

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07635

Priority: April 12, 1993

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

37.6 AF

This is to certify, that KIRK PICKETT

RT 3 BOX 3222

BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 25, 1989; and has submitted Proof of Beneficial Use on April 12, 1993. An examination indicates that the works have a diversion capacity of .080 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	7/01 to 12/31	0.08 CFS	37.6 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 21, Township 10S, Range 23E
CASSIA County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
10S 23E 21 SESE

CONDITIONS/REMARKS:

1. The maximum diversion is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. This use is confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be stated to more accurately describe the beneficial use to element accepted standards of diversion and use.
2. This water right is appurtenant to the place of use.
3. This right is subject to forfeiture and may be forfeited by five years non-use.
4. Modifications to or variance from this license may be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. Commercial use is for a greenhouse and nursery.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14TH day of DECEMBER, 1994.

Acting for R. Keith Higginson, Director

DEC 19 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-07635	)	
	)	
IN THE NAME OF KIRK PICKETT	)	ORDER OF
	)	REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On July 18, 1989, the Director of the Department of Water Resources issued Permit No. 45-07635 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1992.

2. On May 31, 1992, the Department sent a proof due notice to the permit holder.

3. On August 5, 1992, the Department sent a lapse notice to the permit holder.

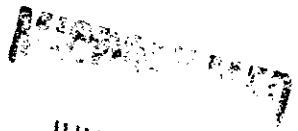
4. On October 19, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. On April 12, 1993, the Department conducted a personal interview with the permit holder in an attempt to obtain the information necessary to reinstate the permit.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that all necessary information was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The department has obtained evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes information obtained by department staff during a personal interview. Evidence also includes pictures taken on April 12, 1993 of the diversion works and place of use.

7. The permit holder stated, during the interview with the department, that he had experienced difficulties with his office staff during the summer of 1992. He assumed the forms and fees had been timely mailed.


JUN 30 1993

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use and the department has obtained supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date the department obtained all of the information needed to reinstate the permit.

ORDER

IT IS HEREBY ORDERED that Permit No. 45-07635 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to April 12, 1993.

Dated this 17th day of May, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

JUN 30 1993

RECEIVED

OCT 19 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 45-07635 Telephone No. 678-0405

2. Name(s) of Permit Holder(s): Kirk Pickett

3. Mailing Address: Rt. 3, Box 3222, Burley, Idaho 83318

4. Source of Water: Well w/ pump

If GROUNDWATER, Well Driller's Name: Chesley Date Drilled: 8/89

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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 .50 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: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

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

Kirk Pickett (208) 654-9681 or (208) 678-0405
Name Telephone No.

Rt. 3, Box 3222, Burley, Idaho 83318
Address

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

8/10/92
Date

[Signature]
Signature (and Title, if on behalf of a company or organization)

RECEIVED MFD

JUN 30 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 45-07635

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Kirk Pickett Phone 654-9634

Post office address Rt. 3 Box 3222, Burley, ID 83318

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____

Sec. 21 Township 10S Range 23E B.M. Cassia County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.50 cfs for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.50 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

b. 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.

c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to beneficial use is
five years (minimum 1 year).

MICROFILMED

AUG 22 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Watering bedded plants & trees in commercial greenhouse; other uses related to ~~greenhouse~~ nursery.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	23E	21															C	C	

C is commercial use

Total number of acres to be irrigated _____

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

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

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

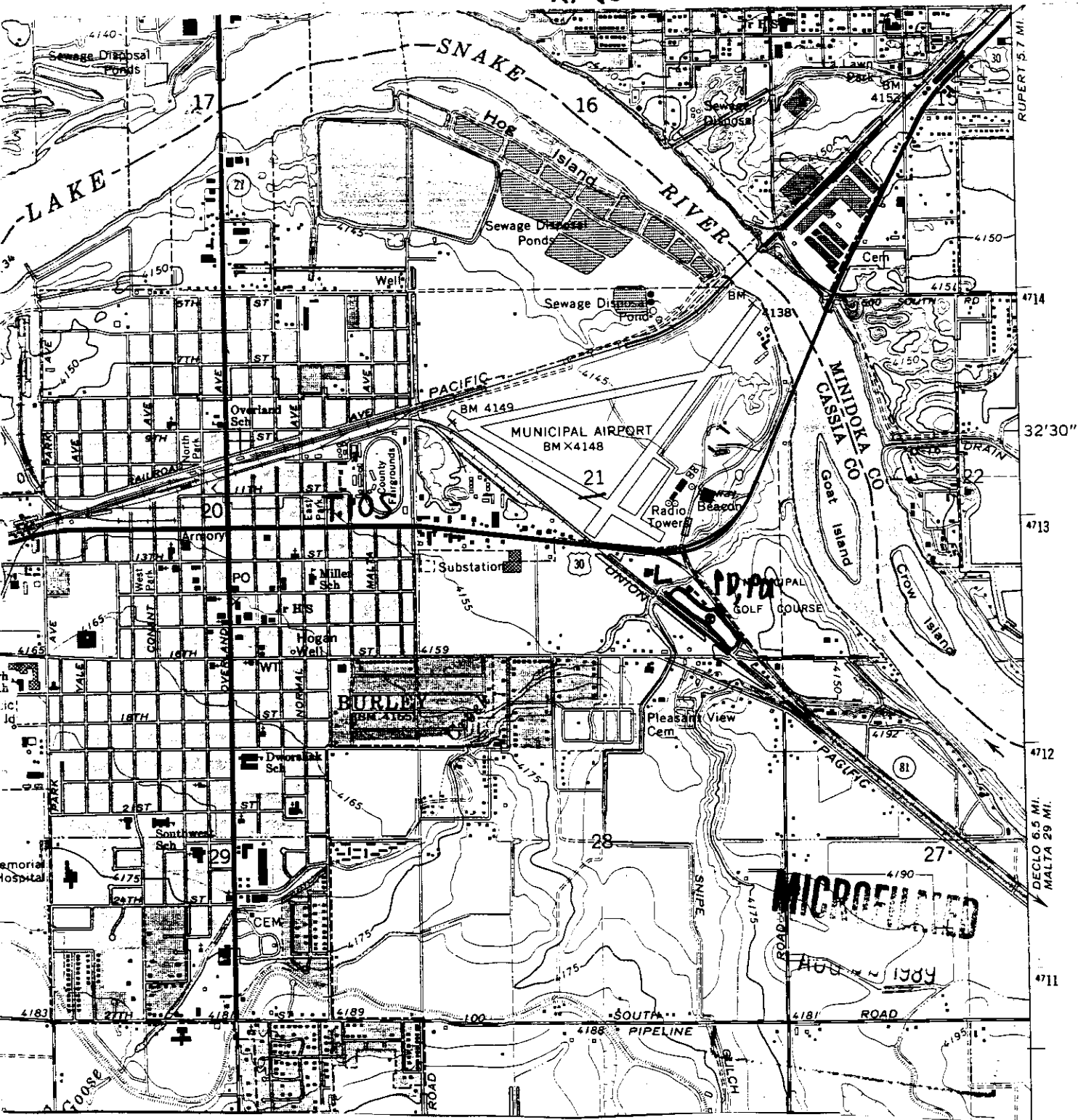
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Applicant does business as Sunrise Nursery.

RECORDED

AUG 22 1961

R. 23E



This image shows a full page of graph paper with a uniform grid of squares. In the bottom right corner, there is a faint date stamp that reads "Aug 22 1980". The rest of the page is empty except for the grid lines.

AUG 22 1989

Application for permit to appropriate the public waters of


(Applicant)

Proposed Priority 1/25/89

Received by J Date 1-25-89 Time 5:05 pm Preliminary check by TB
Fee \$ 45.00 Receipted by J # 5006162 Date 1-26-89
Publication prepared by M. Baldwin Date 4/5/89 Published in So. ID. Press
Publication approved M. Baldwin Date 5/26/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7635, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 92.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
 - e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.
Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Witness my hand this 18th day of July, 1989.
J. New Saylor

MICROFILMED
AUG 24 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 16, 1994

KIRK PICKETT
RT 3 BOX 3222
BURLEY ID 83318

RE: WATER RIGHT NO. 45-07635

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

DEC 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 45-7635

1. Owner: Kirk Pickett Phone No. 678-0405

Current Address: Rt. 3 Box 3222, Burley, ID 83318

2. Accompanied by: Mr. Pickett EXAM DATE: 12-28-93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: —

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SE	21	10S	23E	Cassia	Aerial Photo

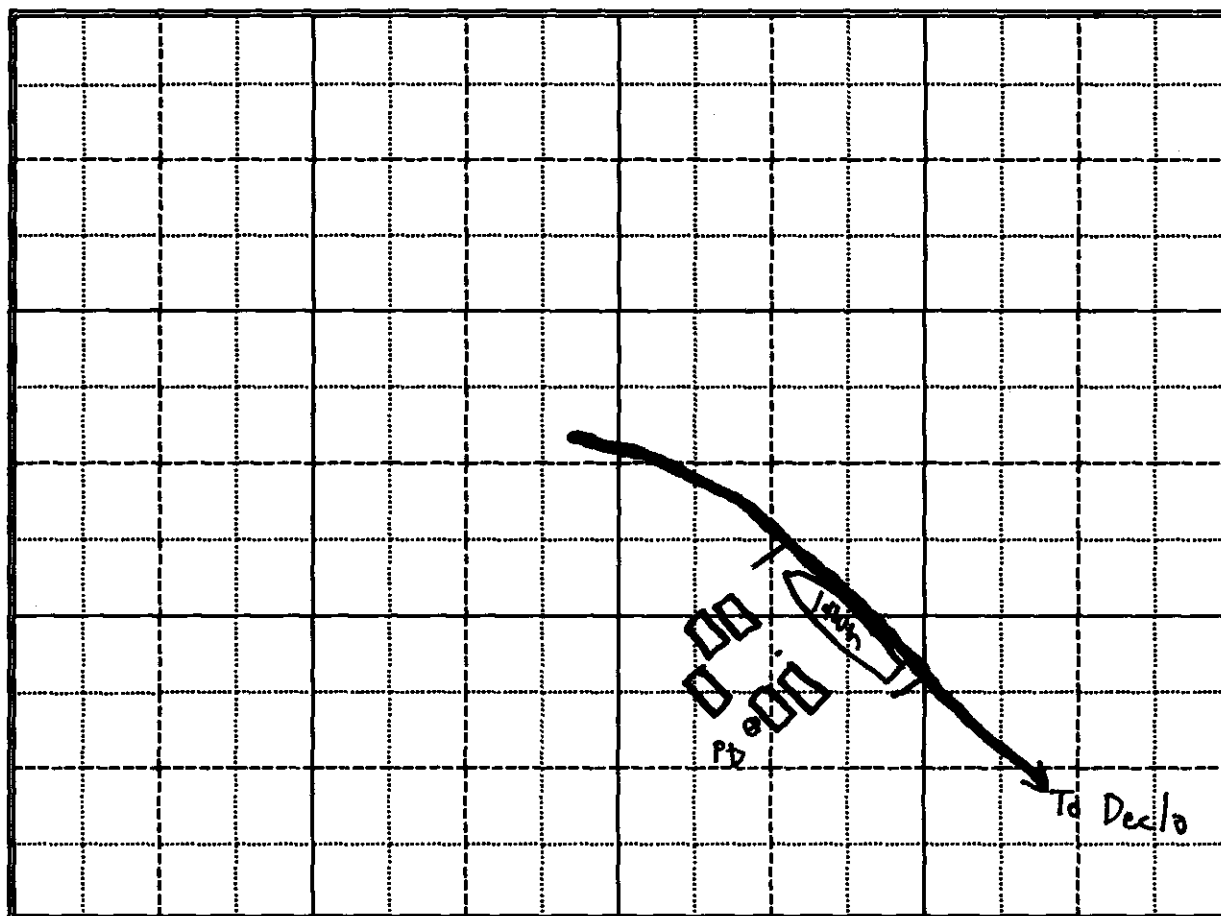
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	23E	21																C	

DEC 19 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model/ Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	3	282 3028 103	Grundfos	—

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Not measured.

DEC 19 1991

E. NARRATIVE/REMARKS/COMMENTS

DBA Sunrise Nursery. Well, submersible motor & pump, pipelines to 5 buildings with drip & sprinkler irrigation, sprinklers for outside watering of bedding plants & lawn ~~in~~ along highway. Is open for business 11 months a year now (closed Christmas thru January). Will eventually be open all year as business expands.

Owner was rather vague concerning actual use of water - would not let me inside buildings to photograph water system. He did say that inside watering goes on about 11 hours/day now. Outside sprinklers run automatically at night for a total of 16 hrs/day.

Theoretical capacity of pump is 0.18 cfs, but owner said well will only provide about 40 gpm (0.07 cfs). With a 3 hp pump at 40 psi, this means that the actual pumping level is over 90'; the well is only 100' deep. According to driller/pump installer, pump is rated at 35 gpm at 40 psi & 35' lift. Allow flow rate of 0.08 cfs.

Since business will operate year around eventually (regardless of what license says), recommend license be issued for continuous use. There ^{appears to} ~~are~~ no inherent conditions that would prevent this system from operating all year.

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

APPROVED
MAY 19 1994

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:**

$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

Commercial - $0.08 \text{ cfs} \times 60 \text{ sec/min} \times 60 \text{ min/hr} \times 16 \text{ hrs/day} \times 365 \text{ days/yr} =$
37.6 AFA

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	0.08	37.6
Totals:			0.08	37.6

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name JE Stanton Date 1-3-94

Reviewer _____ Date _____

SEAL

DEC 19 1994

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 45-7635

DATE: _____

BY: JE Stanton

THEORETICAL RATE OF FLOW:

$$Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$$

Q = CFS

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

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

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

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

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

$$Q = \frac{(8.8) \times (3) \times (0.70)}{[(35) + (40 \times 2.31)]}$$

65 gpm

15

0.48 cfs

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs (X)

Booster (Y) (N)

PSI FROM:

measurement ()

owner (X)

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS

ANNUAL VOLUME ANALYSIS

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

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

$$\text{POTENTIAL} = \frac{(\dots) \times (1.98) \times (\dots)}{(\dots)}$$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____

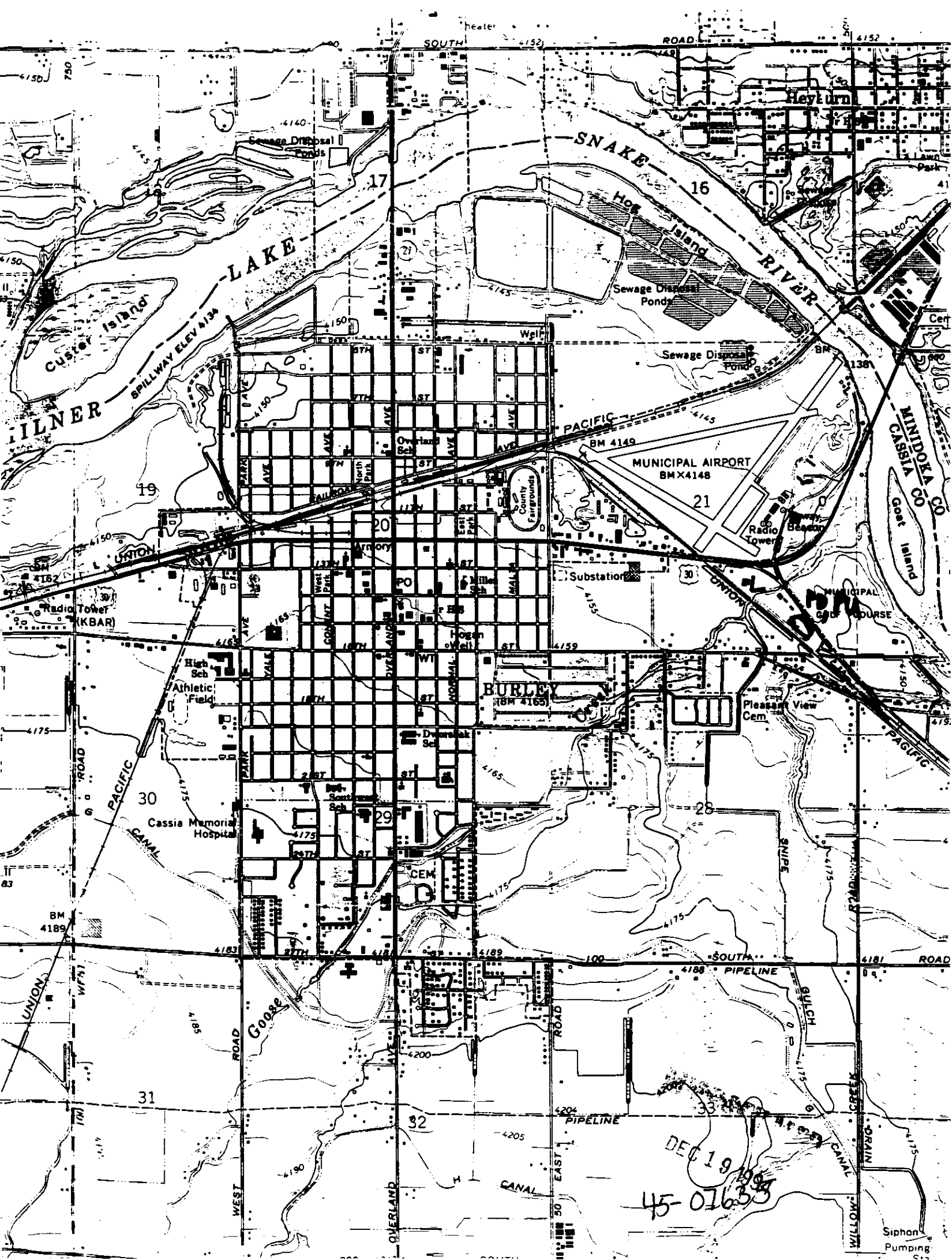
(AF/Ann/Ac irrigation requirement from chart for area)

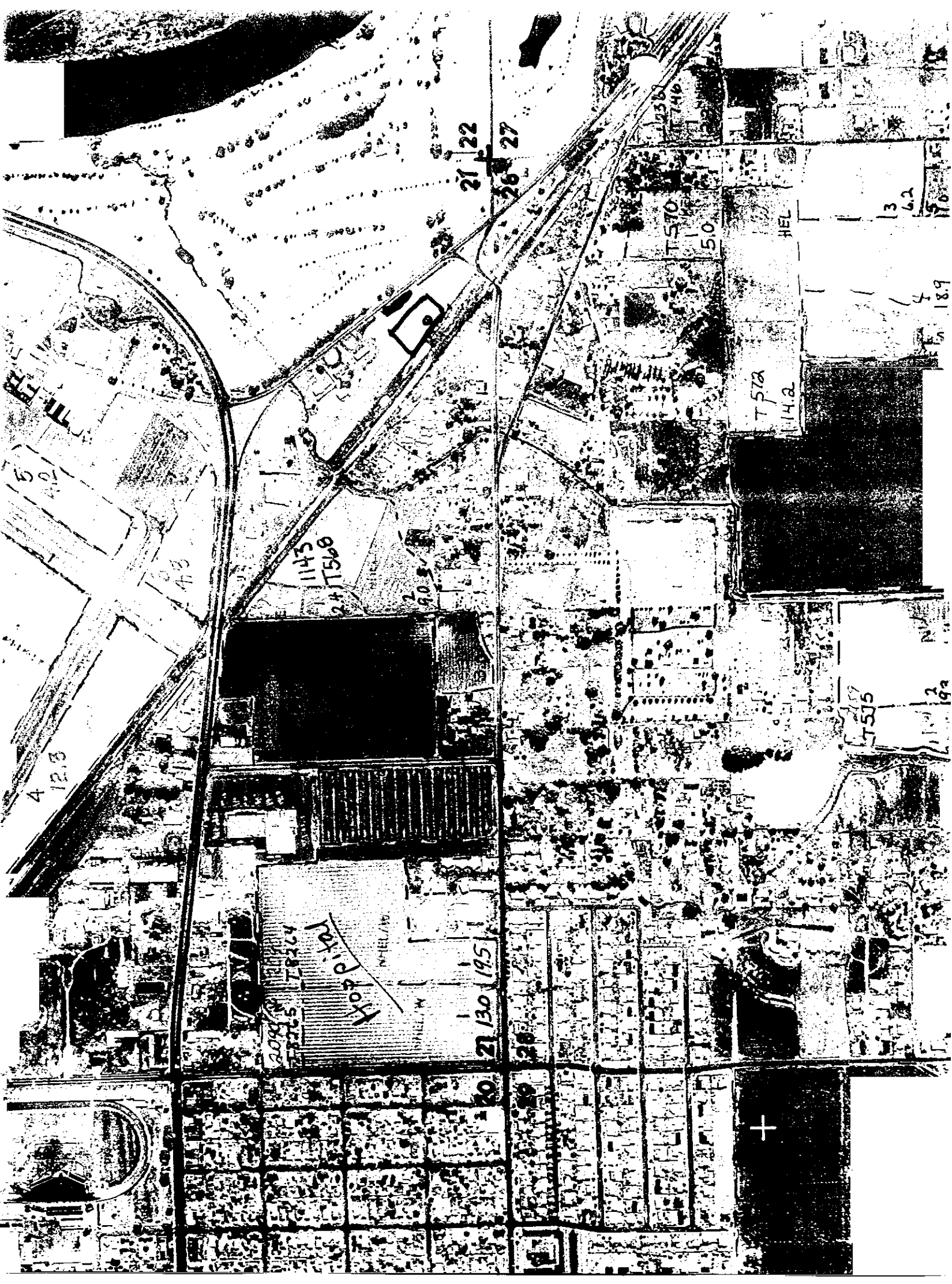
NOTE that this is NOT Consumptive use

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

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

DEC 18 1994





21 22

26 27

T-570

50

HEL

13

6.2

18.9

T-572

14.2

1143

24 T560

20 50

4 12.3

143

2099

18324

100 pital

WELL 140

21 130 195

T-515

1.0

2

+



417

416

415

414

413

WELL DRILLER'S REPORT

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

[illegible]

DEC 19 1994

45-7635



May 28, 1993

KIRK PICKETT
RT. 3 BOX 3222
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07635

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

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JUN 30 1993

MEMORANDUM TO FILES

From: Mel Schulte
Sr. Water Resource Agent
Southern Region

RE: Reinstatement of Permits 45-7634 & 45-7635 in the name of
Kirk Pickett

Date: April 13, 1993

I met with Kirk Pickett on Monday, April 12, 1993 at his landscape nursery business to discuss reinstatement of the permits. Mr. Pickett was very cooperative. He showed me the entire facilities at both locations and explained the history of his commercial landscaping nursery business.

Permit 45-7634 covers a wholesale nursery where bedding plants are raised from seed to a marketable product for distribution to numerous outlets including the retail outlet under 45-7635. The wholesale complex consists of 7 greenhouses ranging in size from 18' x 94' to 30' x 144'. A 6" diameter well with a 2 hp submersible pump provides the irrigation water through hydrants and garden hoses. According to Mr. Pickett he started his nursery business at this site about 1975 and had a retail outlet there until the Spring of 1990.

Permit 45-7635 is for a commercial retail nursery business. The complex consists of 4-30' x 60' greenhouses and a 50' x 50' metal building used for storage, office and display area. In addition to the structures an outside display area is used for larger trees, shrubs, bark, cinder, etc.. The greenhouses are also used to raise bedding plants from late Fall to early Spring when the retail operation is closed for the season.

The water for 45-7635 is provided from an 8" diameter well with a 3 hp submersible pump. The well was drilled in the Spring of 1989 and the buildings constructed in the Fall of 1989. The retail operation was moved from the current wholesale site to this location in the Spring of 1990.

I discussed with Mr. Pickett the reasons he was late in submitting the Proof of Beneficial Use forms in August 1992 and his reluctance to provide the information required under 42-218a. He indicated his failure to submit proofs in a timely manner was due to problems he was having with his office staff during the Summer of 1992 and an oversight on his part. When he signed the proof forms on 8-10-1992 he assumed the forms were mailed and the fees paid. When he was advised in October 1992 that proof forms and fees were still due, he submitted them and thought he had satisfied the department's requirements. Communication after that was considered an unnecessary harrassment but he now accepts that he should have

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JUN 30 1993

been more cooperative.

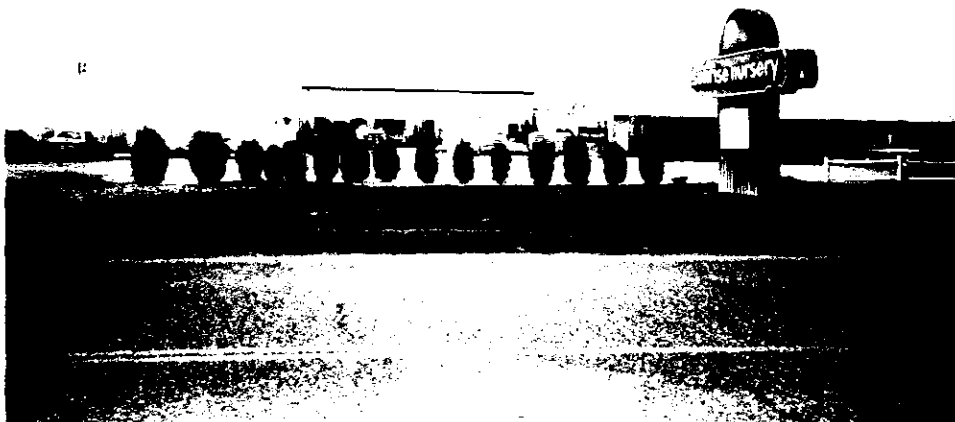
Mr. Pickett would like to finish this matter and have his permits reinstated. It is my recommendation we reinstate permits 45-7634 and 45-7635 and plan to complete the licensing exams as soon as possible after reinstatement.

JUN 30 1993

45-7635
Kirk Pickett



P/D



P/U

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Sammy Nursery</u> Address <u>Burley</u> Owner's Permit No. <u>45-84-5-003</u>		7. WATER LEVEL Static water level <u>13</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>55</u> °F. Quality <u>good</u> Describe artesian or temperature zones below																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☒ Baller ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>50</u></td><td><u>35'</u></td><td><u>2</u></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>50</u>	<u>35'</u>	<u>2</u>																														
Discharge G.P.M.	Pumping Level	Hours Pumped																																					
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th>Bore Diam.</th><th>Depth From To</th><th>Material</th><th>Water Yes No</th></tr></thead><tbody><tr><td><u>8 1/2"</u></td><td><u>0</u> <u>12</u></td><td><u>top soil</u></td><td></td></tr><tr><td><u>4"</u></td><td><u>12</u> <u>25</u></td><td><u>sand</u></td><td></td></tr><tr><td><u>3 1/2"</u></td><td><u>25</u> <u>30</u></td><td><u>clay & gravel</u></td><td></td></tr><tr><td><u>2 1/2"</u></td><td><u>30</u> <u>39</u></td><td><u>gravel</u></td><td></td></tr><tr><td><u>3 1/2"</u></td><td><u>39</u> <u>40</u></td><td><u>sand</u></td><td></td></tr><tr><td><u>4 1/2"</u></td><td><u>40</u> <u>55</u></td><td><u>sand</u></td><td></td></tr><tr><td><u>5 1/2"</u></td><td><u>55</u> <u>75</u></td><td><u>clay</u></td><td></td></tr><tr><td><u>7 1/2"</u></td><td><u>75</u> <u>100</u></td><td><u>clay & gravel</u></td><td></td></tr></tbody></table> <u>Well collapsed back to the bottom of the pipe when drilling</u> <u>Put 25' cement in the bottom 10' of well with sand</u> RECEIVED MAR 27 1989 MAR 17 1989 Department of Water Resources Office of the Director		Bore Diam.	Depth From To	Material	Water Yes No	<u>8 1/2"</u>	<u>0</u> <u>12</u>	<u>top soil</u>		<u>4"</u>	<u>12</u> <u>25</u>	<u>sand</u>		<u>3 1/2"</u>	<u>25</u> <u>30</u>	<u>clay & gravel</u>		<u>2 1/2"</u>	<u>30</u> <u>39</u>	<u>gravel</u>		<u>3 1/2"</u>	<u>39</u> <u>40</u>	<u>sand</u>		<u>4 1/2"</u>	<u>40</u> <u>55</u>	<u>sand</u>		<u>5 1/2"</u>	<u>55</u> <u>75</u>	<u>clay</u>		<u>7 1/2"</u>	<u>75</u> <u>100</u>	<u>clay & gravel</u>	
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____																																							
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>130</u> inches</td><td><u>8 1/2"</u></td><td><u>1</u> feet</td><td><u>75</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>5/16</u> inches by <u>2</u> inches <table border="1"><thead><tr><th>No. of perforations</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>40</u></td><td><u>28</u> feet</td><td><u>30</u> feet</td></tr><tr><td><u>40</u></td><td><u>39</u> feet</td><td><u>40</u> feet</td></tr><tr><td>_____</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> 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 depth <u>20</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent ☐ Cemented between struts Describe access port <u>Three top</u>		Thickness	Diameter	From	To	<u>130</u> inches	<u>8 1/2"</u>	<u>1</u> feet	<u>75</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	No. of perforations	From	To	<u>40</u>	<u>28</u> feet	<u>30</u> feet	<u>40</u>	<u>39</u> feet	<u>40</u> feet	_____	_____ feet	_____ feet						
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_____	_____ feet	_____ feet																																					
6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td>W</td><td></td><td></td><td></td><td>E</td></tr><tr><td>S</td><td></td><td></td><td></td><td></td></tr></table> Subdivision Name <u>JUN 30 1993</u> Lot No. _____ Block No. _____ County <u>Cassia</u> <u>SE 1/4 SE 1/4 Sec. 21, T. 10 N, R. 23 E</u>		N					W				E	S					10. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Chadley Drilling</u> Firm No. <u>428</u> Address <u>Burley</u> Date <u>3-15-89</u> Signed by (Firm Official) <u>Bill Chadley</u> and (Operator) <u>Bill L Chadley</u>																						
N																																							
W				E																																			
S																																							



State of Idaho

DEPARTMENT OF WATER RESOURCES

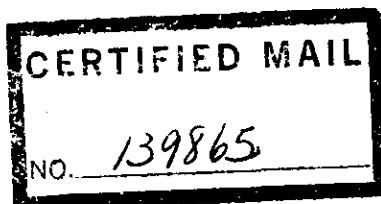
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 5, 1993



CERTIFIED MAIL

Kirk Pickett
Rt 3, Box 3222
Burley, ID 83318

RE: PERMITS 45-07634 AND 45-07635 - CEASE AND DESIST ORDER

Dear Mr. Pickett:

On January 5, 1993, I returned a phone call to you in connection with questions you raised about the filing of proof of beneficial use for above referenced permits. I specifically advised you of what you needed to do to file an acceptable proof for the permits. I have held the permits for thirty (30) days but you still have not submitted the required information.

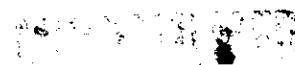
Both permits are null and void since you have not complied with the requirements of the permits. The permits, however, can be reinstated if you submit the information required by Section 42-218a(2), Idaho Code. Specifically the information you need to submit is as follows:

Permit 45-07635 - A showing of reasonable cause for filing a late proof of beneficial use. (The proof was due on August 1, 1992 and you submitted it on October 19, 1992 beyond the 60 day period in which the department can readily reinstate a permit).

Permit 45-07634 - A showing of reasonable cause for filing a late proof of beneficial use and evidence to show that the water was diverted and beneficially used within the time period from July 18, 1989 to August 1, 1992.

Until you submit within thirty (30) days of the date of this letter suitable information by which the permits can be reinstated, the department will send you a cease and desist order to stop the unauthorized diversion and use of water. The department does not wish to take this step but will do so if you refuse to cooperate in this matter.

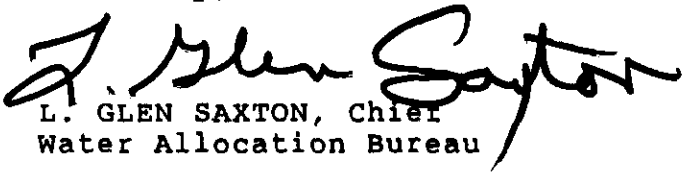
The department also wishes to advise you that Section 42-352, Idaho Code, provides for a one hundred dollar (\$100) penalty per diversion per calendar day in which you continue to divert water after the department serves a cease and desist order.



JUN 8 0 1993

If you have questions, feel free to contact the department.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region
Water Alloc. Bur.

1993

MEMORANDUM

To: Karen
From: Glen *PH*
RE: LATE PROOF SUBMITTAL - 45-07634 AND 45-7635 - KIRK
PICKETT
Date: January 5, 1993

I returned a call to the permit holder today concerning the requirements of Section 42-218a(2), Idaho Code. He is not happy that he has to submit the information required in the code section for reinstatement of the permits. He specifically asked whether water rights were needed in order to legally divert water from the wells and I advised him yes.

I also advised him we did not enact the statutes but were attempting to obtain compliance with them. I offered to allow more time in which to submit the information, but he did not request additional time. I suggest, however, that we wait another thirty (30) days for him to submit the information. If the permit holder has not submitted the information by that time, I will write him advising that the permits which authorized use of water from the *wells* are null and void and further direct him to cease diversion of water from the wells.

This memo was not microfilmed.

*I was given the direction to
only film memos that were
made out (To the file).
DAB*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 21, 1992

Kirk Pickett
Rt 3 Box 3222
Burley, ID 83318

Re: Permit Nos. 45-07634 and 45-07635

Dear Mr. Pickett:

On October 20, 1992, the Department corresponded with you (copy enclosed) and explained the need to submit further information in order to have the above referenced permits reinstated because you failed to file proof of beneficial use in a timely manner. The Department allowed 60 days to submit the information.

As of this date, the 60 days have passed and we have not received the requested information. The Department will allow an additional 15 for you to gather and submit the information. If we have not received that information within 15 days, your license exam fees will be returned and your permit files will be prepared for film and destroy, and you will no longer possess a valid water right.

You should also be aware that since your permits lapsed on August 1, 1992, that are no longer of any force nor effect.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
JUN 30 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 20, 1992

Kirk Pickett
Rt 3 Box 3222
Burley, ID 83318

RE: Permit No. 45-07635

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on October 19, 1992. The permit lapsed on August 1, 1992, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of January 25, 1989 will be advanced to October 19, 1992.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

[Handwritten signature]

JUN 30 1993

August 5, 1992

KIRK PICKETT
RT. 3 BOX 3222
BURLEY ID 83318

LAPSE NOTICE

RE: PERMIT NO. 45-07635

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 May 31, 1992. 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

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/5/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

JUN 30 1992

May 31, 1992

KIRK PICKETT
RT. 3 BOX 3222
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 45-07635

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 August 1, 1992. (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

CERTIFIED MAIL

NO. 139036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 45-07635
Name(s) of Permit Holder(s): Sunrise Nursery
Post Office Address: Box 3222
Burley, Id 83318 208-678-0405

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 7/20/89 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

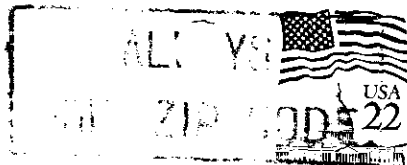
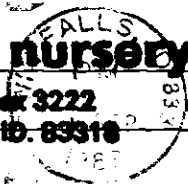
*Note: A financing difficulty is not an acceptable reason.

8/25/89
Date

[Signature]
Signature of Permit Holder

sunrise nursery

Rt #3 Box 3222
Burley, ID. 83318



RECEIVED
JUN 30 1993

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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) 334-7900
July 19, 1989

KIRK PICKETT
RT. 3 BOX 3222
BURLEY, ID 83318

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

RE: PERMIT NO. 45-07635

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 permit was approved.

MICROFILMED

AUG 22 1989

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 22 1984

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Gaylyn Selteria being first

duly sworn, deposes and says that he is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2) consecutive weeks, commencing with the issue dated April 20 1989, and ending with the issue dated April 27 1989.

Gaylyn Selteria

STATE OF IDAHO

COUNTY OF

On this 5th day of May in the year of 1989, before me, a Notary Public, personally appeared Gaylyn Selteria, 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.

Maria Navarone
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: 5-2-94

Cost of Publication 22.08
Notary Fee .50
Total Cost 22.58

OK
MB
5/26/89

RECEIVED
MAY 9 1989
Department of Water Resources
Southern Region Office

MICROFILMED

AUG 22 1989

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

William J. Sullivan being first
duly sworn, deposes and says that he is the

owner of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two
consecutive weeks, commencing with the issue
dated April 23 1989, and ending
with the issue dated April 27 1989.

William J. Sullivan

STATE OF IDAHO

COUNTY OF

On this 5th day of May in the year of 1989, before me,
a Notary Public, personally appeared William J. Sullivan,
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.

Notary Public for Idaho

Residing at

My commission expires:

Cost of Publication 22.08
Notary Fee 50
Total Cost 22.58

OK
ms
5/26/89

89-182
NOTICE OF APPLICATION
FOR WATER RIGHT

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

45-07635

PICKETT, KIRK

RT. 3 BOX 3222

BURLEY, ID 83318

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 21 T 10S R 23E

Use: COMMERCIAL (500 CFS)

Date Filed: 1/25/1989

In: T10S R23E S21 SWSE SESE

The permit (s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, Southern
Region, 2148 4th Avenue East, Twin Falls, Idaho
83301 on or before May 8, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on April 20
and 27, 1989.

RECEIVED

MAY 9 1989
Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

APRIL 7, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

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 MAY 8, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 22 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following app. tion(s) have been filed appropriate the public waters of the State of Idaho:

MICROFILMED

AUG 22 1989

45-07635

PICKETT, KIRK
RT. 3 BOX 3222
BURLEY, ID 83318

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 21 T 10S R 23E

Use: COMMERCIAL (.500 CFS)

Date Filed: 1/25/1989

In: T10S R23E S21 SWSE SESE

MICROFILMED

AUG 22 1989

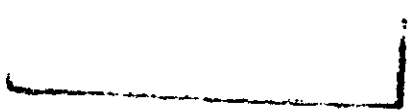
The permit(s) will be subject to all prior water rights. Protests may be submitted base the criteria of Sec. 4. A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MAY 8, 1989.

R. Keith Higginson, Director

Published 4/20/1989 & 4/27/1989

MICROFILMED

AUG 22 1989



06-Apr-1989

Kirk Pickett
Rt. 3 Box 3222
Burley, ID 83318

Re: Applications for Permit Nos. 45-07634 & 45-07635

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the South Idaho Press on 4/20 & 4/27/89. 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.

Very truly yours,

Terry Blau
Sr. Water Resource Agent

TB:MB

MICROFILMED

AUG 22 1989

State of Idaho
Department of Water Resources

D R I L L I N G P E R M I T

(Authorizing Construction of a Well)*

1. Applicant Kirk Pickett
2. Address Rt. 3 Box 3222, Burley, ID 83318
Telephone 654-9634
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 21, Twp. 10S, Rge. 23E, County Cassia,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify Commercial - Greenhouse
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 8" Maximum depth 100'
Anticipated bottom hole temperature: _____
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date As soon as possible
7. Well Driller (if known) _____
Address _____
8. Applicant's signature Kirk Pickett 1/25/89
Title owner
Date 1/25/89

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* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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 its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the 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. Issuance 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°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:

By accepting advance approval of this drilling permit, and by commencing construction of the diverting works, you acknowledge that you accept all risk that the well may not eventually be approved for use.

Dated this 30 day of January, 1989.

Signed

Title

Loren O. Harlan

Southern Region Mgr

Received by JA Fee \$100 Date 1-26-89

Receipt No. 5006/62 Construction start extension to _____

Extension approved by _____

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Sunrise Nursery
Rt. 3, Box 3222,
Burley, Idaho 83318

January 30, 1989

Director,
Department of Water Resources,
2148 4th Avenue East,
Twin Falls, Idaho 83301

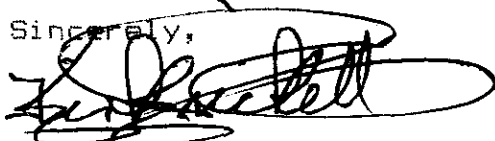
To Whom It May Concern:

Gentlemen, because of our recent acquisition of the property concerned and because of the inability of the City of Burley to meet our water needs in a timely fashion, we are hereby requesting the expedited approval of the drilling permit filed on Wednesday of last week.

The property concerned is located in the SE 1/4, Section 21, Rge. 23E, Twsp 10S.

Thank you for your prompt consideration.

Sincerely,


Kirk Pickett

KP:jp

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