

Curry

Radio Tower
(KTLE)

PID PIG

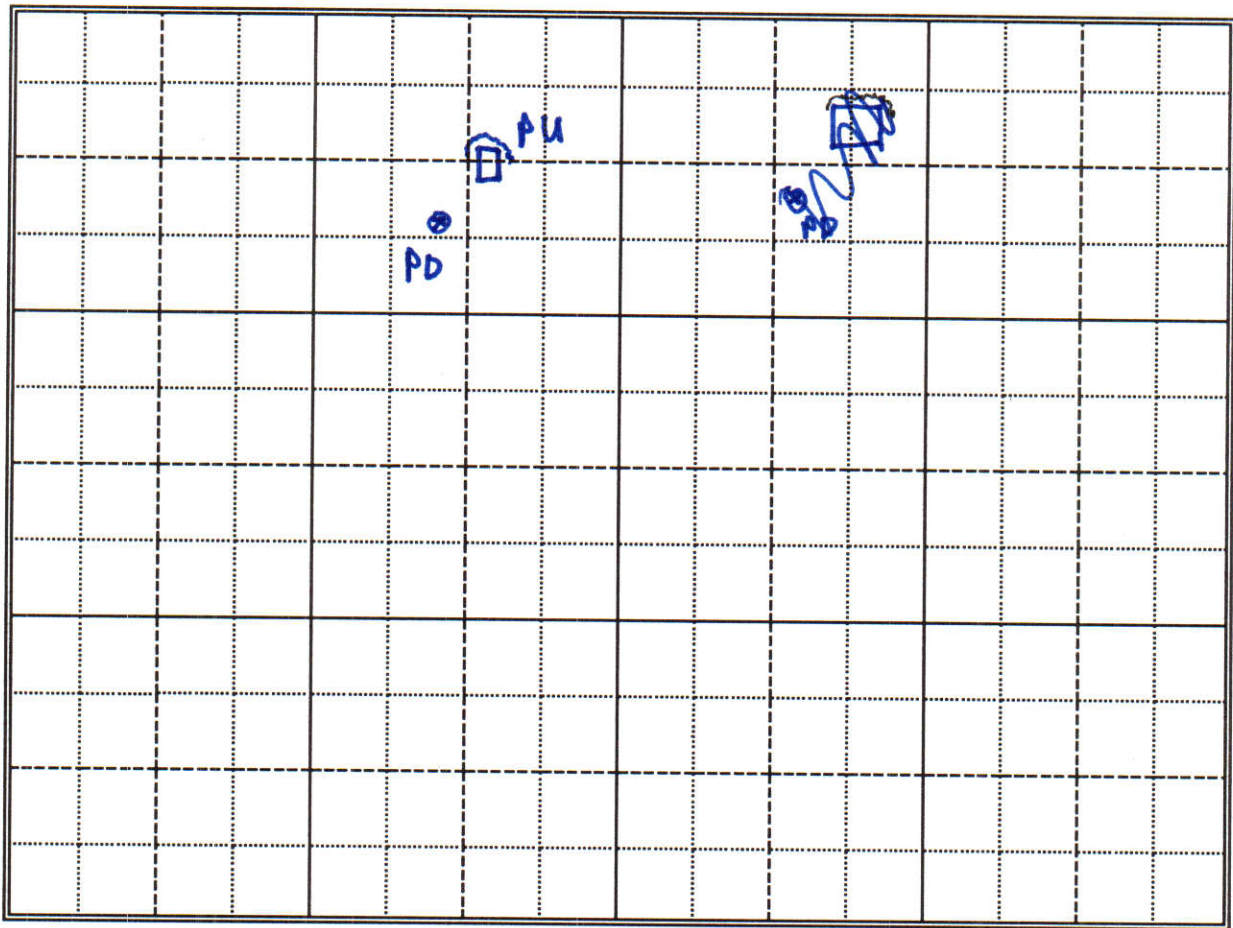
Spring

CLAIM 47-8362 INIT KKC
T. R. S. Q/Q
P/D/OS 16E 14ESENENW
PHOTO BB-72 enlarged
DT.&ID. 1976 200%

3829

SEP 21 1994

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2	2823018110	Sta-Rite	30P4602T

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

D. FLOW MEASUREMENTS

1.

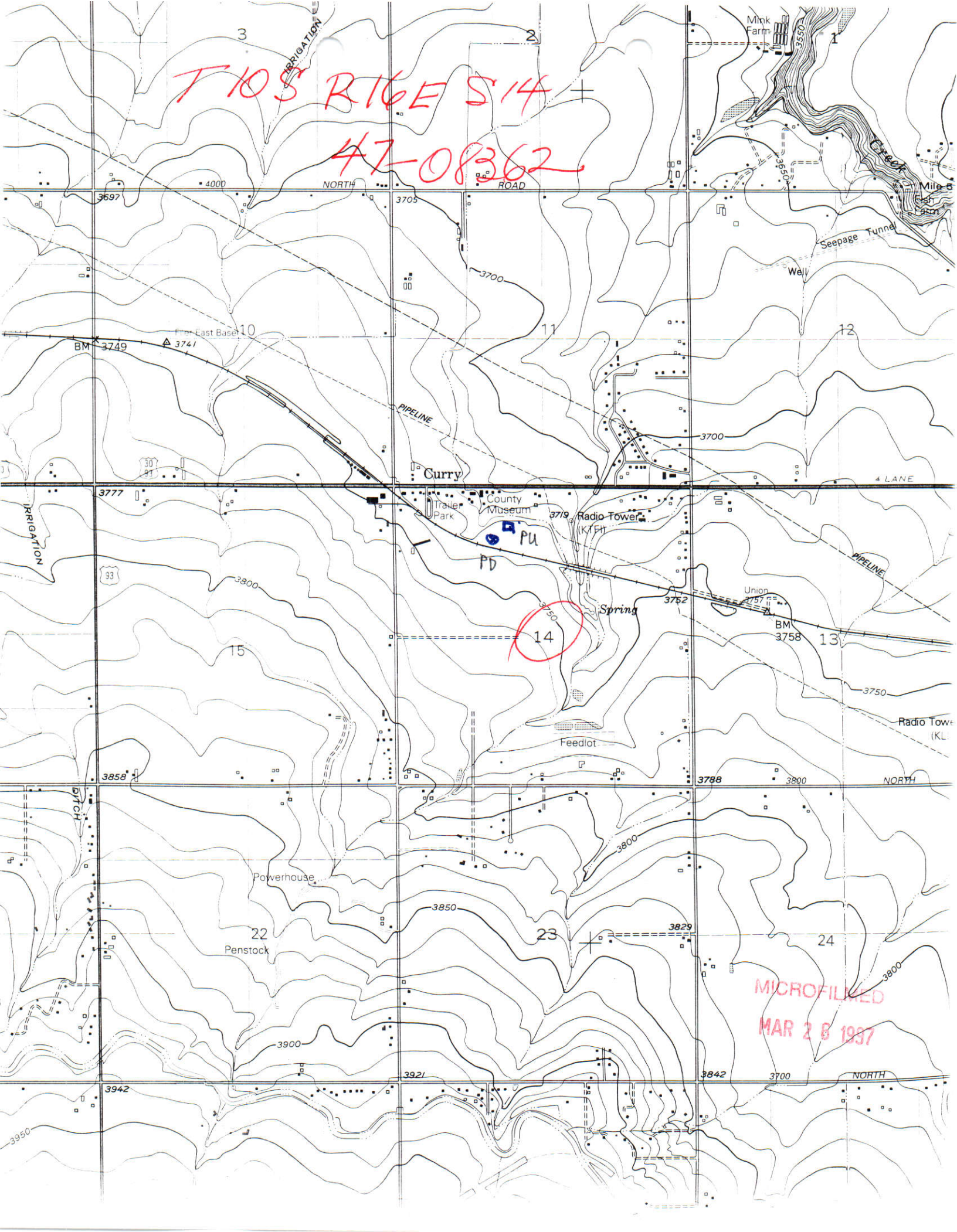
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Not measured. Rated 30 gpm at 40 psi + 20' lift per Elsing Drilling Co. = 0.07 cfs.

MICROFILMED

MAR 26 1997

T10S R16E S14 +
47-08362



MICROFILMED
MAR 26 1997



Well House



Diversion Works



Office/Shop Building



Hose Outlet

MICROFILMED
MAR 26 1997

47-08362
9-12-96

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08362

Priority: May 13, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

0.1 AF

This is to certify, that ROBERT EMERY
DEBBY EMERY

21359 HWY 30

FILE# ID 83328

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 13, 1994; and has submitted Proof of Beneficial Use on August 30, 1995. An examination indicates that the works have a diversion capacity of 0.070 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW, Sec. 14, Township 10S, Range 16E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 16E 14

NENW

CONDITIONS OF APPROVAL AND 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. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of 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. Domestic use is for watering of a small lawn area and for shop restrooms.

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 28TH day of FEBRUARY, 1997.


Acting for KARL J. LREHER, Director

RECEIVED

AUG 30 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Department of Water Resources
Southern Region

PROOF OF BENEFICIAL USE

AUG 31 1995

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. 47-08362 Telephone No. 208-733-3951
2. Name(s) of Permit Holder(s): ROBERT EMERY, DEBBY EMERY
3. Mailing Address: 21359 HWY 30 FILER, IDAHO 83328
4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 2 yr. 94
 - a. Well Driller: ELSING DRILLING Drilling Permit Number: 47-94-S-0014-000
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Domestic for shop, office, small landscape
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 <u>X</u>
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>
8. Fee Enclosed: \$ N/A (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Robert Emery Telephone Number: 208-733-3951
Address: 21357 Hwy 30 Filer, ID 83328
Shop
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: Debbie Emery

(include your title, if on behalf of company or organization)

Date: 8-30-95

SEP 14 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08362

Proposed Priority: May 13, 1994

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **ROBERT EMERY**
DEBBY EMERY
21359 HWY 30
FILER ID 83328

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: SENENW , Sec. 14, Township 10S, Range 16E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 16E 14

NENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1995.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Construction of the well must comply with Idaho well construction standards.
5. Domestic use is for watering of a small lawn area and for a shop with 4 to 20 employees.
6. The daily diversion volume for the domestic use authorized under this permit shall not exceed 2,500 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.

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

13 day of September, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

SEP 21 1994

RECEIVED

Ident. No. 47-08362

MAY 13 1994

Dep. Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ROBERT EMERY 208-734-1557
Address: 21359 HY 30
FILER ID 83328
AND/OR
Name: DEBBY EMERY 208-734-1557
Address: 21359 HY 30
FILER ID 83328

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SENENW Sec. 14', Township 10S, Range 16E
TWIN FALLS County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.040		

5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL TO PRESSURE TANK TO SHOP
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- If well is already drilled, when? 02/10/1994
Drilling Firm ELSING DRILLING
Well was drilled for APPLICANT

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

RECEIVED
AUG 23 1994

Department of Water Resources

8. Place of Use: DOMESTIC

TWN RGE SEC
10S 16E 14 NENW

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

USE IS FOR A SHOP WITH FOUR TO TWENTY EMPLOYEES. TWO BATHROOMS
AND A SMALL LAWN AREA APROX 20 FT BY 80 FT.

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

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

Debbie Emery
Applicant

Received by KKC Date 5-13-94 Time 11:40 AM Preliminary check by JA

Fee \$ 30.00 Receipted by KKC # 5016900 Date 5-13-94

Publication prepared by MB Date 6/5/94 Published in Times News

Publication approved MBaldwin Date 8/17/94

SEP 21 1994



CLAIM 47-8362 INIT KKC
T. R. S. 810
P/D/OS 16E 14ESENENW
PHOTO BB-72 enlarged
DT.&ID. 1976 200%

SEP 21 1994



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

MARCH 3rd, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT EMERY
DEBBY EMERY
21359 HWY 30
FILER IDAHO 83328

RE: WATER RIGHT NO. 47-08362

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

MICROFILMED
MAR 26 1997

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Southern Region

Enclosures

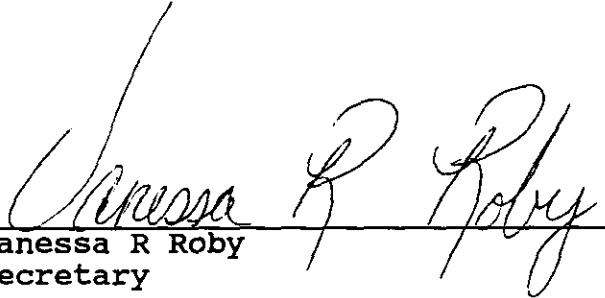
RECEIVED
MAR 26 1997

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **MARCH, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 47-08362

**ROBERT EMERY
DEBBY EMERY
21359 HWY 30
FILER IDAHO 83328**



Vanessa R Roby
Secretary

RECORDED

MAR 26 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 02 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08362

1. Owner: Robert Emery

Phone No. 733-3951

Current Address: 469 Emery Bros. Construction

2. Accompanied by: Lisa DiGiuseppe. Also Debby Emery per ^{telexon} EXAM DATE: 9-12-96

Address: Secretary

Phone No. _____

Relationship to Permit Holder: employee-secretary

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NE	NW	14	10S	16E	Twin Falls	ASCS photo, 1996 slide

2. Place(s) of Use:

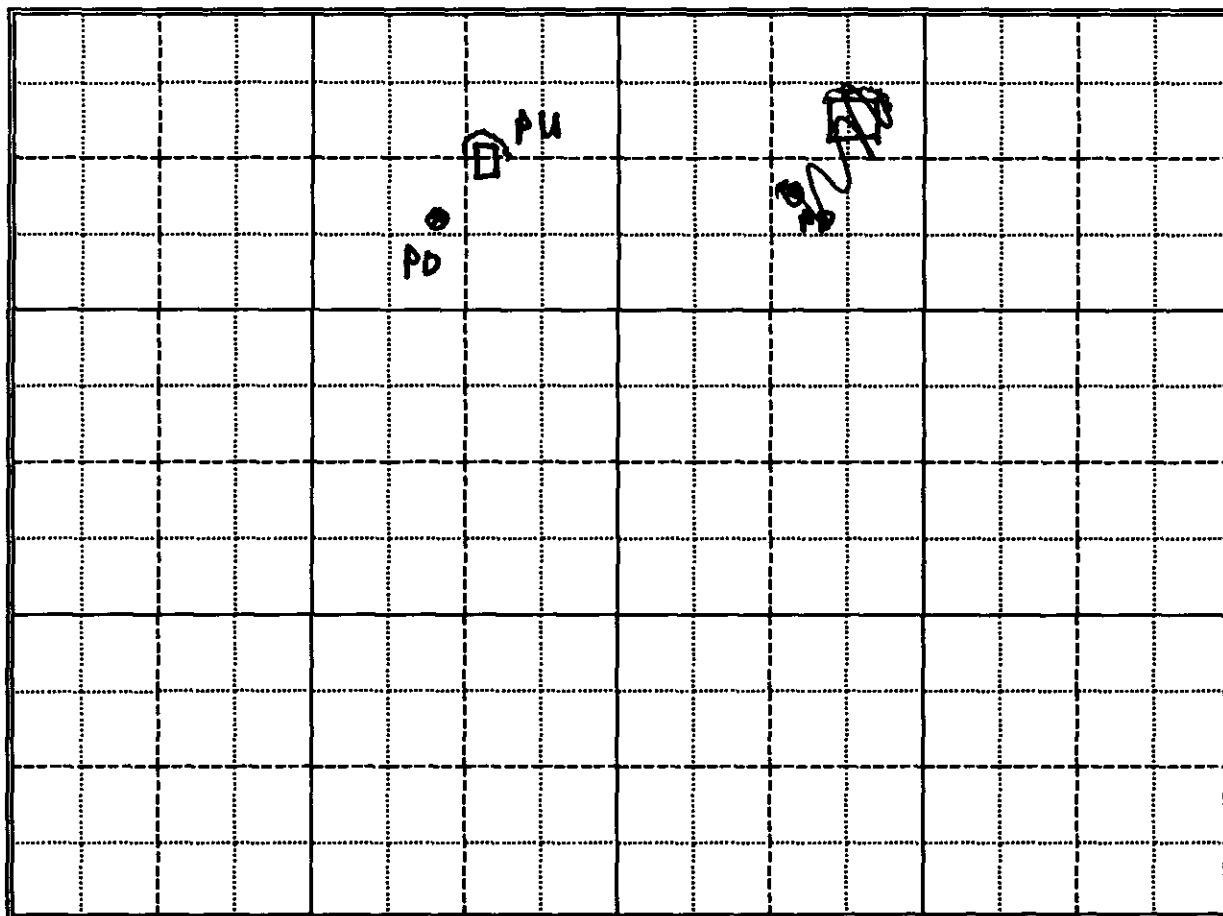
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	16E	14					D												

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MAR 26 1997

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2	2823018110	Sta-Rite	30P4602T

*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. Rated 30 gpm at 40 psi + 20' lift per Elsing Drilling Co. = 0.07 cfs.

ENCLOSURE

MAR 16 1987

E. NARRATIVE/REMARKS/COMMENTS

Well, submersible motor & pump, pipelines to office/shop with restrooms. Three hose outlets at corners of building for occasional truck washing & to water & landscaped area 3' wide along the front of the building. A staff of 4-5 people use the restrooms.

Allow 0.04 cfs permitted rate.

Well is in a different 10-acre tract than permitted, but is in the same 40-acre tract. No signed amendment or amendment fee should be needed.

A 13-lot trailer park is also planned for this property. An app. for permit was filed 10-9-96. There were 3 small trailers on the property during my exam. These uses were not described under the original permit, so are not recommended for licensing.

~~Now~~

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

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MAR 26 1997

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

~~2500 gpd~~ $\times 15 \text{ gpd/person} \times 5 \text{ people} \times \text{day} \times 5 \text{ days/week} \times 52 \text{ wks/year} = 0.06 \text{ AFA}$
 Allow ~~0.06~~ AFA minimum volume
 0.1

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.04	0.1
Totals:			0.04	0.1

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. E. Linton Date 12-31-96

Reviewer _____ Date _____

SEAL

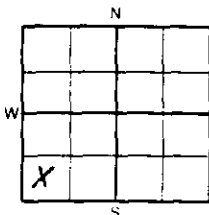
IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUse Typewriter
or
Ball Point Pen1. DRILLING PERMIT NO. 47 - 94-S - 0014 - 000

Other IDWR No. _____

2. OWNER:

Name Emery Bros.Address 21356 Highway 30City Twin Falls State ID Zip 83301

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.T. 10 North ☐ or South ☒
E. 16 East ☒ or West ☐
Sec. 14 1/4 SW 1/4 SW 1/4
Gov't Lot _____ County Twin Falls

Address of Well Site _____

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	18	5 S	Poured
Overbore to seal depth				

Was drive shoe seal tested? ☒ N2 How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
6-5/8	+2	18	.250			☒	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes _____

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tele/Pipe Size	Casting	Liner
						☐	☐
						☐	☐
						☐	☐

10. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time

Temperature of water _____ Was a water analysis done? Yes ☐ No ☐

By whom? _____

Water Quality (odor, etc.) _____

Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

31 ft. below surface Depth artesian flow found _____

Artesian pressure _____ lb. Describe access port _____

Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
8"	0	1	Topsoil		
	1	3	Broken basalt		
	3	18	Gray basalt		
6"	18	38	Gray basalt		
	38	40	Brown basalt		
	40	52	Soft brown basalt		x
	52	59	Brown cinders & Water talc		x
	59	63	Fractured gray basalt		x
	63	65	Cinders		x
	65	72	Gray basalt		x
	72	76	Brown basalt, soft		x
	76	81	Gray basalt		
	81	100	Fractured gray basalt		x

Date: Started 2-16-94 Completed 2-16-94

13. DRILLER'S CERTIFICATION

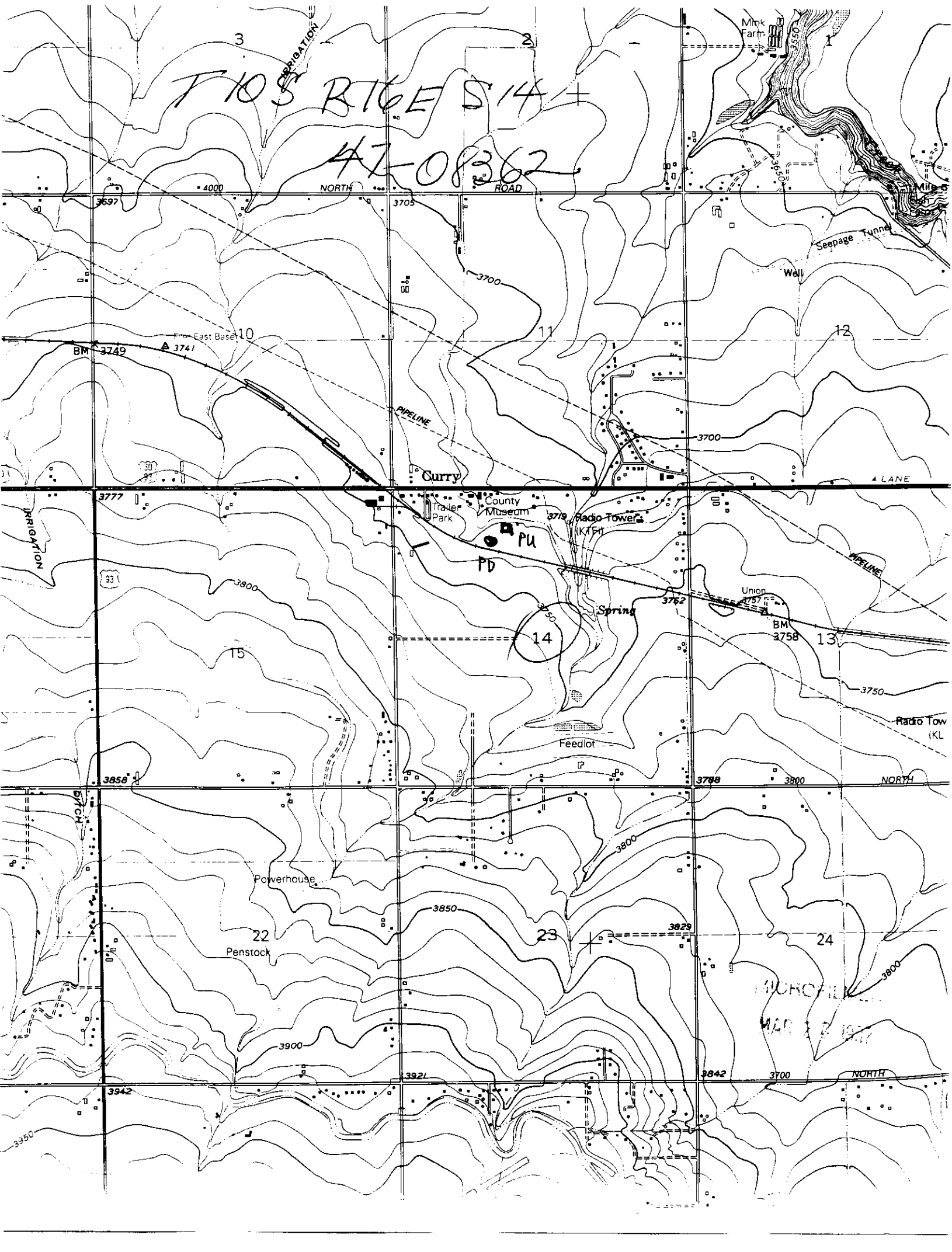
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Elsing Drilling Firm No. 31Firm Official Donald Elsing Date 2-22-94and
Supervisor or Operator CRAIG ELSING Date 2-22-94

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

T105 BT6E S14 +
47-08362

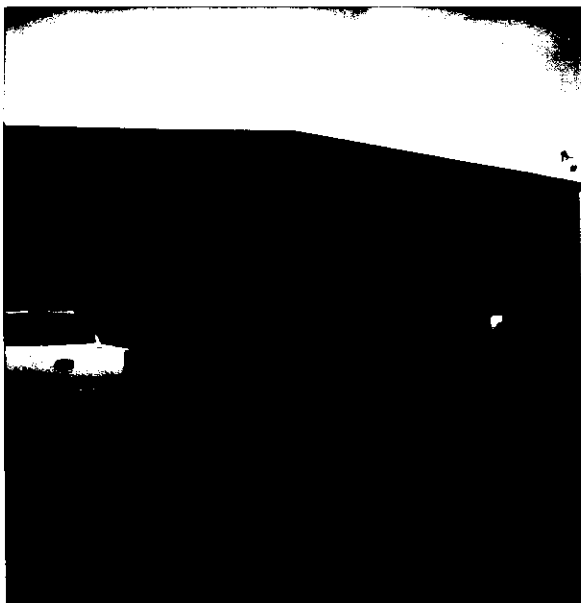




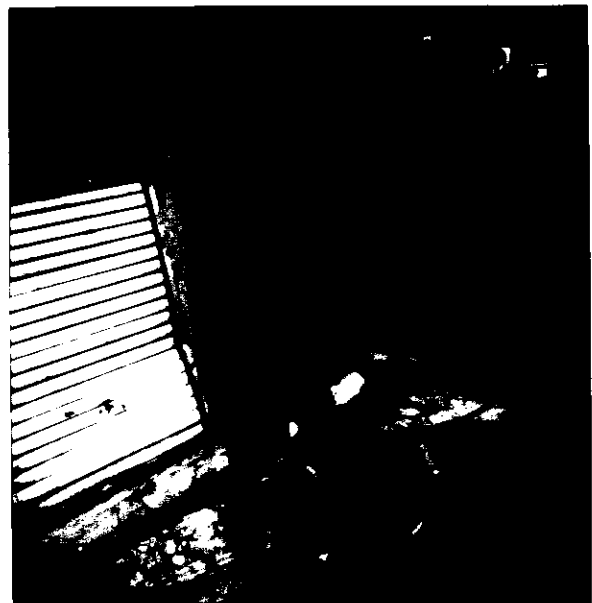
Well House



Diversion Works



Office/Shop Building



Hose Outlet

47-08362
9-12-96

September 12, 1995

ROBERT EMERY
DEBBY EMERY
21359 HWY 30
FILER ID 83328

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08362

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.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MISSOURI MFD

SEP 14 1995

June 30, 1995

ROBERT EMERY
DEBBY EMERY
21359 HWY 30
FILER ID 83328

PROOF DUE NOTICE

RE: PERMIT NO. 47-08362

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 September 1, 1995. (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.

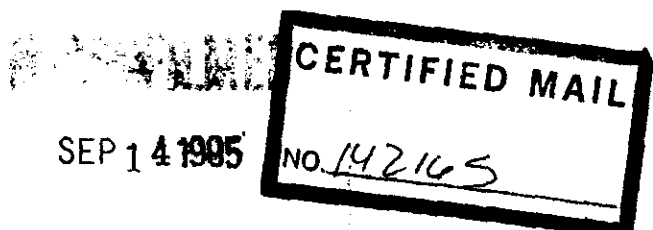
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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





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

September 14, 1994

ROBERT EMERY
DEBBY EMERY
21359 HWY 30
FILER ID 83328

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08362

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosures

SEP 21 1994

Affidavit of Publication

No 26138

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McSwine being first duly sworn upon oath, depose and say that I am Linda Capps 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 July 7, 1994, and ending with the issue dated July 14, 1994.

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 27 day of July in the year of 1994, before me, a Notary Public, personally appeared Linda Capps McSwine, 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 Twin FallsMy commission expires: 9/22/98

SEP 21 1994

OK
mb
8/17/94

NOTICE OF APPLICATION
FOR WATER PERMIT

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

47-08362

ROBERT EMERY &/OR
DEBBY EMERY
21359 HY 30
FILER ID 83328

Source: groundwater

Diversion Pt:
SENEW, S14, T10S,
R16E; Twin Falls
County.

Use: 1/1 to 12/31
domestic (0.04 cfs)

Date Filed: 5/13/94

In: NENW, S14, T10S,
R16E; Twin Falls
County

47-08366

ROD J. GRIFFITH
45798 RIVER ROAD
BUHL ID 83316

Source: Wastewater &
Springs tributary to
Deep Creek

Diversion Pt:
NENESE, S8, T09S,
R14E; Twin Falls
County.

Use: 01/01 to 12/31

Aesthetics (1.2 afa)
Diversion to storage
(2.0 cfs)

Total Diversion:
2.0 cfs

Date Filed: 6/3/94

In: NWSW, S9, T09S,
R14E; Twin Falls
County

47-08367

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

Source: Unnamed
Stream tributary to
Mc Mullen Creek

Diversion Pt:
SWSESE, S29, T11S,
R18E; Twin Falls
County.

Use: 1/1 to 12/31
Fish Propagation
(5.0 cfs)

Date Filed: 6/9/94

In: SESE, S29, T11S,
R18E; Twin Falls
County

The permits will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 25, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson,
Director

Published in Times
News on 7/7 &
7/14/94.

CLASSIFIED ADVERTISING INVOICE
TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO. 26138		CLASS 343	BILLING DATE 07/27/94	
INDEXING TERM 47-08362				
START DATE 7/07/94		TELEPHONE NO. 736-3033		
LINE/WORDS 114	TIMES 2	RATE	NET AMOUNT 82.08	GROSS AMOUNT 82.08
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT			84.08	84.08
GROSS AMT DUE AFTER 08/11				

UN E G E I V E U

AUG 12 1994

Department of Water Resources
Northern Region Office

RETURN THIS PORTION WITH YOUR REMITTANCE

26138

8408

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E
TWIN FALLS

ID
83301

SEP 21 1994

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R16E; Twin Falls
County.

Use: 1/1 to 12/31
domestic (0.04 cfs)

Date Filed: 5/13/94

In: NENW, S14, T10S,
R16E; Twin Falls
County

47-08366

ROD J. GRIFFITH
4579B RIVER ROAD
BUHL ID 83316

Source: Wastewater &
Springs tributary to
Deep Creek

Diversion Pt:
NENESE, S8, T09S,
R14E; Twin Falls
County.

Use: 01/01 to 12/31

Aesthetics (1.2 afa)
Diversion to storage
(2.0 cfs)

Total Diversion:
2.0 cfs

Date Filed: 6/3/94

In: NWSW, S9, T09S,
R14E; Twin Falls
County

47-08367

GEORGIANNA ROBERTS
3085 N 3500 E
KIMBERLY ID 83341

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Mc Mullen Creek

Diversion Pt:
SWSESE, S29, T11S,
R18E; Twin Falls
County.

Use: 1/1 to 12/31
Fish Propagation
(5.0 cfs)

Date Filed: 6/9/94

In: SESE, S29, T11S,
R18E; Twin Falls
County

The permits will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 25, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson,
Director

Published in Times
News on 7/7 &
7/14/94.

SEP 21 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

16-Jun-1994

R. KEITH HIGGINSON
Director

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. If time allows, please submit a galley proof for review before publication.

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.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

SEP 21 1994

NOTICE OF APPLICATION FOR WATER PERMIT

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DEBBY EMERY
21359 HY 30
FILER ID 83328

Source: groundwater

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Use: domestic (0.04 cfs) from 01/01 to 12/31

Date Filed: 5/13/94

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47-08366

ROD J. GRIFFITH
4579B RIVER ROAD
BUHL ID 83316

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Springs tributary to Deep Creek

Diversion Pt: NENESE, S8, T09S, R14E; Twin Falls County.

Use: 01/01 to 12/31

Aesthetics (1.2 afa)
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Total Diversion: 2.0 cfs

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SEP 21 1994

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Use: Fish Propagation (5.0 cfs) from 01/01 to 12/31

Date Filed: 6/9/94

In: SESE, S29, T11S, R18E; Twin Falls County

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 25, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Times News on 7/7 & 7/14/94.

7/14/94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Jun-1994

R. KEITH HIGGINSON
Director

ROBERT &/OR DEBBY EMERY
21359 HY 30
FILER ID 83328

Re: Application for Permit No. 47-08362

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 7/7 & 7/14/94. 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB