

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

~~APPLICATION FOR TRANSFER OF WATER RIGHT~~

~~PART 3~~

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

The grid map contains the following handwritten annotations in blue ink:

- A. 18E**: Located in the upper right quadrant of the grid.
- T. 11S**: Located in the lower left quadrant of the grid.
- 20**: Located in the lower center of the grid.
- PD** and **PU**: Located in the lower right quadrant, near each other.

A red stamp is located in the bottom right corner of the grid area:

MICROFILMED
NOV 06 1998

RECEIVED

NOV 1 - 1999

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 47-08424 Telephone No. 208-423-6439
2. Name(s) of Permit Holder(s): JIM COOK / ROBERTA COOK / GREG HEIDEMAN / JOY HEIDEMAN
3. Mailing Address: 3125 N 3500 E KAMBERLY ID 83341
4. Source of Water: SHARED WELL If GROUNDWATER (well), Date Drilled: mo. 11 / yr. 82
 - a. Well Driller: ? Drilling Permit Number: _____
 - b. OPTIONAL:
Pump Horsepower: ? Pressure (psi): ? Dynamic pumping level (ft): ?
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): .07 CFS
Irrigation (No. of acres): 1/2 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ☒	or No ☒
	Has the measuring device been installed?	Yes ☐	or No ☒
Flow Measurement Port:	Is a flow measurement port required?	Yes ☒	or No ☒
	Has the measurement port been installed?	Yes ☐	or No ☒

TO THE BEST OF MY KNOWLEDGE
8. Fee Enclosed: \$ LOCAL DEPT SAID NO (See Fee Schedule on back of the instructions for filing proof of beneficial use)
FEE WAS REQUIRED
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: JIM OR ROBERTA COOK Telephone Number: 208-423-4425
Address: 3127 N 3500 E KAMBERLY ID 83341
10. The information given on this form 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.
Signature of permit holder: Gary S. Heath Date: 10/27/99
(include your title, if on behalf of company or organization)

MICROFILMED
JAN 28 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08424

Proposed Priority: August 12, 1998 Maximum Diversion Rate: 0.04 CFS

This is to certify, that JOY HEIDEMAN
JAMES W COOK
ROBERTA COOK
GREG HEIDEMAN
PO BOX 301

TWIN FALLS ID 83303-0301

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.04 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 20, Township 11S, Range 18E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

11S 18E 20	NESE	SESE
------------	------	------

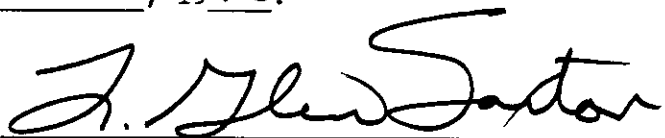
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1999.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
8. Domestic use is for 1 home.

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

28th day of October, 1998.

MICROFILMED
REV 10-1-88


Karl J. Dreher, Director
for

Ident. No. 47-08424

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OCT 22 1998

RECEIVED

AUG 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

Department of Water Resources
Southern Region

g/oa Greg Heideman

1. Name of Applicant James W. g/oa Roberta Cook g/oa Joy Phone 850-5801 Cell#
Mailing address PO Box 301, Twin Falls, ID 83303

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

3. Location of point of diversion is Township 11S Range 18E Sec. 20 in the SE 1/4
NE 1/4, SE 1/4, Govt. Lot _____, B.M., Twin Falls County
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs for Domestic purposes from 1-1 to 12-31 (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)
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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Existing well & pump, mainline
to second home to be installed

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. ~~Proposed~~ well diameter is 6 inches; ~~proposed~~ depth of well is 210 feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? 1982; Drilling firm Elsing Drilling & Pump Co.
Well was drilled for (well owner) Don Pendleton; Drilling Permit No. _____

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

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. One
e. Other; describe fully. _____

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NOV 06 1998

9. Description of place of use:

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

b. 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1/5	28E	20													D			D	

Total number of acres to be irrigated _____

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

Well was developed under Claim 47-11177

11. a. Who owns the property at the point of diversion? Jim & Roberta Cook

b. Who owns the land to be irrigated or place of use? Greg & Joy Heideman

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: We are purchasing 3.7 acres effective Monday. The existing home & well will be retained by us (Jim & Roberta Cook) in the west end of the property. Later this year, 1 acre on the east end of the property will be deeded to the Heidemans (our daughter & son-in-law). This permit is being filed to allow them to use our well to supply domestic water to the new home they will put on the property.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED

NOV 06 1998

James W. Cook
Signature of Applicant (and title, if applicable)

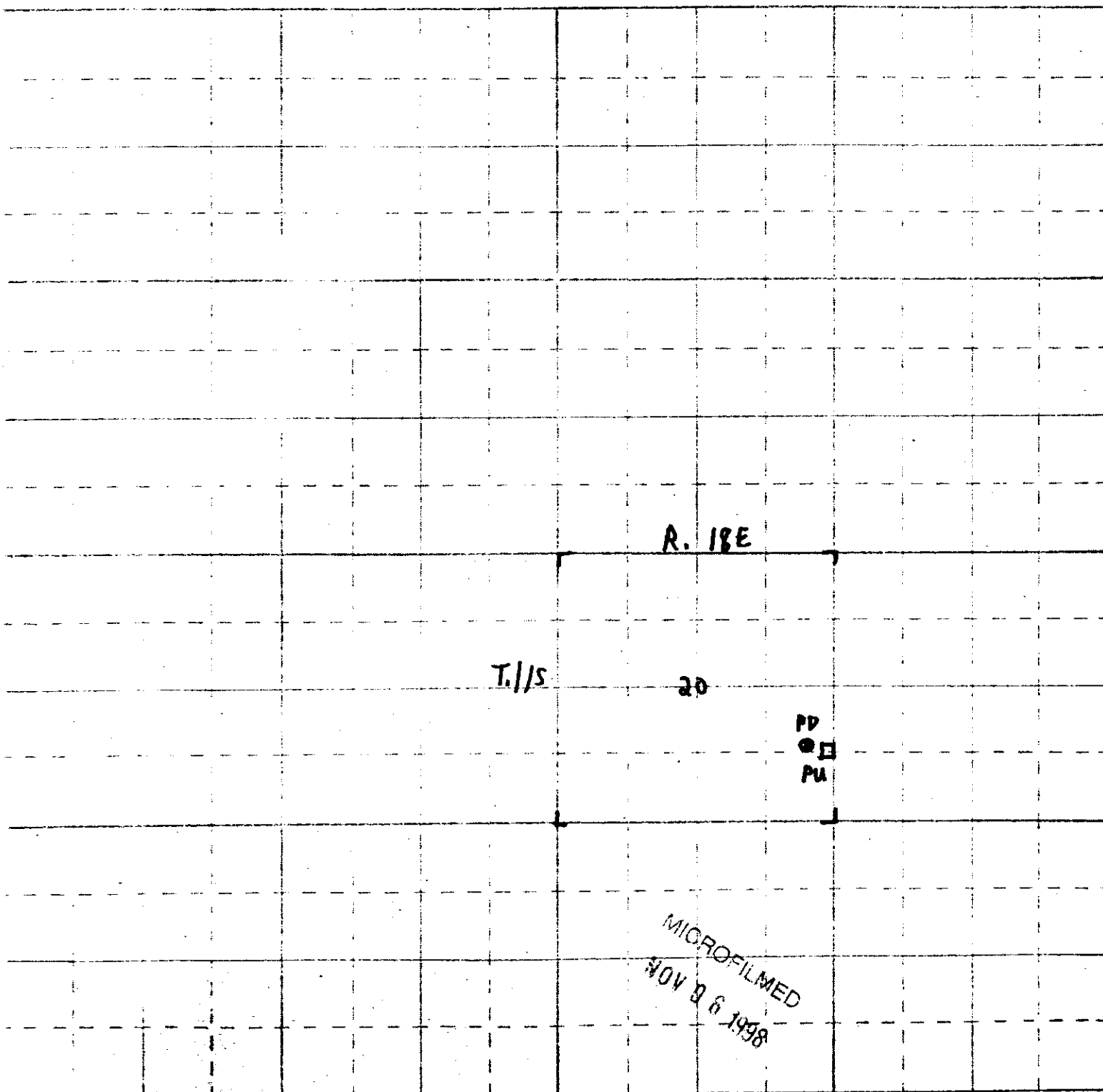
Received by D. F. Stanton Date 8-12-98 Time 11 am Preliminary check by JD
Fee \$ 50.00 Receipted by JD # 5021419 Date 8-12-98
Publication prepared by MLB Date 8/15/98 Published in Times News
Publication approved MLB Date 10/19/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

~~APPLICATION FOR TRANSFER OF WATER RIGHT~~

~~PART 3~~

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 12, 1998

James Cook
Twin Falls, ID
83301

Dear Mr. Cook;

We have received your application for a water permit to provide domestic water for the portion of your property that you will be selling to Greg and Joy Heideman later this year. Although I cannot guarantee the final resolution of your application by the Department, there appears to be no reason for us to deny the permit. As long as the proposed use does not exceed 13,000 gallons of water per day nor irrigate more than 1/2 acre of land, it is not covered by the present moratorium on consumptive-use permits. If you have further questions, feel free to contact me.

Regards,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

MICROFILMED
NOV 06 1998

47-08424



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

January 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JIM & ROBERTA COOK
GREG & JOY HEIDEMAN
3125 N 3500 E
KIMBERLY ID 83341

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08424

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **SOUTHERN** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

JAN 28 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 47-08424 Reviewed by YJS Date 1-10-00

GENERAL CONSIDERATIONS

yes Name same as permit?
NO Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Down
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

NO Drilling permit required?

 Copy in the file? existing well Drilling Permit No.

 Amount paid for permit

 Well log in the file?

 Correct?

LICENSE EXAMINATION FEE

NO Required?
 Amount Submitted
 Correct?

MEASURING DEVICE

NO Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

OK - ocken proof

DATA ENTRY

New Address 3125 N. 3500 E. Proof Made 11-1-99
Kimberly, ID
83341

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
301 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED

P 241 635 951

MAIL



 BOX CLOSED - NO
FORWARDING
ORDER ON FILE

RECEIVED
SEP 02 1999
Department of Water Resources
MICROFILMED

JAN 28 2000

Greg & Joy
3125 N 3500E
Kimberly 83341

re-mailed 9-10-99



August 31, 1999

JAMES W COOK
ROBERTA COOK
JOY HEIDEMAN
GREG HEIDEMAN
PO BOX 301
TWIN FALLS ID 833030301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08424

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 November 1, 1999.

(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.

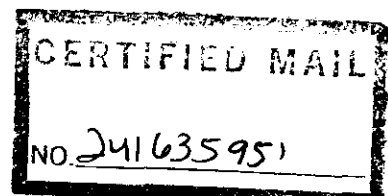
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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JAN 28 2000





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

October 28, 1998

JAMES W COOK
ROBERTA COOK
JOY HEIDEMAN
GREG HEIDEMAN
PO BOX 301
TWIN FALLS ID 83303-0301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08424

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

NOV 06 1998

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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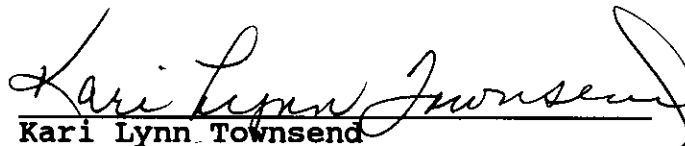
NOV 06 1998

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 47-08424

JOY HEIDEMAN
JAMES W COOK
ROBERTA COOK
GREG HEIDEMAN
PO BOX 301
TWIN FALLS ID 83303-0301


Kari Lynn Townsend
Secretary

MICROFILMED

NOV 06 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED

NOV 06 1996

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*

No.: 47-8424 Name: Cook / Heideman Date: 10/23/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED:

- YES / NO; RESPONSE: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 _____

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22-P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- ~~071-070~~ modify

Fire Protection

- 077

Fish Propagation

- 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 2C/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

Trust

- C

Non-Trust (1)

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:- 028**STANDARD REMARKS:**- 001 0070 03 WOI/1**BENEFICIAL USE DUE:**- 11/1/ 1999**COMMENTS:**

-

OCT 22 1998

APPLICATION NO. 47- C 8724 DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY A. F. Stanton DATE 8-12-98

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

++++PROPOSED PRIORITY DATE 8-12 1998

 Overlapping place of use/ Describe source & relationship to present application on the back.

 Overlapping point of diversion.

 Yes No Is Source Surface Water?

 If Yes Send Copy to F&G.

 If Yes Field check/memo required.

 Field check/memo by _____

 Yes No Field report attached?

 Yes No Critical Ground water area?

 Yes No Groundwater management area?

 Yes No Measurement District or Groundwater District?

 What District? _____

 Yes No Send Dam safety information?

 Yes No Send power requirement letter?

 Yes No Send fish farm requirement letter?

 Yes No Power residency affidavit attached?

 Yes No Power efficiency form?

 Yes No Within trustwater boundary? (If yes, attach trustwater supplementary analysis sheet.

 Yes No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.

 Yes No Is Application made to record Pre Nov 1987 Development?

 If Yes then request clear evidence of when use started.

• REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☐ Yes ☒ No Fee amount, receipt date & No. recorded?

☒ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates and paper recorded?
Final date for protest: 10/19/98
☐ Yes ☒ No Protests received?
☐ Yes ☒ No Protested?
Describe Resolution: _____

☐ Yes ☒ No Measuring device required?
☐ Yes ☒ No Access port required?
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____
☐ Yes ☒ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?
If yes; date of Memo 10/20/98
Date of priority recommended: 8/12/98

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By AD Date 10/20/98

FROM: Allen Merritt *AM*

DATE: October 20, 1998

TO: Application No. 47-08424
In the Name of: Cook/Heideman

SUBJECT: Review and Recommendation

This application is located in the "Eastern Snake Plain Moratorium" area. The application is a simple domestic and qualifies to be processed. The application was advertised without protest.

RECOMMENDATION

I recommend the application be approved subject to the following conditions:

- Rate authorized is 0.04 cfs.
- Irrigation is limited to no more than 1/2 acre and is only authorized in connection with a home.
- No new well authorized to be developed.
- P/D also serves 47-11177.
- The issuance of this permit does not grant right-of-way or constitute a well use agreement.

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NOV 06 1998

NOTICE OF
APPLICATION FOR
WATER PERMIT

The following applications
have been filed to
appropriate the public
waters of the State of Idaho:
JAMES W. COOK &/OR
ROBERTA COOK &/OR
JOY HEIDEMAN &/OR
GREG HEIDEMAN
PO BOX 301

TWIN FALLS ID 83303
Application for Permit No.
47-08424

Source: groundwater
(existing well)

Diversion Pt(s):
NE1/4SE1/4, S20, T11S,
R18E; Twin Falls County.
Use: 1/1-12/31

Domestic (Second home)
(0.04 cfs)

In: E1/2SE1/4, S20, T11S,
R18E; Twin Falls County

Date Filed: 08/12/98

NATASHA KIMMELL

PO BOX 5775

KETCHUM ID 83340

Application for Permit No.
47-08426

Source: groundwater

Diversion Pt(s): Lot 4
(SE1/4SW1/4), S17, T06S,
R13E; Twin Falls County.

Use: 1/1-12/31

Wildlife (2.4 afa)

Fire Protection(2.4 afa)

Aesthetics (2.4 afa)

Total Diversion:(2.4 afa)

In: S1/2SW1/4, S17,
T06S, R13E; Twin Falls
County.

Date Filed: 08/25/98

Any protest against the
proposed application(s)
must be filed with the
Department of Water
Resources, Southern
Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID
83301 together with a
protest fee of \$25.00 on or
before October 19, 1998 to
be considered by the
Department in its decision
to grant or deny any part of
the proposed application(s).
The protestant must also
send a copy of the protest
to the applicant.

Karl J. Dreher, Director

Published in the Times
News on 10/01 & 10/08/98.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

No 31065

I, Emily McKnight being first duly sworn upon oath, depose
and say that I am Principal Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for two consecutive weeks,
commencing with the issue dated October 1, 1998,
and ending with the issue dated October 8, 1998.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except
Monday, both of which newspapers prior to consolidation had been published under said names in said city and county
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since
such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said
newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 8th day of Oct. in the year of 1998 NOV 06 1998, before me,
a Notary Public, personally appeared Emily McKnight,
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.

Janeva R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires:

5/19/2000

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OK MB
10/19/98

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

191244 0050 LEGAL

WATER RIGHT COOK/HEIDEMAN

4 THE TIMES NEWS LEGAL
FLAT CHARGE
TOTAL AD CHARGE

47-08424

47-08426

DEPT WATER RESOURCES

5 10/08/98 0
10/01/98 10/08/98

2 LGL
FC 69.32
69.32

legal

69.32 69.32*

OK
mfb

10/19/98

RECEIVED

OCT 13 1998

Department of Water Resources
Southern Region

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

050

191244 LEGAL

WATER RIGHT COOK/HEIDEMAN

legal

10/01/98 10/08/98 GROSS AMOUNT OF
10/08/98 208-736-3033 69.32
DUE AFTER

__ VISA __ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: ____/____/____

SIGNATURE: _____

69.32

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

|||||

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NOV 06 1998

2040000000191244000000000000000000693200000069323

**NOTICE OF
APPLICATION FOR
WATER PERMIT**

The following applications
have been filed to
appropriate the public
waters of the State of Idaho:

**JAMES W. COOK &/OR
ROBERTA COOK &/OR
JOY HEIDEMAN &/OR
GREG HEIDEMAN**

PO BOX 301

TWIN FALLS ID 83303

**Application for Permit No.
47-08424**

**Source: groundwater
(existing well)**

**Diversion Pt(s):
NE1/4SE1/4, S20, T11S,
R18E; Twin Falls County.**

Use: 1/1-12/31

**Domestic (Second home)
(0.04 cfs)**

**In: E1/2SE1/4, S20, T11S,
R18E; Twin Falls County**

Date Filed: 08/12/98

NATASHA KIMMELL

PO BOX 5775

KETCHUM ID 83340

**Application for Permit No.
47-08426**

Source: groundwater

**Diversion Pt(s): Lot 4
(SE1/4SW1/4), S17, T06S,
R13E; Twin Falls County.**

Use: 1/1-12/31

Wildlife (2.4 afa)

Fire Protection(2.4 afa)

Aesthetics (2.4 afa)

Total Diversion:(2.4 afa)

**In: S1/2SW1/4, S17,
T06S, R13E; Twin Falls
County.**

Date Filed: 08/25/98

Any protest against the
proposed application(s)
must be filed with the
Department of Water
Resources, Southern
Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID
83301 together with a
protest fee of \$25.00 on or
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be considered by the
Department in its decision
to grant or deny any part of
the proposed application(s).
The protestant must also
send a copy of the protest
to the applicant.

Karl J. Dreher, Director

Published in the Times
News on 10/01 & 10/08/98.

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NOV 06 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

September 25, 1998 PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION LEGALS
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

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NOV 06 1998

NOTICE OF APPLICATION FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

JAMES W. COOK &/OR
ROBERTA COOK &/OR
JOY HEIDEMAN &/OR
GREG HEIDEMAN
PO BOX 301
TWIN FALLS ID 83303

Application for Permit No. 47-08424

Source: groundwater (existing well)

Diversion Pt(s): NE1/4SE1/4, S20, T11S, R18E; Twin Falls County.

Use: 1/1-12/31 Domestic (Second home) (0.04 cfs)

In: E1/2SE1/4, S20, T11S, R18E; Twin Falls County

Date Filed: 08/12/98

NATASHA KIMMELL
PO BOX 5775
KETCHUM ID 83340

Application for Permit No. 47-08426

Source: groundwater

Diversion Pt(s): Lot 4 (SE1/4SW1/4), S17, T06S, R13E; Twin Falls County.

Use: 1/1-12/31

Wildlife (2.4 afa)

Fire Protection (2.4 afa)

Aesthetics (2.4 afa)

Total Diversion: (2.4 afa)

In: S1/2SW1/4, S17, T06S, R13E; Twin Falls County.

Date Filed: 08/25/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 19, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 10/01 & 10/08/98.

MICROFILMED

NOV 06 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

September 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES W. COOK ET AL
PO BOX 301
TWIN FALLS ID 83303

Re: Application for Permit No. 47-08424

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the Times News for 10/01 & 10/08/98. A period of ten days following the second publication will be allowed for the submittal of protests.

If an 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 an 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. If 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

NOV 06 1998

de mens

83341

REAL ESTATE PURCHASE AND SALE AGREEMENT

Twin Falls, Idaho, Aug 9, 1998, 1998

James W. Cook and Roberta Cook

~~JOHN A. GALLEGO~~ and ~~STEPHANIE L. GALLEGO~~, husband and wife (hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in Twin Falls, County of Twin Falls, State of Idaho, commonly known as 3 ~~127~~ ^N E., 3500 N., legally described as:

A certain plot or parcel of land with improvements situated in the County of Twin Falls, State of Idaho, more particularly described as follows:

T11S, R18EBM, Section 20, that part of SE1/4 beginning at the SE corner of the SE1/4 of SE quarter of Section 20.

North approximately 1458 ft. to existing survey stake; THENCE West approximately 600 ft., THENCE South approximately 273 ft.; THENCE East approximately 600 ft.; THENCE North approximately 273 ft. to a TRUE POINT OF BEGINNING.

Approximately 3.7 acres with an existing Champion double-wide 24-5, Idaho No. 240132D4750, barn, well, pressure tank and septic, addressed as 3 ~~127~~ ^N E. 3500 N., Kimberly, Idaho.

Subject to a county right-of-way along the east line thereof. No water rights go with property.

TOTAL PURCHASE PRICE IS: Eighty Thousand and No/100 Dollars (\$80,000.00).

Balance of purchase price is to be paid as follows: A ~~\$1,000~~ ^{\$1,000} partial down payment (Ernest money) and ~~\$2,000~~ ^{\$9,000} balance will be made by the ~~1st~~ ^{15th} of August, 1998, for a total of \$10,000 down. Balance of \$70,000 with 8% interest to be paid over 20 years at \$585.51 on the ~~1st~~ ^{15th} of each month thereafter. Payments are to be made to an escrow account.

It is agreed that the Buyer will do his own title search and does not want title insurance. ^{Upon an additional payment of \$20,000,} a quit claim deed for a one-acre plot will be released to the buyer. At that point, the buyer and seller have the option to renegotiate the terms of the contract taking into consideration the payment of \$20,000. The parties agree that this agreement contains the following terms and conditions: Buyer will have his insurance company for fire and liability. Send a copy of premium notices to Seller. Buyer will carry fire and liability insurance.

The following items of personal property now the premises are specifically excluded from the sale:

The following items of personal property are specifically included in the sale: Water softener, trash compactor, and wood-burning stove, and dishwasher

IMPORTANT: THE REVERSE OF THIS AGREEMENT CONTAINS IMPORTANT PROVISIONS WHICH ALSO CONSTITUTE PART OF THE AGREEMENT. Each of the parties acknowledges reading this agreement in full.

Seller

Seller

Seller's address

Seller's address

A true copy of the foregoing agreement, signed by the Seller and containing the fully and complete legal description of the premises, is hereby received on this _____ day of _____, 1998.

Buyer

MICROFILMED

Buyer

NOV 9 6 1998

47-08424