

WILLIAM T. GOODMAN
ALAN GOODMAN
RICK BOLLAR

LAW OFFICE
Goodman and Bollar
CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

September 16, 1996

RECEIVED

SEP 19 1996

Department of Water Resources

RECEIVED

SEP 17 1996

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Southern Region
222 Shoshone St. E
Twin Falls, ID 83301-6105

Re: Water Right Number 45-07634

Gentlemen:

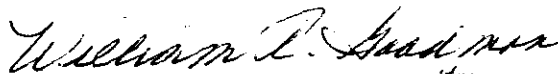
Enclosed is a Notice of Change of Water Right Ownership from Joyce Pickett to Duvien Heyne.

In addition, a copy of the Warranty Deed and a Survey by Desert West is enclosed. The survey was changed after it was completed and the description in the Deed is correct.

Please process this information.

Very truly yours,

GOODMAN & BOLLAR



William T. Goodman

WTG:KH
Encl.

MICROFILMED
OCT 29 1997

FEB 14 1995

OFFICE USE ONLY

Amt. of Fee \$25.00

Date 2-13-95

Receipt No. 5017740

Receipt by J.F. Stanton

RECEIVED

State of Idaho

DEPARTMENT OF WATER RESOURCES

FEB 13 1995

Department of Water Resources
Southern Region

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Kirk Pickett, hereby assign to Joyce Pickett
 of 2933 Janis Way, Burley, Idaho 83318
(Permit Holder)
(Full Address)

All my right, title, and interest in and to Permit No. 45-07634
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. 45-07634 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

100 percent.

Made this 6th day of February, 1995.

[Signature]
 (Permit Holder(s))

State of Idaho)

County of Cassia) ss

On this 6th day of February, 1995, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Michele D. Wright

Notary Public

SEAL

Michele D. Wright

Signature

My commission expires: 4-8-97

45-07634

STATE OF IDAHO

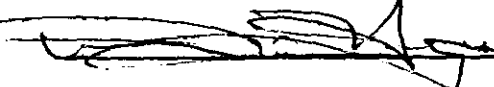
ID. DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

SEP 17 1996

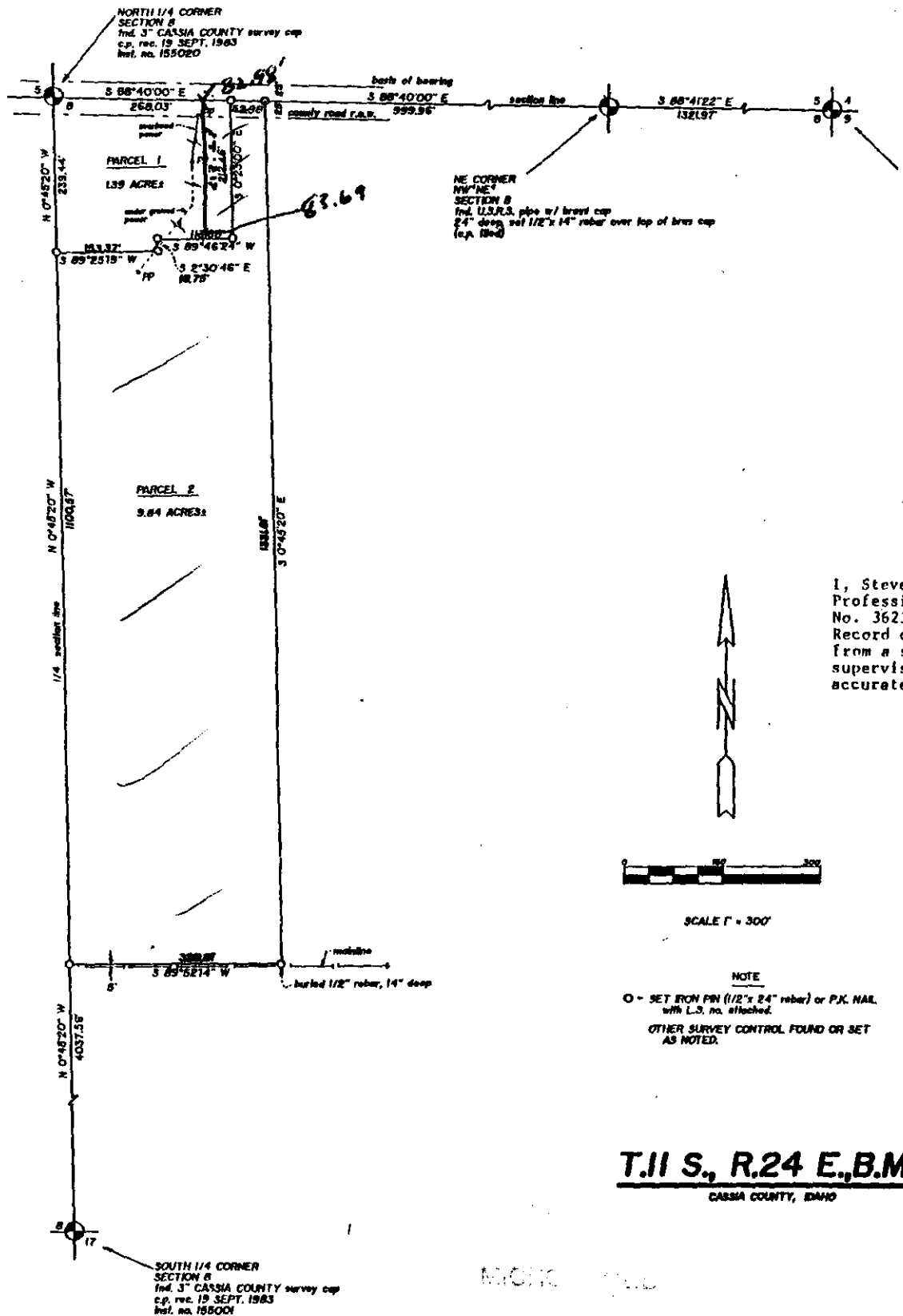
Department of Water Resources type. Attach pages with additional information. Instructions are on the back of this page.
Southern Region
Incomplete forms will be returned.

1. Water Right Number(s) 45-07634
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Joyce Pickett, 2933 Janis Way, Burley, ID 83318

4. New Owner/Claimant(s) Duvien Heyne
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 705 East 18th Lane
City, State and ZIP Code Burley, ID 83318
New Telephone Number (208) 678-7481
5. Date you acquired the property July 1, 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Acquired all property of former owner
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS 0.06 Number of homes _____ Other uses Commercial, Greenhouses
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date 9-12-96

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

OCT 29 1996



WARRANTY DEED

#27403

243693

For Value Received

JOYCE A. RENDACE, formerly known as Joyce A. Pickett, also known as Joyce Arlene Pickett, a married woman contracting with her sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DUVIEN HEYNE and AUDREY HEYNE, husband and wife
Address: 705 East 18th Lane
Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8: Part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the N $\frac{1}{4}$ section corner of said Section 8, said corner marked by a 3 inch Cassia County survey cap; Thence South 0°45'20" East along the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 239.44 feet to a ½ inch rebar, which shall be the point of beginning;
Thence North 89°25'19" East for 153.37 feet to a ½ inch rebar;
Thence North 2°30'46" West for 18.75 feet to a ½ inch rebar;
Thence North 89°46'24" East for 83.69 feet (83.68 feet rec.) to a point;
Thence North 0°23'00" West for 213.28 feet, (212.46 feet rec.) to a point on the North Boundary line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 88°40'00" East along said North boundary line for 82.98 feet, to a P.K. Nail;
Thence South 0°45'20" East for 1331.81 feet to a ½ inch rebar;
Thence South 89°52'14" West for 320.81 feet to a ½ inch rebar on the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 0°45'20" West along the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 1100.57 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years, a lien, but not yet due or payable.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Joint Well Use Agreement and Easement by and between Kirk A. Pickett and Joyce A. Pickett, husband and wife, and Clinton M. Kidd and Diana R. Kidd, husband and wife, dated October 25, 1993 and recorded October 25, 1993 as Instrument No. 227246 on Film No. 249, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 28, 1996

RECORDED
OCT 29 1996

Dated: June 28, 1996

Joyce A. Rendace
Joyce A. Rendace, aka Joyce A. Pickett, aka Joyce
Arlene Pickett

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 28th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared JOYCE A. RENDACE, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 278
1996 JUL - 1 P 1:55
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 6 DEPUTY DM

243693

RECORDED
OCT 29 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07634

Priority: April 12, 1993

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

5.4 AF

This is to certify, that JOYCE PICKETT
2933 JANIS WAY
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 0.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>DATE OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01 to 12/31	0.06 CFS	5.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 8, Township 11S, Range 24E
CASSIA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

11S 24E 8

NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. This use was confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use to the extent accepted standards of diversion are used.
2. This water right is appurtenant to the place of use.
3. This right is subject to the water right and may be forfeited by five years non-use.
4. Modifications to or variance from this license must 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 nursery.
7. Place of use is known as Springdale Gardens.

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 APR 12 day of APRIL, 1995.

Acting for


R. Keith Higginson, Director

APR 25 1995

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~45-07634~~	~~KIRK PICKETT~~	~~0.30~~
Full Assignment	45-07634	JOYCE PICKETT	0.30

APPROVED
MAR 23 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-07634)
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. 45-07634 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.

FILED

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.

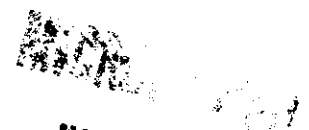
ORDER

IT IS HEREBY ORDERED that Permit No. 45-07634 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

Department of Water Resources

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. 45-07634 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: Denton Date Drilled: 5/84

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 .30 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.

5/10/92
Date

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

RECORDED

JUN 30 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant 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 NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 8 Township 11S Range 24E B.M. Cassia County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.30 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) 0.30 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing 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 65 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 ~~beneficial~~ 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 nursery; 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	
11S	24E	8		C															

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. _____

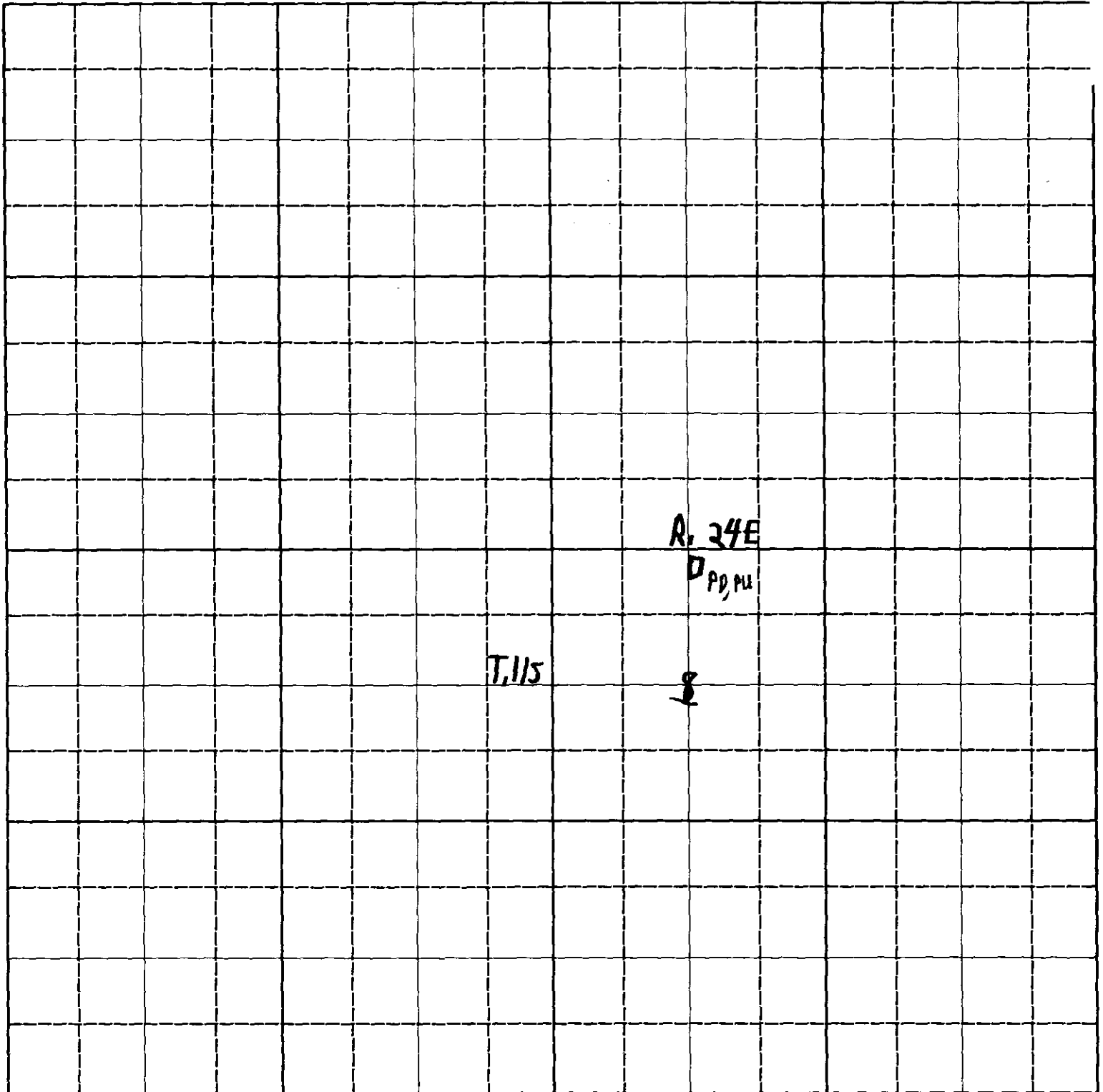
12. Remarks: Applicant does business as Sunrise Nursery.

System was developed in 1984 without a water right. I anticipate the need for more water than is presently used due to expansion of the business, so the full five years of development time is required.

MICROFILMED

AUG 22 1989

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



Scale: 2 inches equal 1 mile.

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

AUG 22 1989

[Signature]
(Applicant)

Proposed Priority 1/25/89

Received by JP Date 1-25-89 Time 5:05 pm Preliminary check by TB

Fee \$ 45.00 Receipted by JP # 5006162 Date 1-26-89

Publication prepared by M. Baldwin Date 4/7/89 Published in The 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. 45-7634, 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. Glen Saylor

MICROFILMED

AUG 22 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 22, 1997

DEVIEEN HEYNE
705 EAST 18TH LANE
BURLEY ID 83318

RE: OWNERSHIP OF RIGHT NO. 45-07634

Dear New Water Right Holder:

We have received correspondence changing ownership of the above referenced water right to you and we have modified our computer records to reflect this change.

Enclosed is a report listing you as current owner of the right and other important information about your water right. **Please review carefully the Conditions of Approval and Remarks.**

Also, please note that as of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

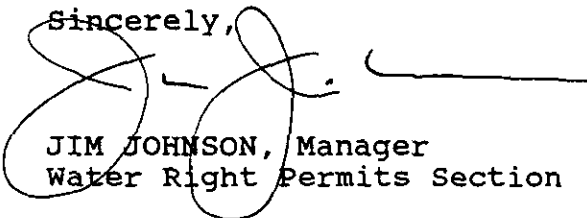
If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee.

You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208)327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosure

MICROFILMED

OCT 29 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 14, 1995

JOYCE PICKETT
2933 JANIS WAY
BURLEY ID 83318

RE: WATER RIGHT NO. 45-07634

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 16 1995

Department of Water Resources

677-6679 days

A. GENERAL INFORMATION

Permit No. 45-07634

1. Owner: Joyce Pickett Phone No. 654-2015 677-2025

Current Address: 300 S. 600 E., Declo, ID 83322 2933 Janis Way, Burley

2. Accompanied by: owner of her office EXAM DATE: 8-10-94

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:

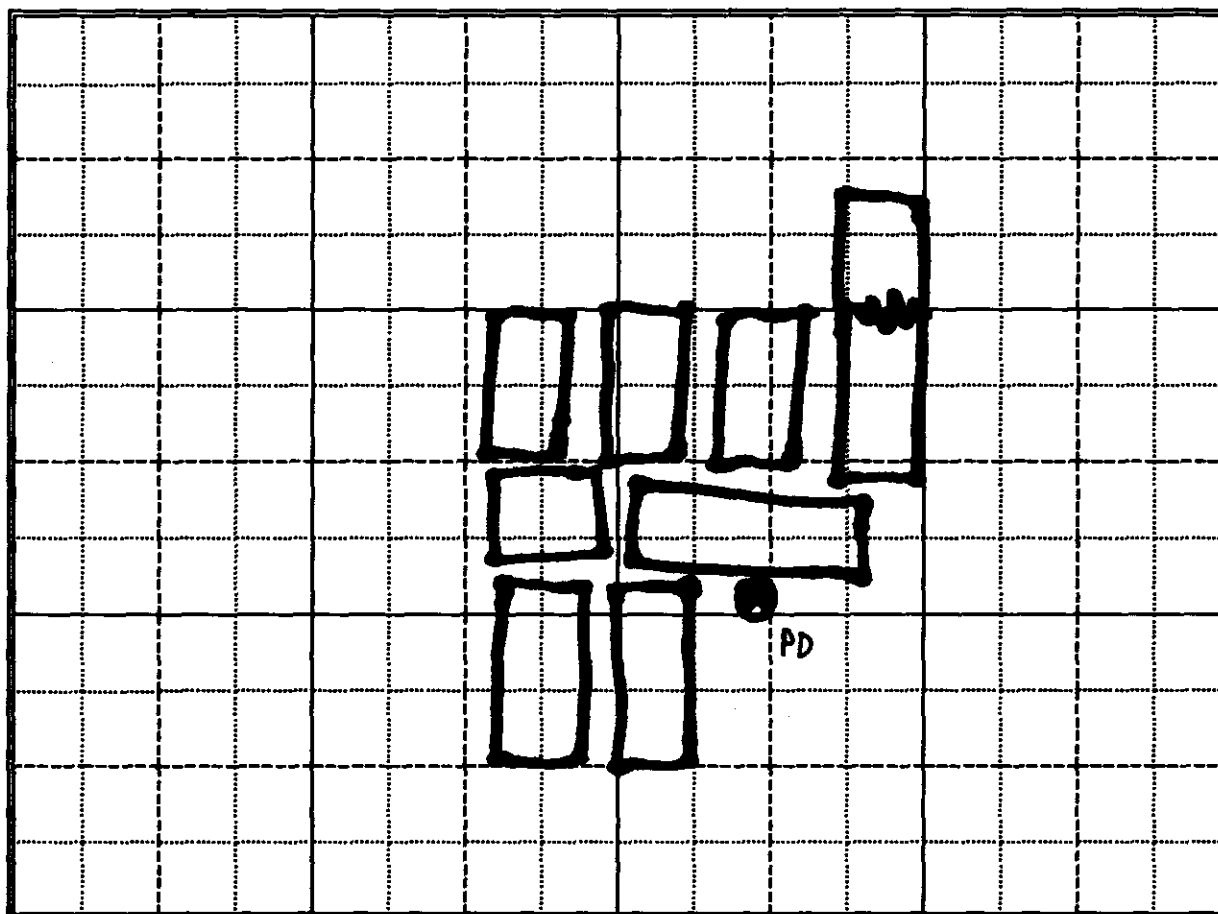
Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NE	8	11S	24E		Crossing

2. Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	8		C															

APR 25 1995

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	<i>Model</i> Motor Serial No.	Pump Make	<i>Model</i> Pump Serial No. or Discharge Size
	Sears	1	C48L2EC11	Same	370.252200

*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.

APR 25 1995

E. NARRATIVE/REMARKS/COMMENTS

Well, submersible pump, pipelines to nursery for watering bedding plants. During operating period, pump runs full on about 8 hrs/day for 3 months + full on about 3^{1/2} hrs/day for 4 months. Facility not in operation during exam. by Springdale Gardens. Well also serves home on property (no longer owned by permittee) under emergency conditions; if the separate well for the home goes out, a valve connecting it to the nursery well can be opened to provide domestic water. Also, the domestic well can provide water to the nursery (although it never has). I am recommending that only the primary well be licensed, as the permit only covers that well. Use of the backup well would be insignificant.

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

APR 25 1995

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$0.06 \text{ cfs} \times 8 \text{ hrs/day} \times 91 \text{ days/year} = 3.6 \text{ AFA}$$

$$0.06 \text{ cfs} \times 3 \text{ hrs/day} \times 121 \text{ days/year} = 1.8 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	12-1	12-31	0.06	3.6
	1-1	6-30	0.06	5.4 AFA 1.8
Totals:			0.06	5.4

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 J. F. Stanton Date 3-15-95

Reviewer _____ Date _____

SEAL

APR 25 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 45-7634
DATE: 2-7-95
BY: JE Sington

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])

$$Q = \frac{(8.8) (.....) (0.70)}{[(.....) + (..... \times 2.31)]} = \underline{0.06 \text{ cfs}}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner (X)	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		

REMARKS

ANNUAL VOLUME ANALYSIS

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

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

POTENTIAL = $(.....) \times (1.98) \times (.....)$

POTENTIAL = _____

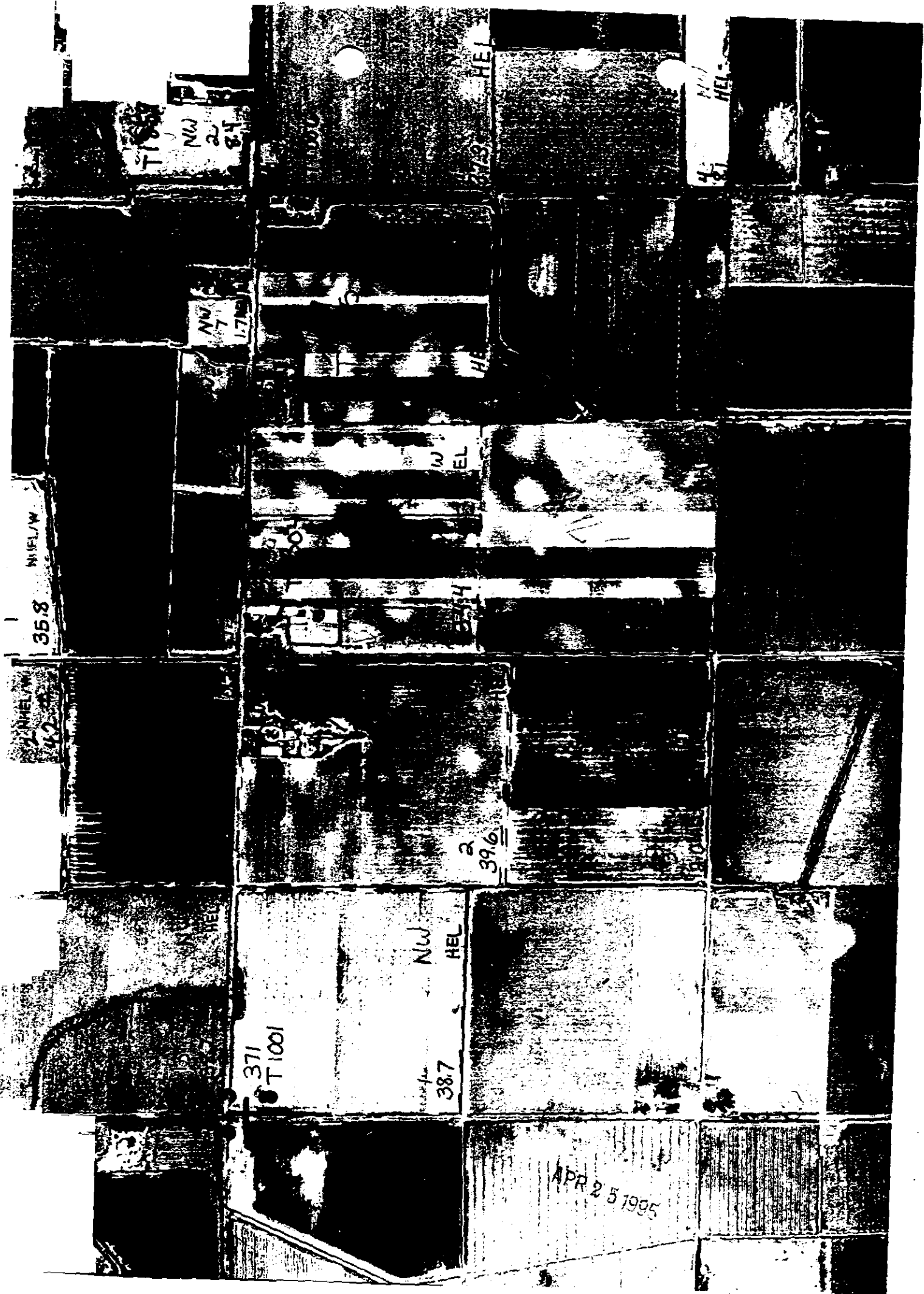
REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)

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 ()

APR 25 1995



T1001
NW 24

NW 27

273 HEL

4 NW HEL

2 EL

35.4

2 39.6

371
T1001

NW HEL

38.7

APR 25 1995

45-07634



Diversion Works



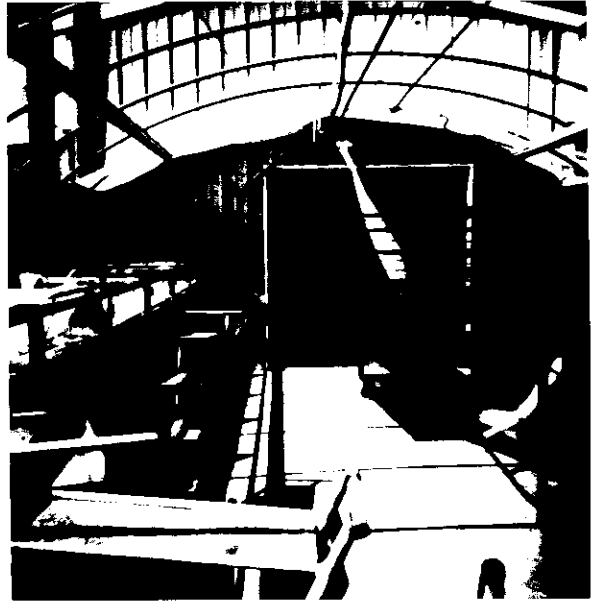
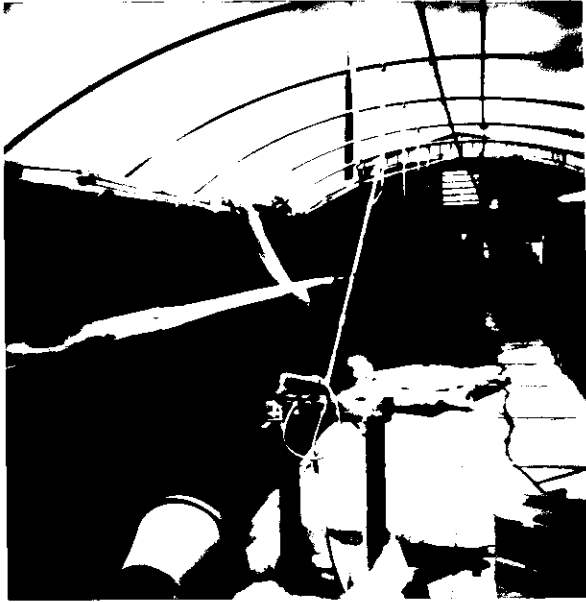
Greenhouses

45-07634

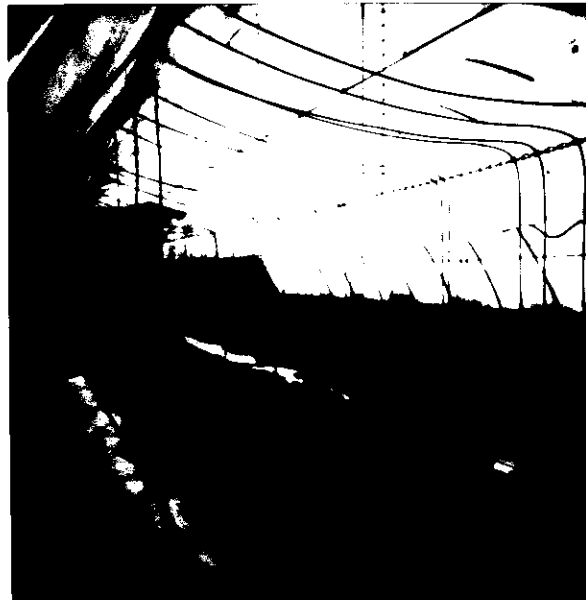
Outside Views



45-07634



Inside Views
6/11



IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO. 45-07634

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☒) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☒) Copy of Orthophotoquad Map
- (☒) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- () Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date _____ Time _____ Place _____

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 8-10-94 Notice of Completion Turned In 3-15-95
Field Report Completed 3-15-95 J F Stanton 3-15-95
Signature of Examiner & Date
Field Report Reviewed by Sr. Agent _____ (Initial & Date)
Field Report Reviewed by Region Mgr. _____ (Initial & Date)
Field Report Sent to S.O. _____ Region Card File Updated _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

MARCH 22, 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JOYCE PICKETT
2933 JANIS WAY
BURLEY ID 83318

RE: Permit No. 45-07634

Dear Ms. Pickett,

This letter is to confirm that the assignment of ownership on the above referenced water right is satisfactory. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

RECORDED

MAR 23 1995

May 28, 1993

KIRK PICKETT
RT. 3 BOX 3222
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07634

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

RECEIVED

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

RECEIVED
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

45-7634
Kirk Pickett



P/D

P/U



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Kirk Pickett
Rt 3 Box 3222
Burley, ID 83318

4. Article Number

139865

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

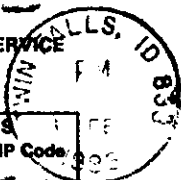
Ste 2-10-93

Addressee's Address (ONLY if requested and fee paid)

JUN 30

45-07634435 Klg D4

UNITED STATES POST SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

FEB 11 1993



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO

Department of Water Resources
Print Sender's name, address, and ZIP Code in the space below:

Water Allocation Bureau

Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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

February 5, 1993

CERTIFIED MAIL

NO. 139865

Kirk Pickett
Rt 3, Box 3222
Burley, ID 83318

CERTIFIED MAIL

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.

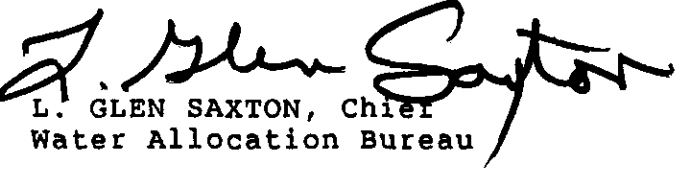
Until you submit within thirty (30) days of the date of this letter suitable information by which the permits can be reinstated, the department will send you a cease and desist order to stop the unauthorized diversion and use of water. The department does not wish to take this step but will do so if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

RECEIVED
JUN 30 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.

JUN 30 1993

MEMORANDUM

To: Karen
From: Glen *MS*
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.

RECORDED

JUN 20 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

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

RECORDED
JUN 30



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. 45-07634

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

OCT 30 1992

August 5, 1992

KIRK PICKETT
RT. 3 BOX 3222
BURLEY ID 83318

LAPSE NOTICE

RE: PERMIT NO. 45-07634

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 80 1992

May 31, 1992

KIRK PICKETT
RT. 3 BOX 3222
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 45-07634

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.

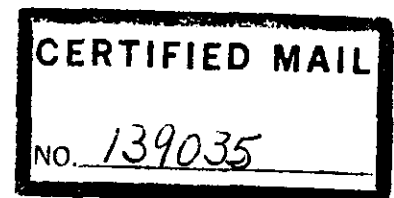
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



MAILED
JUN 30 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 45-07634
Name(s) of Permit Holder(s): Sunrise Nursery
Post Office Address: Lt #3 Box 3222
Burley, Id 83318 Tel. No. 678-0405

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 3/3/89 (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*:

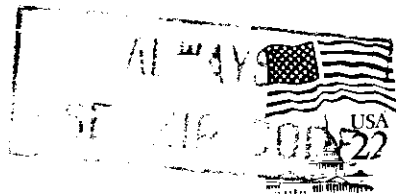
*Note: A financing difficulty is not an acceptable reason.

8/23/89
Date

[Signature]
Signature of Permit Holder

sunris nursery

Rt #3 Box 3222
Burley, ID. 83318



MICROFILMED

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. 45-07634

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.

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

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

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.

MAIL ROOM

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

RECORDED

AUG 22 1989

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Gaylyn Lleria 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 Lleria

STATE OF IDAHO

COUNTY OF

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

Mary D. [Signature]
Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: 2-1-94

Cost of Publication 22.08
Notary Fee 50
Total Cost 22.58

RECEIVED

MAY 9 1989

Department of Water Resources
Southern Region Office

MICHAEL [Signature]

AUG 22 1989

OK
NB
5/26/89

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

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

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

..... 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
consecutive weeks, commencing with the issue
dated 19....., and ending
with the issue dated 19.....

89-181

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

45-07634

PICKETT, KIRK
RT. 3 BOX 3222
BURLEY, ID 83318
Source: GROUNDWATER
Diversion Pt: NWNWNE Sec 8 T 11S R 24E
Use: COMMERCIAL (.300 CFS)
Date Filed: 1/25/1989
In: T11S R24E S08 NWNE

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.

STATE OF IDAHO
COUNTY OF

On this _____ day of _____ in the year of _____, before me,
a Notary Public, personally appeared _____,
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
Notary Fee
Total Cost

RECEIVED

MAY 9 1989

Department of Water Resources
Southern Region Office

OK
MB
5/26/89

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

MicrofilmED

AUG 22 1989

45-07634

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

Source: GROUNDWATER

Diversion Pt: NWNWNE Sec 8 T 11S R 24E

Use: COMMERCIAL (.300 CFS)

Date Filed: 1/25/1989

In: T11S R24E S08 NWNE

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The permit(s) will be subject to all prior water rights. Protests must be filled 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 4/20/1989 & 4/27/1989

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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

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