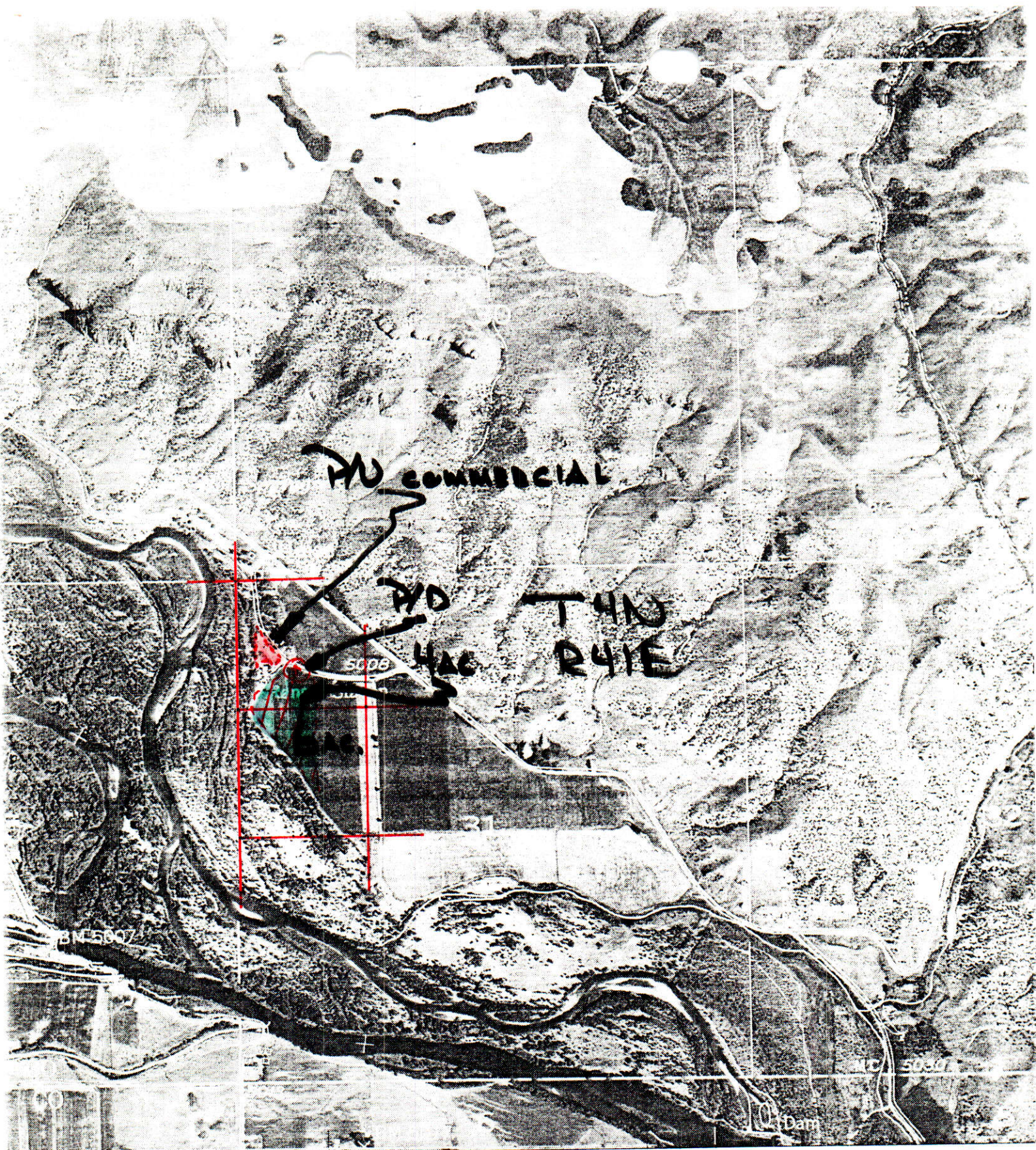
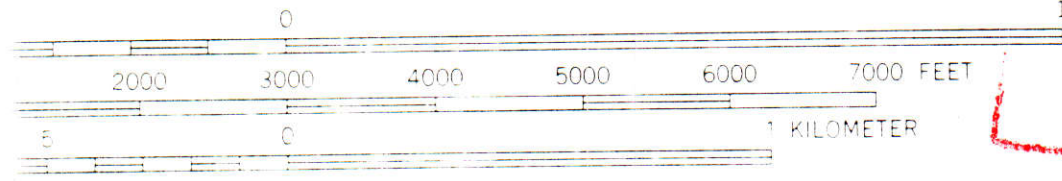




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SCALE 1:24 000



MICROFILMED
23-07143
JUL 20 1990

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, LaReena Lydon
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice App. for Water

a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for 12/2000
consecutive issues, the first publica-

having been made on 5/16/90
and the last publication having been

made on 5/23/90.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

LaReena Lydon

On this 24th day of May

in the year of 1990, before
me, a Notary Public, personally ap-

peared LaReena Lydon,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Shelly
Notary Public for Idaho

Residing at Shelly

My commission expires: 12-24-92

RECEIVED

MAY 25 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

23-07143

7N RANCH
5156 E. HEISE RD.
RIRIE, ID 83443
Source: GROUNDWATER
Diversions Pt: NWNW Sec 31 T 04N R
41E

Use: IRRIGATION (.200 CFS)
COMMERCIAL (.040 CFS)
Total Diversion: (.240 CFS)

Date Filed: 3/15/1990
In: T04N R41E S31 NWNW SWNW

10.0 ACRES TOTAL
25-07564

BROWN, SHANNON
BROWN, LLOYD
218 TROY
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversions Pt: SENE Sec 35 T 04N R
37E

Use: IRRIGATION (1.220 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (1.260 CFS)

Date Filed: 3/6/1990
In: T04N R37E S35 NENE SWNE
SENE NESE NWSE

S36 SWNW
61.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests may be
submitted based on the criteria of Sec.
42-203A, Idaho Code and/or the new
public interest criteria of Sec. 42-203C,
Idaho Code. Protests must be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before JUNE 4,
1990.

R. Keith Higginson, Director
Published in the Jefferson Star,
Rigby, Idaho, May 16 and 23, 1990.

MICROFILMED

JUL 20 1990

Idaho Dept. of Water Resources
Place of Use Comparison Report

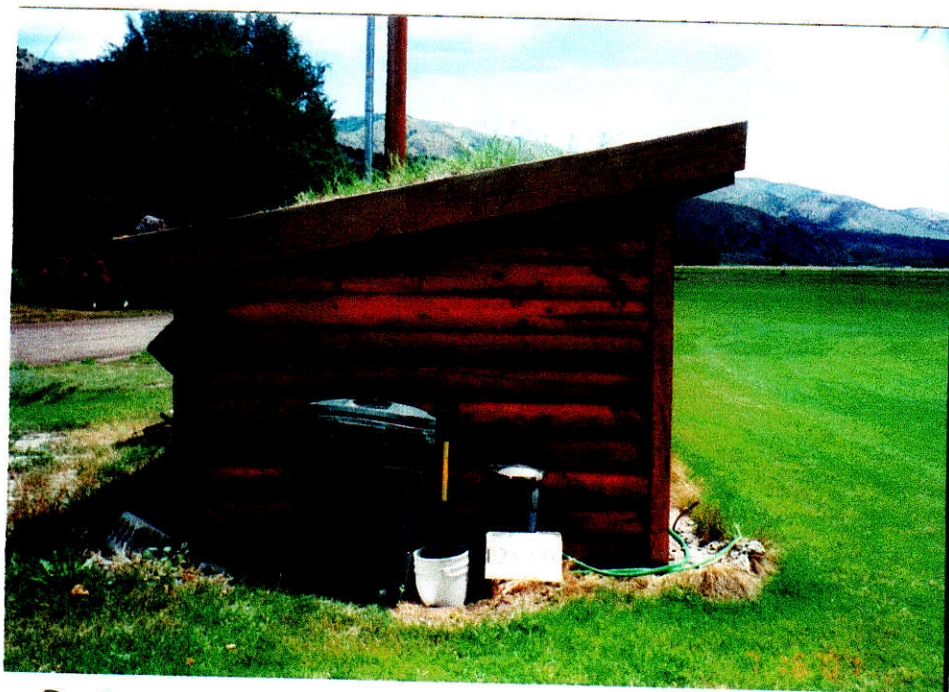


Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SESW	NESE	NWSE	SESE	Total
Right	23 7143	7N RANCH,	GROUND WATER	04N41E31						3	7								10
Permit	23 7143	7N RANCH,	GROUND WATER	04N41E31						4	6								10
Claim	1 10026	CLARA NEWBY,	SNACK RIVER	04N41E31			20	3	4	6	20	39	20	1		12	20		145
Claim	1 10027	CLARA NEWBY,	SNACK RIVER	04N41E31			20	3	4	6	20	39	20	1		12	20		145
Claim	1 321	CLARA NEWBY,	SNACK RIVER	04N41E31			20	3	4	6	20	39	20	1		12	20		145
Claim	23 10023	HEISE HOT SPRINGS INC,	HAWLEY WARM SPRING	04N41E31						7									7
Claim	23 10024	HEISE HOT SPRINGS INC,	HAWLEY WARM SPRING	04N41E31						7									7
Claim	23 7016	HEISE HOT SPRINGS INC,	GROUND WATER	04N41E31					2	16									18
Right	23 7016	HEISE HOT SPRINGS INC,	GROUND WATER	04N41E31					2	16									18
Right	25 2103	ROBERT M QUINN,	UNNAMED SLOUGH	04N41E31			20		8	35	18	39							120
Claim	1 10214	PALISADES WATER USERS INC,	SNACK RIVER	04N41E31				40	8	36	36	35	30	21		26	40	22	302
Right	1 321	MARVON M NEWBY,	SNACK RIVER	04N41E31			X	X	X	X	X	X	X	X		X	X		0
Right	1 72	HEISE CANAL,	SNACK RIVER	04N41E31			X		X	X	X	X							0
Claim	1 156	POPLAR IRRIGATION DIST,	SNACK RIVER	04N41E31											10	2			12
Right	1 156	POPLAR IRRIGATION DIST,	SNACK RIVER	04N41E31											10	2			12
Claim	1 202	POPLAR IRRIGATION DIST,	SNACK RIVER	04N41E31											10	2			12
Right	1 202	POPLAR IRRIGATION DIST,	SNACK RIVER	04N41E31											10	2			12

1721 per Dave Carlson:
use surface water on lower end of
driving range - well water used
first - right not intended to
be supplemental to surface water

173/0721 per George Newby: use both sources
on this place

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MAR 11 2003



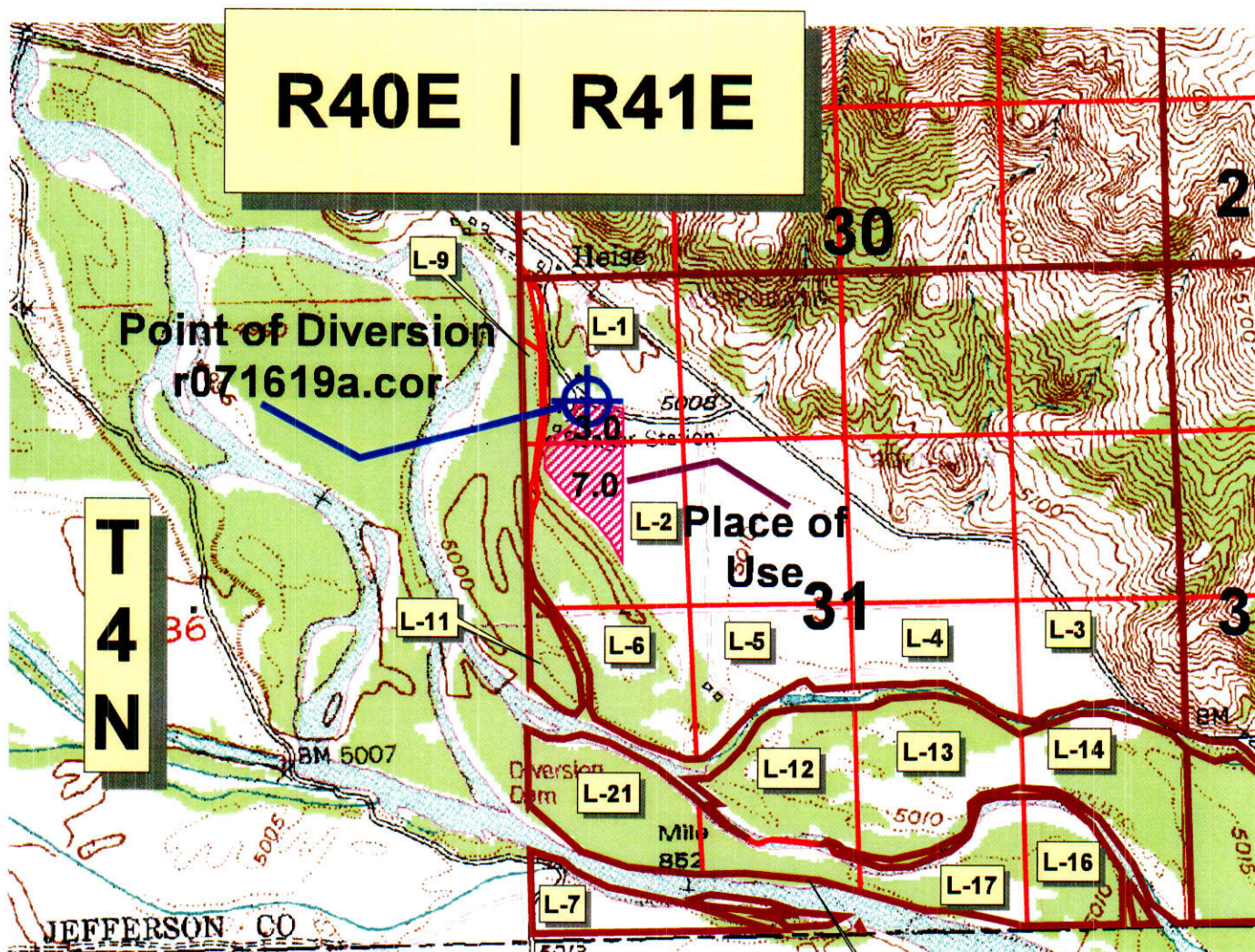
POD 23-7143



POU driving range

MICROFILMED

MAR 11 2003



Posnpnt.shp



Pu237143qq.shp



S04n41e.shp



T04n41e.shp

23-7143

MICROFILMED

MAR 11 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-07143

Priority: April 02, 1990

Maximum Diversion Rate: 0.24 CFS

It is hereby certified that 7N RANCH
5156 E HEISE RD
RIRIE ID 83443 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 15, 1990; and has
submitted Proof of Beneficial Use on July 19, 1993. An examination indicates that the works have a
diversion capacity of 0.31 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS
IRRIGATION	04/01 to 10/31	0.20 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 31, Twp 04N, Rge 41E, B.M., JEFFERSON County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 41E 31						X	X										
						L1	L2										

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 41E 31						3.0	7.0										10.0
						L1	L2										

Total Acres: 10

CONDITIONS OF APPROVAL

1. Commercial use is for a miniature golf course, 30 unit RV park and a dinner theater.
2. The commercial use under this right shall not exceed 10.6 af per year.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 35.0 af at the field headgate for the lands above.

MICROFILMED

MAR 11 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-07143

4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 5TH day of FEBRUARY, 2003.

Acting for


KARL J. DREHER
Director

MICROFILMED
MAR 11 2003

RECEIVED

FEB 3 - 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 23-07143

Date of Priority: April 02, 1990

Maximum Diversion Rate: 0.24 CFS

Comes now 7N RANCH
5156 E HEISE RD

RIRIE ID 83443 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. 23-07143, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	10.6 AF
IRRIGATION	04/01 to 10/31	0.20 CFS	

LOCATION OF POINT OF DIVERSION:GROUND WATER L1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 31, Twp 04N, Rge 41E, B.M., JEFFERSON CountyPLACE OF USE: COMMERCIAL

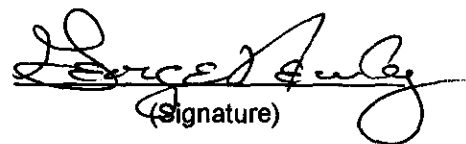
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 41E 31						X	X										
						L1	L2										

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 41E 31						3.0	7.0										10.0
						L1	L2										

Total Acres: 10

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 this 27 day of Jan, 2003.


(Signature)

MICROFILMED
MAR 11 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 23-07143

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = 50.00 Received by jm # C067166 Date 2/3/03

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. 23-07143 with the following:

CONDITIONS OF APPROVAL

1. Commercial use is for a miniature golf course, 30 unit RV park and a dinner theater.
2. The commercial use under this right shall not exceed 10.6 af per year.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 35.0 af at the field headgate for the lands above.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this 5TH day of FEBRUARY, 2003.

Acting for


KARL J. DREHER
Director

MICROFILMED

MAR 11 2003

RECEIVED

JUL 19 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 100.00
Date 7-19-93
Receipt No. 0028171
Receipt by OR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. P23-07143 Telephone No. 538-5097
2. Name(s) of Permit Holder(s): George Newby - TN Ranch
3. Mailing Address: 5156 E. Heise Rd. Rivier, Id. 83443
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Dennings Date Drilled: circa 7/15/90

OPTIONAL:

Pump horsepower: 7.5 Pressure (psi): 55 Dynamic pumping level (ft.): 27'

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

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

Irrigation _____ (No. of acres) Other Commercial

6. Total rate and/or volume for which proof is submitted 0.24 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes NO Installed? _____ Yes NO

OR

Flow Measurement Port: Required? _____ Yes NO Installed? _____ Yes NO

8. Fee Enclosed: \$ 100 (See License Fee Schedule on back of Instruction Sheet)

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

Name George Newby Telephone No. 538-5097
Address 5156 E. Heise Rd.

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

5/15/93
Date

George Newby - Owner
Signature (and title, if on behalf of a company or organization)

AUG 25 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 23-07143

IN THE NAME OF 7N RANCH

)
) ORDER OF
) REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1993; and,

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

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

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 19, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 23-07143 be REINSTATED with an advance in priority to April 2, 1990.

Dated this 22ND day of July, 1993.

for 
L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

AUG 25 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 23-07143

Proposed Priority: March 15, 1990 Maximum Diversion Rate: 0.24 CFS
This is to certify, that 7N RANCH
5156 E. HEISE RD.
RIRIE, ID 83443
has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.20 CFS
COMMERCIAL	01/01 to 12/31	0.04 CFS
	Totals	0.24 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW Sec. 31, Township 04N, Range 41E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 41E 31	NWNW 4	SWNW 6		10
		Total number of acres irrigated:		10

PLACE OF USE: COMMERCIAL

TWN RGE SEC

04N 41E 31 NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1993.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

RECEIVED
JUL 20 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07143

CONDITIONS/REMARKS:

7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. Commercial use is for a miniature golf course.

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

28 ^{~~th~~} day of June, 1990.

R. Keith Higginson
R. Keith Higginson, Director

for

MICROFILMED

JUL 20 1990

Ident. No. 23-07143

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: 7N RANCH 208-538-5097
Address: 5156 E. HEISE RD.
RIRIE, ID 83443
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWNW Sec. 31, Township 04N, Range 41E
JEFFERSON County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 04/01 | 11/01 | 0.200 | | |
| COMMERCIAL | 01/01 | 12/31 | 0.040 | | |
5. Total quantity to be appropriated is:
0.240 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP AND PIPELINES FOR IRRIGATION AND RV PARK, OFFICE.
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is 12 inches; proposed depth of well is 40
feet.
 - Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 3 years.
8. Description of proposed uses:
IRRIGATION OF 10 ACRES, C/MINIATURE GOLF COURSE, OFFICE
9. Place of Use: IRRIGATION

TWN RGE SEC
04N 41E 31

ACRES
NWNW 4

ACRES
SWNW 6

ACRES TOTAL
10

MICROFILMED

JUL 20 1980

Ident. No. 23-07143
Page 2

Place of Use: COMMERCIAL

TWN RGE SEC
04N 41E 31 NWNW

Total number of acres irrigated: 10

10. Describe any other water rights used for the same purposes.
01-00321, 25-02103, 01-00072

11. a. Who owns the property at the point of diversion?

APPLICANTS

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

APPLICANTS

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

12. Remarks:

PARTNERS IN 7N RANCH:

- 1) CLARA NEWBY
- 2) GEORGE NEWBY

13. Map of proposed point of diversion and place of use attached? ☒

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.

X Clara Newby
Applicant

Received by DM Date 3/15/90 Time 1445 Preliminary check by AMS

Fee \$ 45.00 Receipted by DM # 5012381 Date 3/15/90

Publication prepared by RB Date 5-17-90 Published in Jefferson Star

Publication approved RB Date 6-5-90

MICROFILMED

JUL 20 1990



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SCALE 1:24 000

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446
447
REPRODUCED
25-07143
1 MIL JUL 20 1990

AFFIDAVIT OF PUBLICATION

I, LaReena Lydon
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

ment issue thereof for 2 two consecutive issues, the first publica-

made on 2/23/90.

Salvatore D'Amico

peared LaReena Lydon, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

My commission expires: 01-24-92

Department of Water Resources
Eastern District Office

7th RANCH
6100 E. MERRILL RD.
RIFLE, ID 83440
Source: GPO INFORMATION
Division Pt. MANN Sec 31 T 04N R
41E

Use: INFORMATION	200 GPG
COMMERCIAL	040 GPG
Total Diversion	240 GPG

DATE FILED: 2/15/1962
IN: TOLSON FILE NO. 100-441611-100
1962 FEB 15

BROWN, SHARON
BROWN, ALOND
BIB, TONY
BRAND, CAROL ANN
BRAND, GARY L.
BRAND, JAMES E.
BRAND, RICHARD A.
BRAND, ROBERT W.

Under: ()
 ()
 ()

DATE _____
IN _____

**ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-06-2009 BY 60322 UCBAW/SJS**

RECEIVED

JUL 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2003

7N RANCH
5156 E HEISE RD
RIRIE ID 83443

RE: License No. 23-7143 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
MAR 11 2003

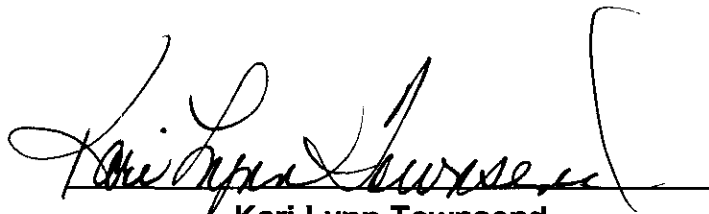
CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

23-7143

7N RANCH
5156 E HEISE RD
RIRIE ID 83443



Kari Lynn Townsend
Secretary

MICROFILMED
MAR 11 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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MAR 11 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Idaho Dept. of Water Resources
Place of Use Comparison Report



Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	23 7143	7N RANCH,	GROUND WATER	04N41E31						3	7										10
Permit	23 7143	7N RANCH,	GROUND WATER	04N41E31						4	6										10
Claim	1 10026	CLARA NEWBY,	SNAKE RIVER	04N41E31			20	3	4	6	20	39	20	1			12	20			145
Claim	1 10027	CLARA NEWBY,	SNAKE RIVER	04N41E31			20	3	4	6	20	39	20	1			12	20			145
Claim	1 321	CLARA NEWBY,	SNAKE RIVER	04N41E31			20	3	4	6	20	39	20	1			12	20			145
Claim	23 10023	HEISE HOT SPRINGS INC,	HAWLEY WARM SPRING	04N41E31						7											7
Claim	23 10024	HEISE HOT SPRINGS INC,	HAWLEY WARM SPRING	04N41E31						7											7
Claim	23 7016	HEISE HOT SPRINGS INC,	GROUND WATER	04N41E31					2	16											18
Right	23 7016	HEISE HOT SPRINGS INC,	GROUND WATER	04N41E31					2	16											18
Right	25 2103	ROBERT M QUINN,	UNNAMED SLOUGH	04N41E31			20		8	35	18	39									120
Claim	1 10214	PALISADES WATER USERS INC,	SNAKE RIVER	04N41E31				40	8	36	36	35	30	21		26	40	22	8		302
Right	1 321	MARVON M NEWBY,	SNAKE RIVER	04N41E31			X	X	X	X	X	X	X	X			X	X			0
Right	1 72	HEISE CANAL,	SNAKE RIVER	04N41E31			X			X	X	X									0
Claim	1 156	POPLAR IRRIGATION DIST,	SNAKE RIVER	04N41E31											10	2					12
Right	1 156	POPLAR IRRIGATION DIST,	SNAKE RIVER	04N41E31											10	2					12
Claim	1 202	POPLAR IRRIGATION DIST,	SNAKE RIVER	04N41E31											10	2					12
Right	1 202	POPLAR IRRIGATION DIST,	SNAKE RIVER	04N41E31											10	2					12



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 27, 2003

7N RANCH
5156 E HEISE RD
RIRIE ID 83443

RE: Water Right Permit 23-07143

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received the amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you have been misplaced, a new one is enclosed. Please note that the filing fee is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 7, 2003

7N RANCH
5156 E HEISE RD
RIRIE ID 83443

RE: Water Right Permit No. 23-07143

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Place of Use – Commercial use developed in additional location**

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

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

LICENSE REVIEW CHECKLIST

Permit No. 23-7143 Date: 12-27-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

add
commercial
plu in
SWNW

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.24 cfs
Fee Limit 1.0 ~~1.0~~ cfs
Measured _____ cfs
Theoretical 0.31 cfs

Recommended Total Diversion Rate 0.24

Water Uses

OK Change (P46)

Season of Use per new Standards
4-1 10-31

Irrigation 0.20 cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
Comm 0.04 cfs _____ af
_____ cfs _____ af
Total 0.24 cfs _____ af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

0.2 cfs x 1.9835 x 214 days = 84.9 af (vs) 10 acres x 3.5 (FHR) = 35.0 af
2.5(con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

NO - not req'd

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice P44

S06

DEC 26 2002

Department of Water Resources

Permit No: 23-7143

Page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 23-7143

Exam Date: 7/16/2001

8/2002

1. Current Owner: 7N RANCH
5156 E HEISE RD
RIRIE ID 83443
(208)538-5097

2. Accompanied by: Mrs Newby
Phone No:
Address:
Relationship to Permit Holder: wife

3. SOURCE**TRIBUTARY**

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 01-321, 10026, 10027 (Snake) Palisades Water
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER

L1 NW1/4NW1/4

Sec. 31, Twp 04N, Rge 41E, B.M.

JEFFERSON County

Method of Determination: GPS/FE

2.

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	41E	31						X	X										
								L1	L2										

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	41E	31						3.0	7.0										10.0
								L1	L2										

Total Acres: 10

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10/1/2003

Method of Determination:

3. ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
		7.5 hp	submersible		

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

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>

2. Measurements:

$$CFS = \frac{7.5 (6.16)}{10' + 2.31(60)} = 0.31 CFS$$

Theoretical

psi = 60

hp = 7.5

depth = 10' To water

E. FLOW CALCULATIONS

Measured Method:

☐ Additional Computation Sheets Attached

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F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 \times 3.5 = 35$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 2.4 \times 0.20 \times 1.9835 = 85$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 35$$

2. Volume Calculations for Other Uses:

Commercial — open 4-1-10/31 — 214 days

$$0.04 \text{ cfs} \times 1.9835 \times 214 \text{ days} \times \frac{15 \text{ hrs}}{24 \text{ hr}} = 10.6 \text{ AF/A}$$

for 30 unit RV park with showers laundry and miniature golf course, Dinner Hall

G. NARRATIVE/REMARKS/COMMENTS

well/pump to commercial 30 unit RV park with showers and laundry, miniature golf course, 10 acres irrigated driving range. 7.5 hp pump to four pressure tanks to sprinklers and commercial use

DINNER THEATER

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.040 CFS	10.60 AF
IRRIGATION	04/01 to 10/31	0.200 CFS	35.00 AF
<u>Totals:</u>		0.240 CFS	45.60 AF

2. Recommended Amendments

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

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

DAVE CARLSON

Date

12/19/2002

Reviewer

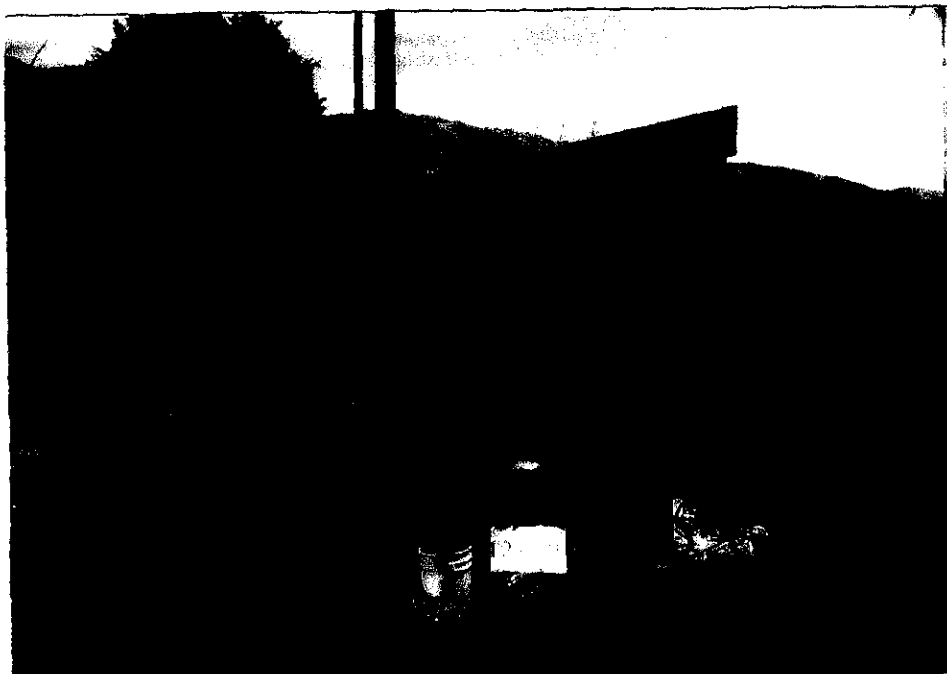
J. W. Jones

Date

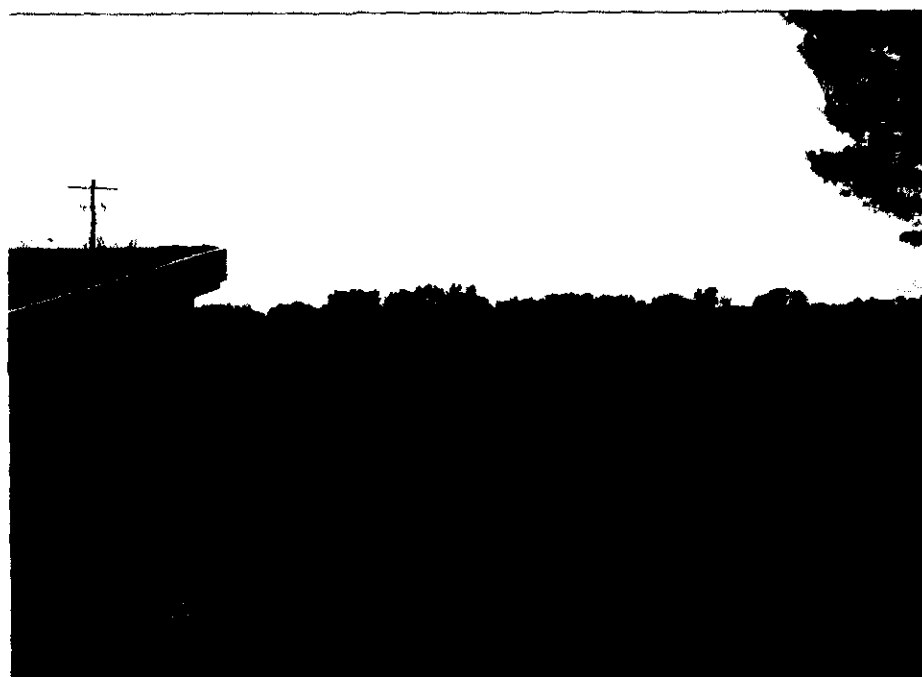
12-23-2002

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MAR 11 2003



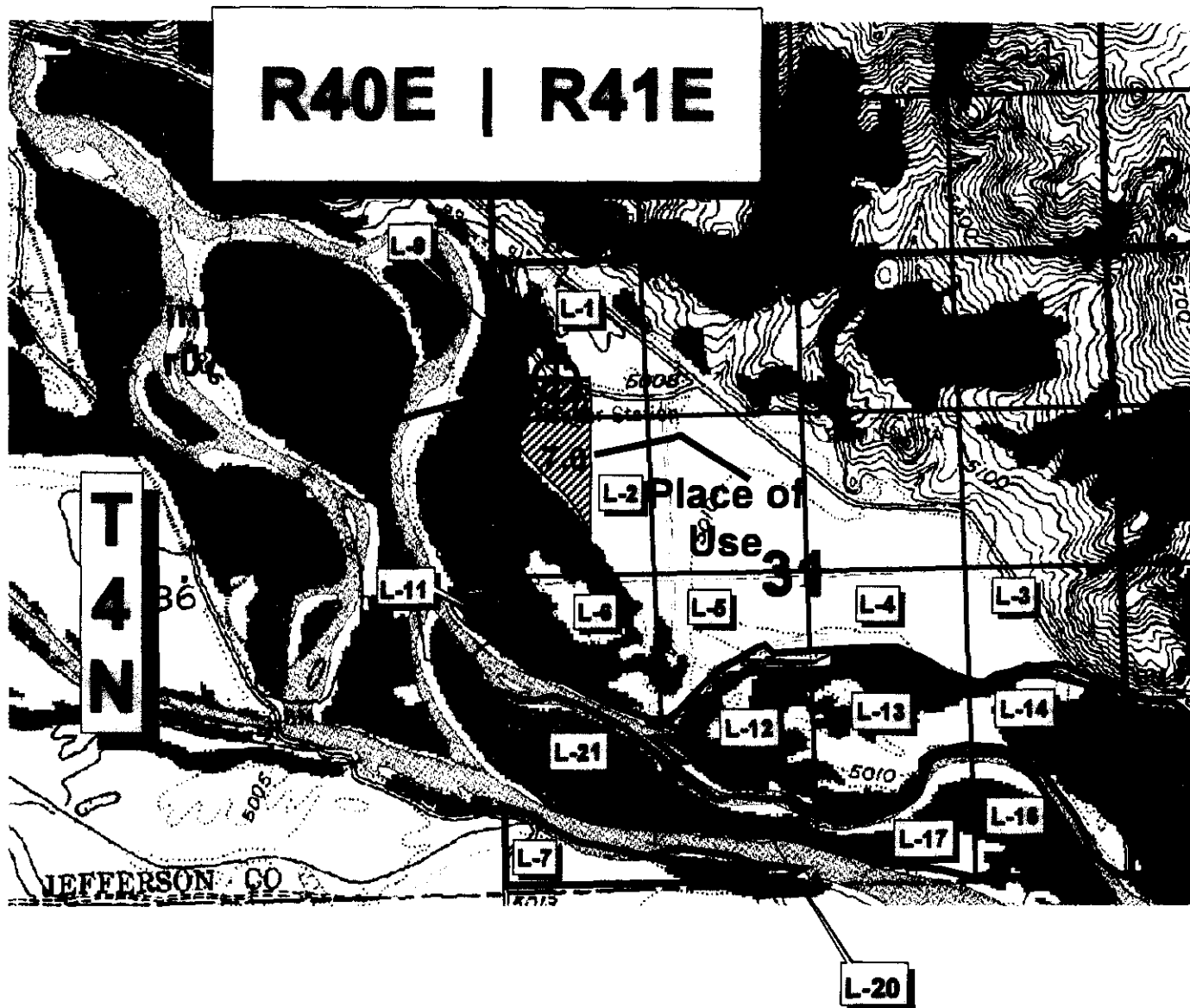
POD 23-7143



POU driving range

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APR 11 2003



- ⊕ Posnpt.shp
- ▨ Pu237143qq.shp
- S04n41e.shp
- T04n41e.shp

23-7143

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MAR 9 1 2005

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

[illegible]

July 23, 1993

7N RANCH
5156 E. HEISE RD.
RIRIE ID 83443

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 23-07143

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

AUG 25 1993

Permit No. 23-07143 Reviewed by idg Date 7/20/93

yes Name same as permit? Commercial

yes Address same as permit? _____

no Proof timely received? Correct Uses? yes

If not, complete calculation below.

yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 23-90-EO020-000
200 Amount paid for permit yes Correct?
data c Well log in the file?

NA Required?
NA Installed?
NA Waiver requested?

Date proof received	<u>7/19/93</u>		<u>200</u>
Date proof due	<u>7/1/93</u>	-	<u>182</u>
No. of days late		=	<u>18</u>
Priority Date	<u>3/15/90</u>	+	<u>74</u>
New Priority Date	<u>4/12/90</u>		<u>92</u>

proof acceptable

needs an order

Proof Made 7/19/93
7/23/93 KCG

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
23-90-E-0020-000	O	GEORGE NEWBY 7N RANCH 5156 E HEISE RD RIRIE, ID 83443 (208) 538-5097	04N	41E	31	NW NW		JEFFERSON

Subdivision Location and Description:

Subdivision Name:
Well Site Address:
City, State:

Geographic Location:

Accuracy Code:
Lat: : : N
Long: : : W

Lot(s):
Block(s):

Proposed Use of Well: Other

Proposed Casing Diameter: 3 In.

Proposed Depth: 35 Ft.

Well Use Comments: COMMERCIAL

Driller License No: 0010

Firm Name: DENNING WELL DRILLING INC
Official: DUANE N DENNING

Permit Status: Permit

Verbal Issue Date:
Date Received: 07/11/1990
Date Approved: 07/11/1990
Proposed Start Date: 07/11/1990
Extension Date:
Extension Expiration:

Receipt No. Receipt Date Fee
E014977 07/11/1990 \$ 200.00

Specific Conditions:

Permit Remarks:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 23-90-E-0020-000

Water Right No: 23-07143
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY & AIR

Number of Monitor Wells:

Casing Diameter: 8 In.
Depth of Casing: 32 Ft.
Total Depth: 34 Ft.
Screen Installed?

Static Water Level: 8 Ft.
Temperature:
Production Rate: GPM

Actual Start Date: 08/01/1990
Well Finish Date: 08/01/1990
Log Received Date: 08/28/1990
Certification Date:
Field Inspection Date:

Inspector:

Well Log Remarks: SCREEN USED, TYPE-STAINLESS STEEL 7" DIAM. SLOT SIZE .020 SET
FROM 23' TO 34'.

July 7, 1993

7N RANCH
5156 E. HEISE RD.
RIRIE ID 83443

LAPSE NOTICE

RE: PERMIT NO. 23-07143

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 7/7/93
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg
RECEIVED

AUG 25 1993

April 30, 1993

7N RANCH
5156 E. HEISE RD.
RIRIE ID 83443

PROOF DUE NOTICE

RE: PERMIT NO. 23-07143

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

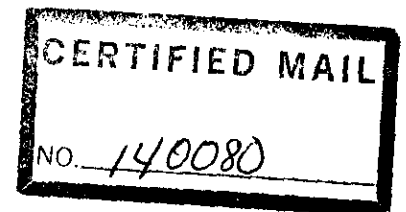
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



AUG 25 1993

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) 7N RANCH
2. Mailing Address 5156 E. HEISE RD.
RIRIE, ID 83443 Telephone _____
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 NW 1/4, or Gov't Lot No. _____
Sec. 31, Twp. 4N, Rge. 41E, County JEFFERSON
Street Address of Well Site _____
Lot, block and subdivision _____
4. Proposed use of well:
- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- (X) Non-Domestic: Any beneficial use not included within the definition of domestic.
IRRIGATION 10 Acres; COMMERCIAL RV campground & Minature golf course
- () Injection
- () Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
5. Well construction information:
- A. (X) New well () Deepen () Replace - See Condition 9
- B. Proposed Surface Diameter 8" Proposed Maximum Depth 35'
- C. Anticipated bottom hole temperature:
- (X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)
6. Construction Start Date 7-11-90 **AUG 25 1993**
7. Anticipated Well Driller DENNING WELL DRILLING
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature _____ Date 7-11-90
Title George Denning (Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED

Date 7-11-90

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

[Signature]
Signature of Authorized Department Representative

[Signature]
EASTERN REGIONAL MANAGER
Title

Receipt No. E014722 Received by RB Fee \$200.00 Date 7-11-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date AUG 25 1993

This extension is good for 60 days beyond the above extension approval date.

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 29, 1990

7N RANCH
5156 E. HEISE RD.
RIRIE, ID 83443

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P23-07143

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

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

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JUL 20 1990

permit was approved.

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICKELAND

JUL 20 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Dunn DATE 16 Mar 90 APPLICATION NUMBER 23~7143
7N Ranch

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.) 01-00321/00072, 25-02103
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
☐ Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

JUN 14 1990

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6-4-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 3-15-90
By HWS Date 6-12-90

STATE OFFICE REVIEW P05, P23 P17 48 49 46 26
By KW See below for additional information
Date 6-22-90

ADDITIONAL INFORMATION

App. in NON-TRUST area -
allow 3 yrs. to develop as
requested -

10-May-1990

7N Ranch

Ririe, ID 83443

RE: Application for Permit No. 23-7143

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Jefferson Star on MAY 17 & 24, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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JUL 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 9, 1990

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before JUNE 4, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

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JUL 20 1990

from 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673,

7N RANCH
5156 E. HEISE RD.
RIRIE, ID 83443

Source: GROUNDWATER

Diversion Pt: NWNW Sec 31 T 04N R 41E

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Use:  IRRIGATION      ( .200 CFS)
      COMMERCIAL      ( .040 CFS)
      Total Diversion: ( .240 CFS)

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Date Filed: 3/15/ 1990

In: T04N R41E S31 NWNW SWNW

10.0 ACRES TOTAL

UNCLASSIFIED

JUL 20 1990