said West
line of E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 239.4 feet, more or less, to the
point of beginning.

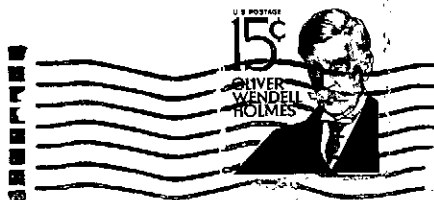
Township 5 South, Range 15 East of the Boise Meridian
Section 2: Lots 3 and 4, S $\frac{1}{4}$ NW $\frac{1}{4}$

Initials *[Handwritten]*

[Handwritten]

MICROFILMED

D. Durant
Rt 2 Box 60
Gooding Id
83330



State of Idaho
Dept. of Water Resources
State office 373 W. Franklin St.
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Starehouse

Boise, Idaho 83720

(208) 384-2215

September 7, 1978

Huber D. Durante
Route 2, Box 60
Gooding, ID 83330

RE: Permit No. 37-7259

Dear Mr. Durante:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 37-7259 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated June 30, 1978.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

June 30, 1978

Re: Permit No. 37-7259

138820

Huber D. Durante
Route 2, Box 60
Gooding, ID 83330

Dear Mr. Durante:

One of the conditions of approval of your water Permit No. 37-7259 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

MAILED 11/13

WELL DRILLER'S REPORT

RECEIVED

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

1. WELL OWNER

Name Ode Durant
Address Gooding Idaho
Owner's Permit No. 37-7259

7. WATER LEVEL

Department of Water Resources
Southern District OfficeStatic water level 113 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

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

Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other

Discharge G.P.M.

1200

Draw Down

None

Hours Pumped

4

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 16 inches Total depth 230 feetCasing schedule: ☐ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>1/4</u> inches	<u>16</u> inches	<u>0</u> feet	<u>20</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

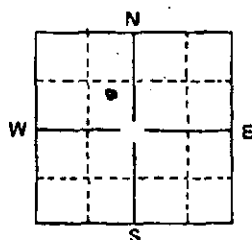
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 20 feetMaterial used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.

County GoodingSE 1/4 NW 1/4 Sec. 2 T. 65 N/S, R. 15 E/W

10.

Work started 3-12 finished 3-25

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Driller's or Firm's Name Bar H Bar Drilling Number 268

Address _____

Signed By Victor Perry Date 4-8-77

September 10, 1974

Re: Permit No. 37-7259

Huber D. Durante
Box 60, Route #2
Gooding, ID 83330

Dear Mr. Durante:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

If you have any questions concerning this permit, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

September 13, 1973

Re: Permit No. 37-7259

Mr. Harvey D. Bothoff
Route 2
Gooding, ID 83330

Dear Mr. Bothoff:

Enclosed is a copy of your approved Application for Permit No. 37-7259. 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 install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

37 7259

r 4,1973

: Application Nos. 36-7364 - Chas. W. Mogensen
37-7259 - Harvey D. Bothoff

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on August 16 and August 23, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

37 7259

August 16, 1973

RE: Application Nos. 36-7361 - Glenn Dale Ranches, Inc.
36-7362 - A. H. Ambrose
86b7363 - Robert W. Stacey
36-7364 - Chas. W. Hogensen
37-7259 - Harvey D. Bothoff
37-7260 - Harvey D. Bothoff

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

The above referenced applications were to have been published in your newspaper on August 16 and August 23, 1973.

In the cover letters, which were sent with the legal notices, we requested that you submit to us galley proofs for review before publication. Since the Department failed to receive galley proofs prior to publication, we have no way of knowing whether you have advertised these applications. We trust that it is being taken care of by your staff.

If you have not taken action on these legal notices, please contact our office by telephone immediately.

Very truly yours,

Janet M. Messersmith
Secretary

37 7259

August 9, 1973

RE: Application Nos. 37-7259 - Harvey D. Bothoff
37-7260 - Harvey D. Bothoff

Gooding County Leader
Box 56
Gooding, ID 83330

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jrm

Enc.: Legal Notices (2)

Bill submitted 9-6-73 by *jmm*

37 7259

**NOTICE OF APPLICATION
FOR WATER PERMIT**

OK Jan 8-16-73
Notice is hereby given that Harvey D. Bothoff, Route 2, Gooding, Idaho has on August 8, 1973 submitted Application No. 37-7259 for a permit to appropriate 4.3 cubic feet per second of water from ground-water by means of deep well pump and sprinkler system within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 6S, R. 15E, B. M., Gooding County to be used from March 15 to November 15 for irrigation of 215 acres within the NW $\frac{1}{4}$, Sec. 2, T. 6S; S $\frac{1}{2}$ - SW $\frac{1}{4}$, Sec. 35, T. 5S; R. 15E, 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 Administration, 1041 Blue Boulevard North, Twin Falls, Idaho, 83301 on or before September 3 1973.

R.Keith Higginson
Director

8-16-2tc

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harvey D. Bothoff
Route 2, Gooding, ID
has on August 8, 1973 submitted Application No. 37-7259
for a permit to appropriate 4.3 cubic feet per second ~~XXXXXXXXXXXXXXXXXXX~~ acre feet per annum
of water from groundwater
by means of deep well pump and sprinkler system
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 6S, R. 15E, B.M., Gooding County
to be used from Mar. 15 to Nov. 15
for irrigation of 215 acres
within the NE $\frac{1}{4}$, Sec. 2, T. 6S; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 6S; R. 15E, 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 Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before September 3, 1973.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader
on August 16 and August 23, 1973

37 7259