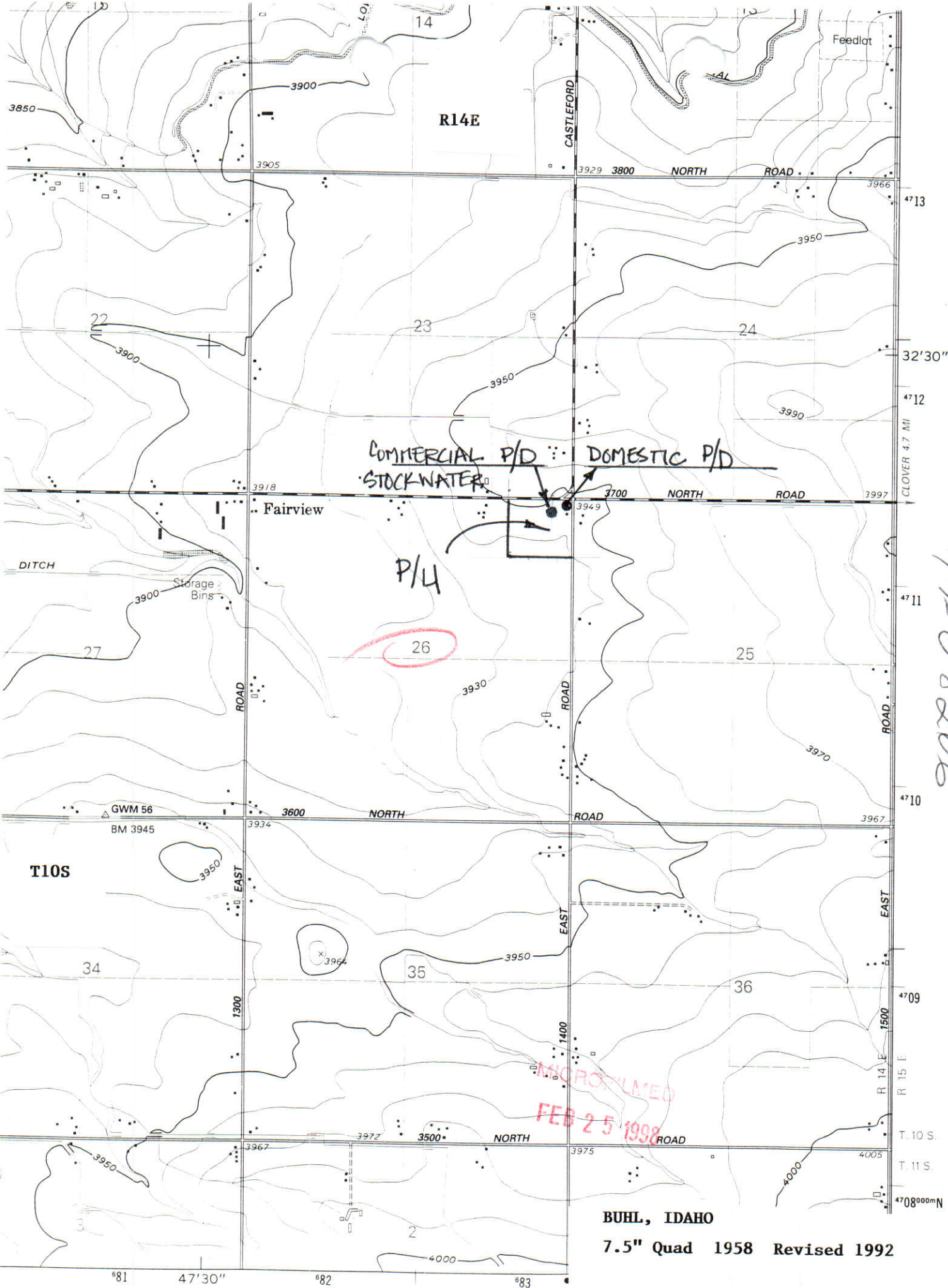
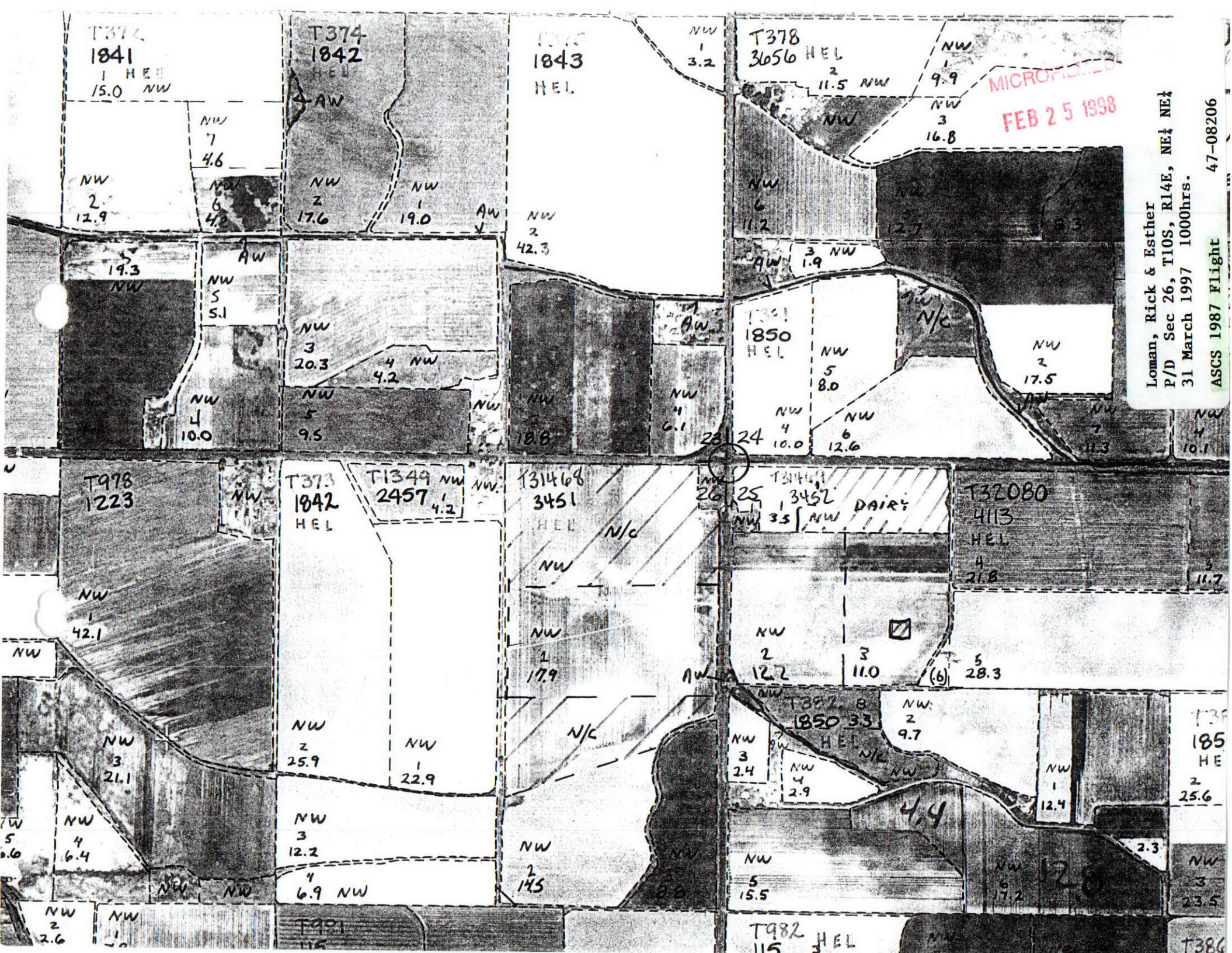




T 10S- R 14 E- S 26 NE NE
47-08206

BUHL, IDAHO
7.5" Quad 1958 Revised 1992



MICROFILMED
FEB 25 1998

Loman, Rick & Esther
P/D Sec 26, T10S, R14E, NE 1/4
31 March 1997 1000hrs.
ASCS 1987 Flight 47-08206

GPS 1/1



47-08206
A47-13317



Buhl
5 MILES

3700 NORTH

LOMAN'S
RESIDENCE



MILKING
BARN

GPS # 0002749
TAG Wired on handle
to lid for cistern.

RENTER'S
HOME

18' from Well
to GPS #0002748

WASHING
PARLOR

1400 EAST

MICROFILMED
FEB 25 1998

SEC 26, T10S, R14E NE $\frac{1}{4}$ NE $\frac{1}{4}$

07 APRIL 1997 1000 hrs
LOMAN, RICK & ESTHER
47-08206 & A47-13317

10,000 gallon holding tank for
washing the cow before milking.

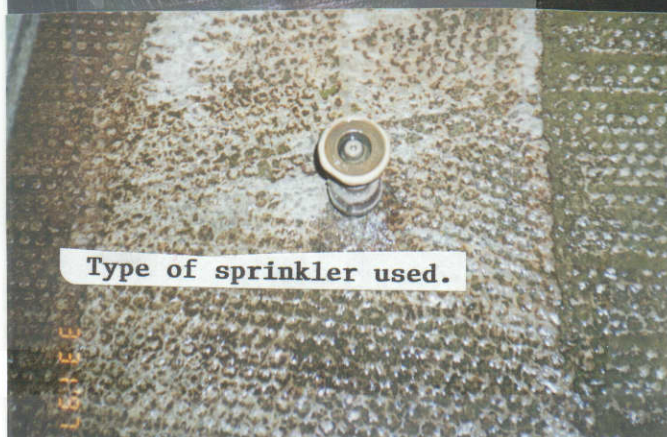
1/6



Photo looking W'ly



Wash Room 55 sprinklers.



Type of sprinkler used.

MICROFILMED

FEB 25 1998

31 March 1997 Loman, Rick &/or Esther
P/D = Sec 26, T10S, R14E NE¼ NE¼ NE¼

47-08206



①



②

MICROFILMED
FEB 25 1998

① Double 12 Herring Bone Milk Station

② 2,500 gallon bulk tank

SEC 26, T10S, R14E NE $\frac{1}{4}$, NE $\frac{1}{4}$

31 Mar 1997 1000 hrs. Loman, Rick
47-08206



2 Pressure Tanks used inconjunction w/
10,000 gallon holding tank

MICROFILMED
FEB 25 1998

31 March 1997 Loman, Rick & Esther
1000 hrs.
P/U = Sec 26, T10S, R14E NE $\frac{1}{4}$ NE $\frac{1}{4}$

47-08206

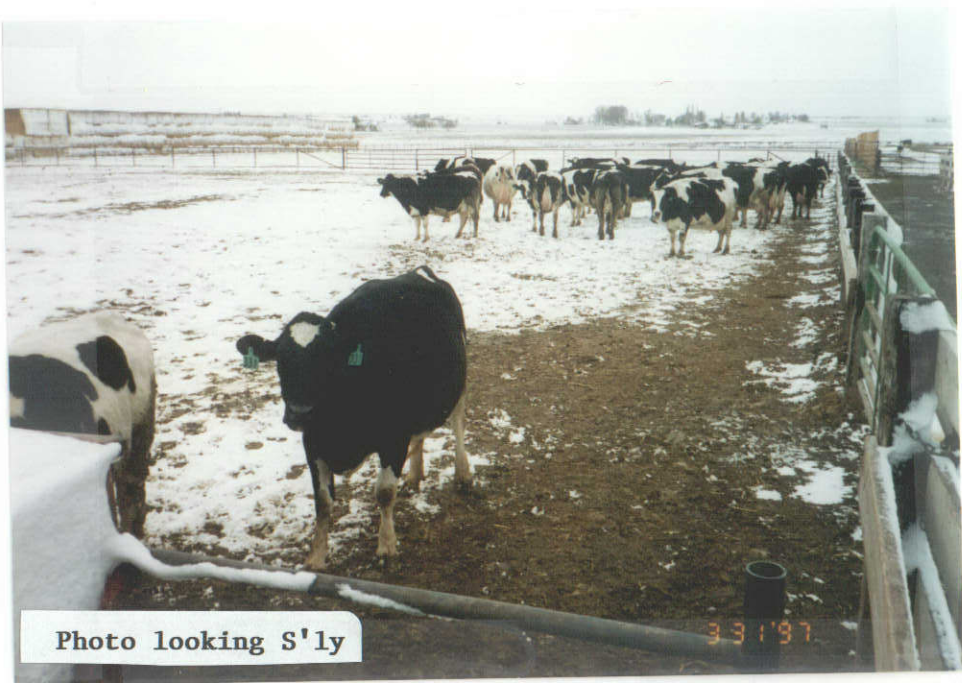


Photo looking S'ly



MICROFILMED
FEB 25 1998

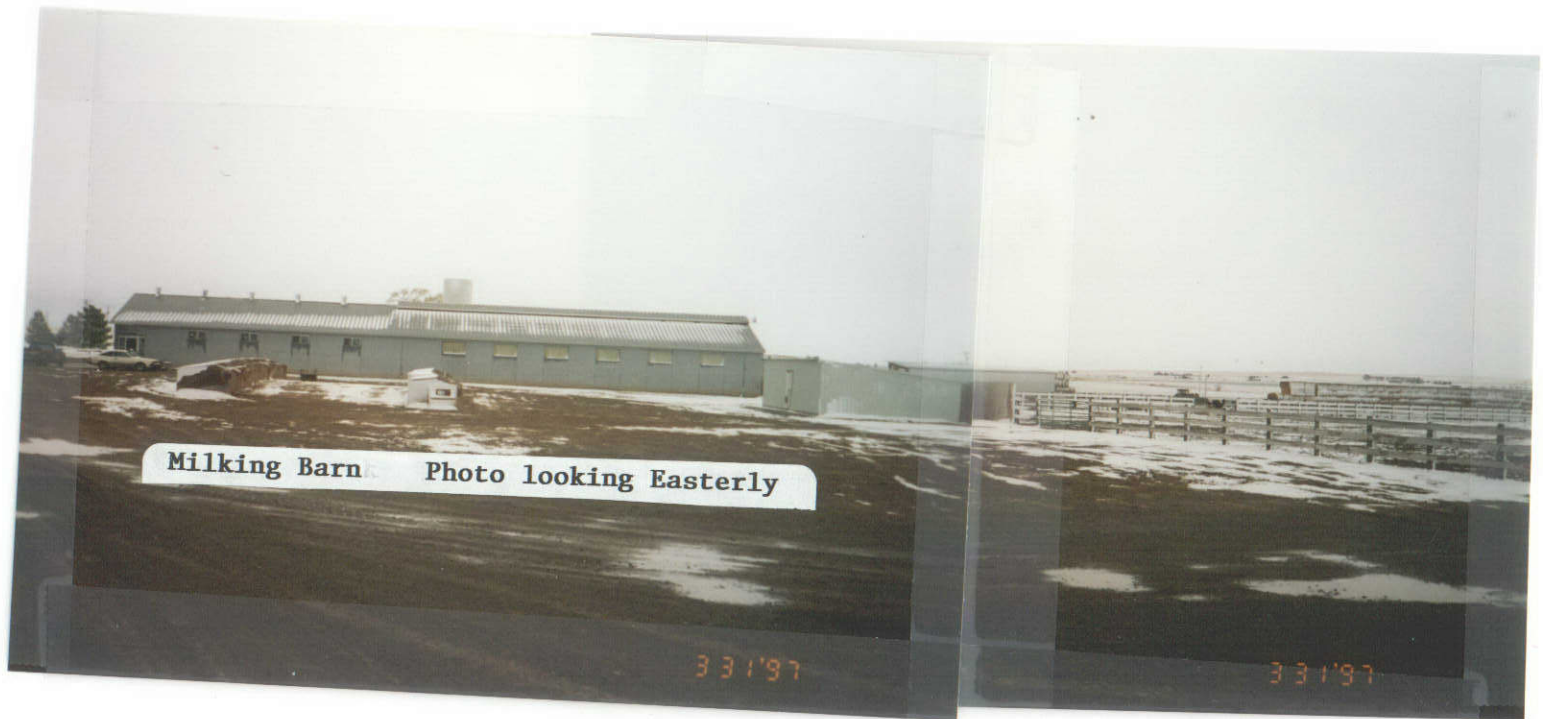
MICROFILMED

FEB 25 1998

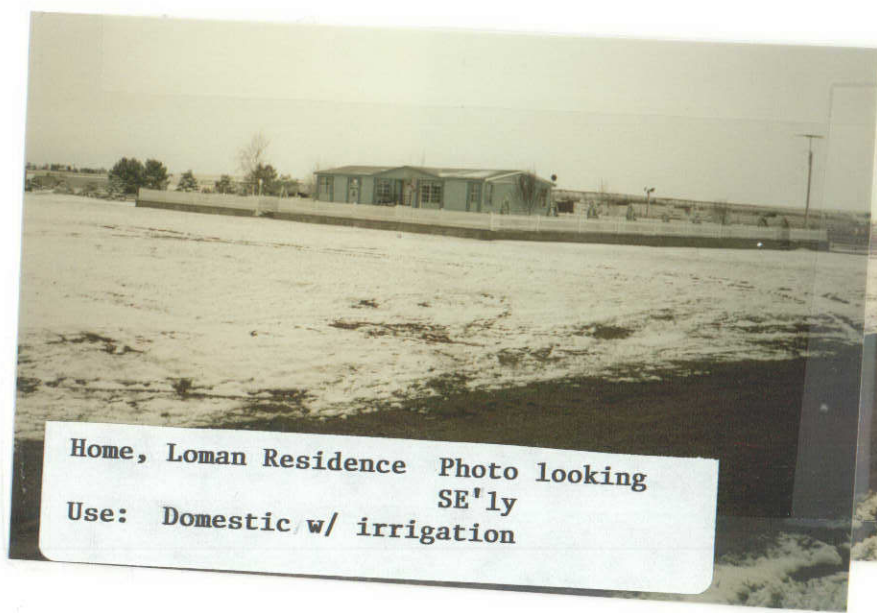
31 March 1997 1000 hrs
Place of Use Sec 26, T10S, R14E NE¼ NE¼
Stock Tank Holds approximately 100 gal.

47-08206

MICROFILMED
FEB 25 1998



Milking Barn Photo looking Easterly



Home, Loman Residence Photo looking SE'ly
Use: Domestic w/ irrigation



Most W'ly portion of the corrals

31 March 1997 1000 hrs.
PLU Sec 26, T10S, R14E
NE 1/4 NE 1/4 47-08206



Photo looking S'ly

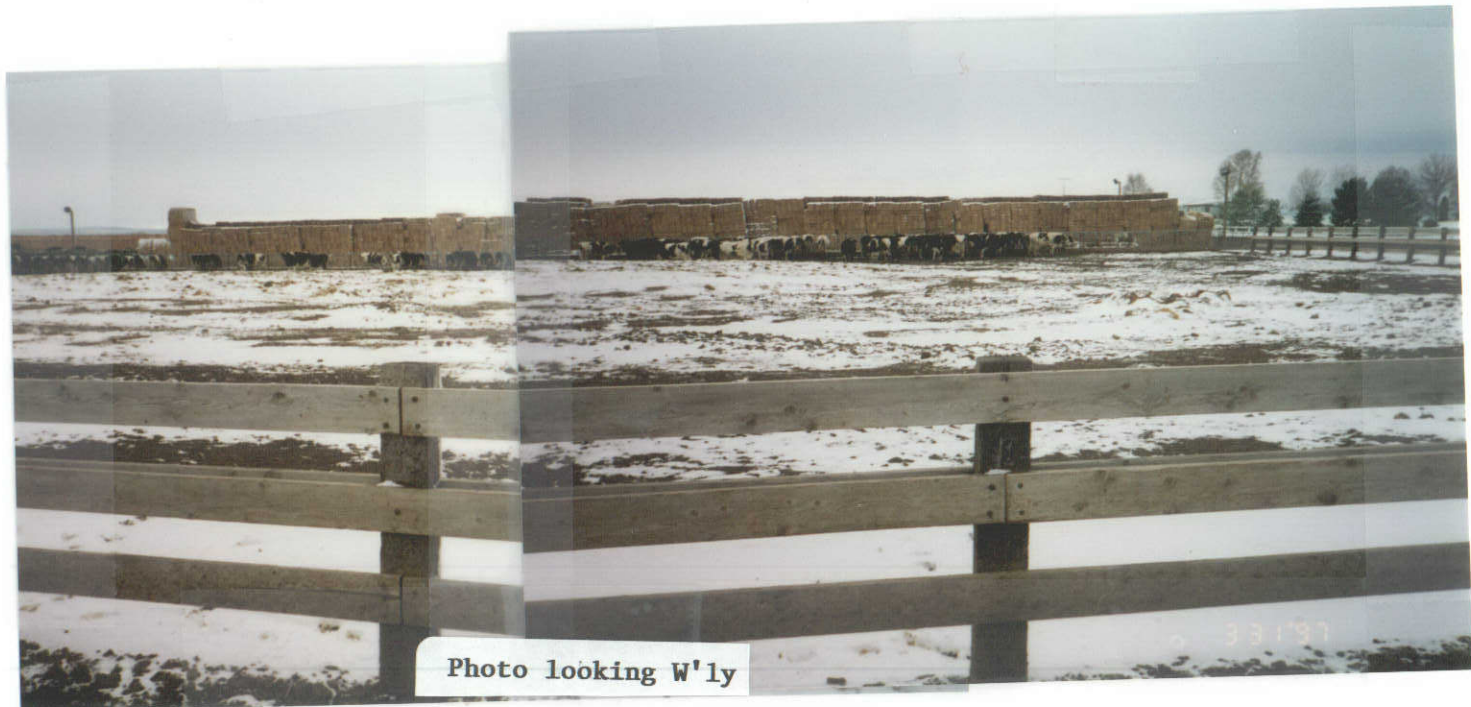


Photo looking W'ly

MICROFILMED
FEB 25 1998

31 March 1997 1000 hrs
P/U Sec 26, T10S, R14E NE¼ NE¼

47-08206

I certify that file No. 47-8206
has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Brenda Miller
Signature

12-30-92
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

MS3000P
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/18/92 10:36:05
Page 1

Water Right Number - 47-08206

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LOWAN

RICK

1 - RT. 2 BOX 164
2 -
3 -
City- BUHL
Phone - 208-543-5649

State- ID Zip- 83316

+ - - Priority Date - - +
02/22/1989

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Stream Index (Blank if no Index Code)

Twn	Rng	Sec	Tract	Lot	RFlg	County
10S	14E	26	NE NE			(83) TWIN FALLS

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
10 - COMMERCIAL		01/01	12/31		0.330	
04 - STOCKWATER		01/01	12/31		0.330	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.330

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
10S	14E	26	NE NE			04 STOCKWATER		(83) TWIN FALLS

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use - C/DAIRY BARN, S/1500 DAIRY

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
026 - 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.
09E - Water used under this right if discharged into a natural

WRS000MP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/16/92 10:36:05
Page 2

Water right number - 47-08206

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
(Condition continued from previous page)
- channel or subsurface system shall meet Idaho Water Quality
- Standards.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
Date: 08/05/1992 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

+ - - Audit Fields - 04/19/89 BALDWIN 04/20/89 BALDWIN 07/18/89 CURTIS 08/24/89 CURTIS 08/05/92 COMMENTS

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 08/01/1992	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 07/18/1989	Protested Date - 00/00/0000	Swan Falls - C
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S006337	Water District -
Licensed Date - 00/00/0000	Appl Received - 02/22/1989	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

August 5, 1992

RICK LOMAN
RT. 2 BOX 164
BUHL ID 83316

LAPSE NOTICE

RE: PERMIT NO. 47-08206

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
J

INTER-DEPARTMENT MEMO

TO: File,
FROM: Karen

SUBJECT: Permit Notice
DATE: 5/21/92

During my review of the file to send a proof due, it was noted that the permit approval notice was done incorrectly. The numbers were reversed as such: 47-08206 was mailed ~~to~~ as 47-08026, thus the permit approval went to the USDA & the permit holder did not receive a copy. I mailed a copy of the approved permit with the Proof Due Notice on 5/29/92.

- ☐ For your information
☐ Response required

Karen Gustafson
signature

May 31, 1992

RICK LOMAN
RT. 2 BOX 164
BUHL ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-08206

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 139042

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 19, 1989

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 844010000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08026

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.

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.

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

20-Apr-1989

Idaho Dept. of Health & Welfare
P.O. Box 1626
Twin Falls, ID 83303-1626

Re: Applications for Permit No.

Gentlemen:

Please find enclosed copies of Applications for Permit for
your information and files.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure

20-Apr-1989

Rick Loman
Rt. 2 Box 164
Buhl, ID 83316

Re: Application for Permit No. 47-08206

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 will be advertising the application in the Times News on 5/4 & 5/11/89. 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 unprotected application is about eight weeks.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Form 235-1
4/88

Drilling Permit No. 47-89-S-016
Water Permit No. 47-02-06
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT
(Authorizing Construction of a Well)*

1. Applicant Rick Loman
2. Address Route 2 Box 164 Euhl, Idaho 83316
Telephone 208 543-5649
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NE 1/4 NE 1/4, or Gov't lot No. _____
Sec. 26, Twp. 10S, Rge. 14E, County Twin Falls
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☒ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify Commercial - Dairy
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 8" Maximum depth 250'
Anticipated bottom hole temperature: _____
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date March 1, 1989
7. Well Driller (if known) Eaton Drilling, Wendell, ID
Address _____
8. Applicant's signature x Rick Loman
Title _____
Date x 2/21/89

* After other pre-requisite approvals have been obtained.

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

ACTION OF IDWR

☒ Approved () Denied

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

GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

By accepting this permit and commencing construction, Applicant acknowledges that he accepts all risk that the well may not ultimately be approved for use.

Dated this 19th day of April, 1988.

Signed

AL D. WHITE FOR LOREN HOLMES

Title

SOUTHERN REGIONAL MANAGER

Received by JG Fee 100.00 Date 4-22-89
 Receipt No. 5004337 Construction start extension to _____
 Extension approved by _____

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

APRIL 19, 1989

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

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 22, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08206

LOMAN, RICK
RT. 2 BOX 164
BUHL, ID 83316

Source: GROUNDWATER

Diversion Pt: NENE Sec 26 T 10S R 14E

Use: COMMERCIAL (.330 CFS)
STOCKWATER (.330 CFS)

Date Filed: 2/22/1989

In: T10S R14E S26 NENE

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 22, 1989.

R. KEITH HIGGINSON, Director

Published 5/04/1989 & 5/11/1989

February 22, 1989

DEPARTMENT OF WATER RESOURCES
2148 4th Avenue East
Twin Falls, Idaho

Dear Sir:

I need permission to have the well drilled on my new dairy. So I can have the pumping system and water lines installed. I am going to have stock in the corral in April and will need water.

Sincerely Yours,

Rich Loman.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08206

Priority: July 19, 1994

Maximum Diversion Rate: 0.33 CFS
Maximum Diversion Volume: 64.0 AF

This is to certify, that RICK LOMAN
NORTHWEST FARM CREDIT SERVICES ACA
ESTHER C LOMAN

1391 E 3700 N
BUHL ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 22, 1989; and has submitted Proof of Beneficial Use on July 19, 1994. An examination indicates that the works have a diversion capacity of 0.390 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>
STOCKWATER	01/01 to 12/31	0.33 CFS	31.5 AF
COMMERCIAL	01/01 to 12/31	0.33 CFS	32.5 AF
	Totals	0.33 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 26, Township 10S, Range 14E
TWIN FALLS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10S 14E 26 NENE

PLACE OF USE:

COMMERCIAL, same as STOCKWATER use

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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

MICROFILMED
FEB 7 1988

State of Idaho
Department of Water Resources

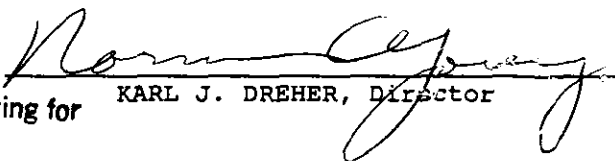
WATER RIGHT LICENSE

WATER RIGHT NO. 47-08206

CONDITIONS OF APPROVAL AND REMARKS

6. Commercial use is for dairy barn.

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 23rd
day of JANUARY, 1998.


Acting for KARL J. DREHER, Director

W. C. H. 11
FEB 3 1998

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	47-08206	Rick Loman	0.33
Full Assignment	47-08206	H.C. Loman AKA Rick Loman Esther C. Loman Northwest Farm Credit Services ACA	0.33

OCT 21 1995

OFFICE USE ONLY

Amt. of Fee \$25.00

Date 10-3-94

Receipt No. 5017438

Receipt by mts

State of Idaho

DEPARTMENT OF WATER RESOURCES

RECEIVED

ASSIGNMENT OF PERMIT

Department of Water Resources: OCT 13 1994 change the ownership of a permit

Southern Region Office

Department of Water Resources

H. C. LOMAN aka RICK LOMAN and

I, RICK LOMAN, hereby assign to ESTHER C. LOMAN, husband and wife,
 and NORTHWEST (Permit Holder) FARM CREDIT SERVICES, ACA
 of P. O. BOX 288, Twin Falls ID 83303-0288

(Full Address)

All my right, title, and interest in and to Permit No. 47-08206
 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. _____ 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.

Made this 28 day of September, 19 94.

Rick Loman

Permit Holder(s)

State of Idaho)

Rick Loman

ss

County of Twin Falls

On this _____ day of September, 199 4, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Scott Allen

Notary Public

SEAL

Residing at Twin Falls ID

Signature

My commission expires: 1-5-2000

OCT 21 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-08206	)	
	)	ORDER OF
IN THE NAME OF RICK LOMAN	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER:

FINDINGS OF FACT

1. On July 18, 1989, the Department issued Permit No. 47-08206 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 by certified mail stating that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use.

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

4. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use 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.

5. On July 19, 1994, the permit holder submitted an acceptable proof along with a letter explaining that the well was drilled in 1989 and water was put to beneficial use. The water right file contains a copy of drilling permit no. 47-89-S-0016-000 which confirms that the well was drilled in March of 1989. The permit holder further explains that the reason for not timely filing the proof was a lack of understanding of the permit process.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used within the authorized development period.

[Signature]

AUG 15 1994

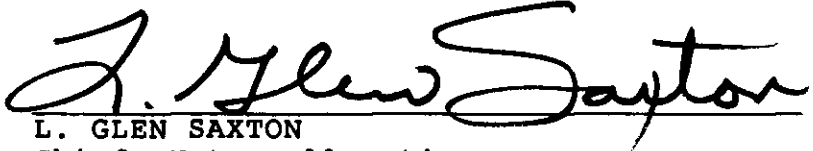
2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The department should reinstate the permit with the date of priority advanced to the date proof of beneficial use and supporting information was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 47-08206 is REINSTATED and the priority is advanced to July 19, 1994.

Dated this 26th day of July, 1994.


L. GLEN SAXTON

Chief, Water Allocation Bureau

RECEIVED
5 1994

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 7-15-94
Receipt No. 0030856
Receipt by RT

RECEIVED
JUL 19 1994
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 47-08206 Telephone No. 208-543-5649

2. Name(s) of Permit Holder(s): Rick Loman

3. Mailing Address: 1391 East 3700 North, Buhl ID 83316

4. Source of Water: ground water

If **GROUNDWATER**, Well Driller's Name: Eaton Date Drilled: 1989

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):
Domestic 1 (No. of households) Stockwater 700 milk cows + 300 dry & heifers = 1,000 total head (No. and type of stock)
Irrigation _____ (No. of acres) Other Commercial use (dairy barn)

6. Total rate and/or volume for which proof is submitted .33 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes X No Installed? _____ Yes X No

OR

Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes X 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.

Rick Loman 208-543-5649
Name Telephone No.
1391 E 3700 N, Buhl ID 83316
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.

7-15-94
Date

Rick Loman
Signature (and title, if on behalf of a company or organization)

AUG 15 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 42-08206

APPROVED

To appropriate the public waters of the State of Idaho

- 1 Name of applicant Rick Loman Phone 208 543-5649
Post office address Route 2, Box 164 Buhl, Idaho 83316
- 2 Source of water supply Groundwater which is a tributary of _____
- 3 Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4 Govt. Lot _____
Sec 26 Township 19S Range 14E B.M. Twin Falls County; additional
points of diversion if any _____
- 4 Water will be used for the following purposes
Amount 0.33 for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
cfs or acre-feet per annum
Amount 0.33 for Livestock 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
- 5 Total quantity to be appropriated is (a) 0.33 cubic feet per second and/or (b) _____ acre-feet per annum
- 6 Proposed diverting works
 - a Description of ditches, flumes, pumps, headgates, etc. Well & pump
 - b Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet, period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c Proposed well diameter is 8 inches; proposed depth of well is 250 feet.
 - d Is ground water with a temperature of greater than 90°F being sought? No
- 7 Time required for the completion of the works and application of the water to the proposed beneficial use is
five years (minimum 1 year).

F

- 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 up to 1500 dairy cattle
- c Municipal, show name of municipality _____
- d Domestic, show number of households. _____
- e Other, describe fully commercial use in dairy barn
- _____
- _____
- 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.

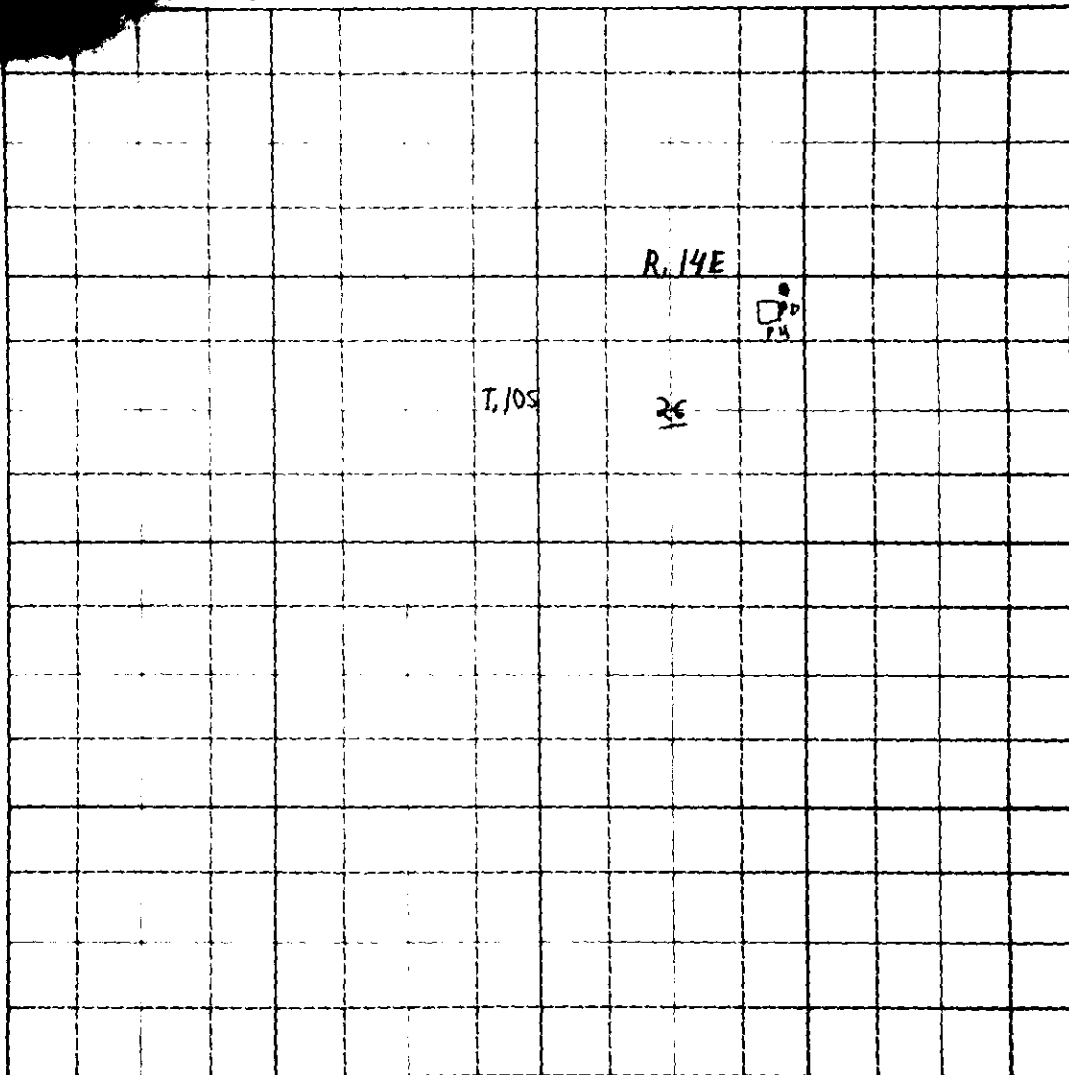
[illegible]

C is commercial, S is livestock

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None
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: _____

proposed project show clearly the proposed point of diversion, place of use, section number, 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.

Rich Coman
(Applicant)

Proposed: 2/22/89 by person LC
Received by LC Date 2/22/89 Time 10:00 Preliminary check by Andrus
Fee \$ 45.00 Received by LC # 50016337 Date 2/22/89
Publication prepared by MB Date 11-17-89 Published in Trask News
Publication approved M. Baldwin Date 6/2/89

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. 47-8206 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, 1992.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

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

J. New Saxon

NOTICE OF APPLICATION FOR WATER RIGHT

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

45-07637
WILBUR E. AST INC.
965 S. 2800 E
Hazelton, Id 83335
Source: Groundwater
Diversion Pt: Lot 5
(SWNW) Sec 6 T 11S R
20E
Use: Commercial (260
cfs)
Date Filed: 2/21/1989
In: T11S R20E S06
SWNW

47-08206
LOMAN, RICK
Rt 2 Box 164
Buhl, Id 83316
Source: Groundwater
Diversion Pt: NENE Sec
26 T 10S R 14E
Use: Commercial (.330
cfs)
Stockwater (.330 cfs)
Date Filed: 2/22/1989
In: T10S R14E S26 NENE
47-08207

EAKIN, JACK H.
Rt 3 Box 6451
Twin Falls, ID 83301
Source: Groundwater
Diversion Pt: SWNWSE
Sec 1 T 10S R 17E
Use: Irrigation (.050 cfs)
Domestic (.040 cfs)
Date Filed: 2/22/1989
In: T10S R17E S01
NWSE
1.5 Acres Total

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2149 4th Avenue East, Twin Falls, Idaho 83301 on or before May 22, 1989.
R. Keith Haggren, Director
PUBLISHED: Thursday, May 4, and 11, 1989.

Affidavit of Publication

STATE OF IDAHO } ss.
COUNTY OF TWIN FALLS }

No 19812

I, David Capps McSauer being first duly sworn upon oath, depose and say that I am David Capps McSauer 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 May 4, 1989 and ending with the issue dated May 11, 1989.

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 60-106 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 17 day of May in the year of 1989, before me, a Notary Public, personally appeared David Capps McSauer 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.

David R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94



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 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICK LOMAN
NORTHWEST FARM CREDIT SERVICES ACA
ESTHER C LOMAN
1391 E 3700 N
BUHL ID 83316

RE: WATER RIGHT NO. 47-08206

Dear Water Right Holder(s):

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 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 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.

FEB 25 1998

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.

RECORDED
INDEXED
JUN 27 1964

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

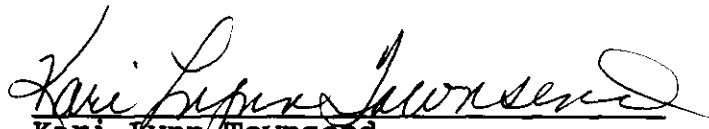
10/20/12
2012 OCT 20 PM 1:03

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of January, 1998, 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. 47-08206

RICK LOMAN
NORTHWEST FARM CREDIT SERVICES ACA
ESTHER C LOMAN
1391 E 3700 N
BUHL ID 83316


Kari Lynn Townsend
Secretary

FEB 25 1998

MEMORANDUM

DATE: January 21, 1998
TO: File No. 47-08206
FROM: Cindy Lou Zimmerman
SUBJECT: Review of Beneficial Use Field Report

The examiner recommended adding domestic use for one home to this permit. Idaho statute exempts domestic use for one home from groundwater source from a water right requirement. I do not recommend adding domestic use to this right.

The following adjustments¹ were made on the field report to reflect the stockwater and commercial uses developed on this dairy under this permit:

F. Flow Calculations.

- a. Capacity = $\frac{8.8 \times 0.7 \times 15}{120 + (2.31 \times 50)}$
= 0.39 cfs.
- b. Stockwater².
cfs = $0.52 \approx \underline{0.33^3}$ cfs
- c. Commercial².
cfs = 0.33 cfs.
- d. Maximum diversion rate = $a + b = 0.33 + 0.33 = 0.66^3 \approx 0.33$ cfs.

G. Volume Calculations.

- a. Stockwater².
V = 31.5 AF
- b. Commercial².
V = 32.5 AF.
- c. Maximum annual volume = $a + b = 31.5 + 32.5 = \underline{64.0}$ AF.

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Stockwater	1/1-12/31	<u>0.33</u> ³ cfs	<u>31.5</u> AF
Commercial	1/1-12/31	<u>0.33</u> cfs	<u>32.5</u> AF
Totals:		0.33 ³ cfs	<u>64.0</u> AF

Examiner: Georgia Satterlee
Examined: March 31, 1997

MICROFILMED
FEB 25 1998

¹ Adjustments are **bolded and underlined**.

² See Dairy Worksheet dated 01/20/98.

³ Limited by permit.

Dairy Worksheet

FILE NO.: 47-08206, Loman Dairy
 REVIEWER: C L Zimmerman
 DATE: 01/21/98

DAIRY'S WATER USE

THEORETICAL FLOW ESTIMATION

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 700 ¹
 NUMBER OF NONMILKING CATTLE _____ 300 ¹
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO _____ 1.0 ¹
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 4 ¹
 FLOOR CLEANING: ENTER 0 IF USING RECYCLED WATER _____ 0
 COW CLEANING: ENTER 1 FOR MANUAL WASHING (BUCKET),
 2 FOR AUTOMATIC (BACKFLUSH), OR 3 IF SPRINKLERS ARE
 ARE USED FLUSH HOLDING PEN & WASH COWS _____ 3 ¹
 NUMBER OF MILKINGS PER DAY _____ 2 ¹
 FLOW OF WATER FOR IN-BARN USE (GPM) _____ 176 ²
 DURATION OF MILKING (MINUTES/DAY) _____ 720
 DURATION OF CLEAN-UP (MINUTES/MILKING) _____ 120
 HOURS WELL PUMP IS ON _____ 14
 PLATE COOLER CAPACITY (GPM) _____ ?
 VACUUM PUMP CAPACITY (GPM) _____ ?
 REFRIGERATION COMPRESSOR CAPACITY (GPM) _____ ?
 CORRAL MISTERS (GPH) _____ ?
 NUMBER _____ 55 ¹
 SPRAY INTERVAL (on 1 minute every x minutes) _____ ?
 DURATION (HOURS/DAY) _____ ?
 SEASON (DAYS/YEAR) _____ ?

¹ Per exam
² Capacity

CALCULATIONS

DAILY FLOW RATE:
 STOCKWATER USE:
 MILKING CATTLE @35 GPD/HD _____ 24500
 NONMILKING CATTLE @12 GPD/HD _____ 3600
 TOTAL (GALLONS) _____ 28100
 FLOW RATE REQUIRED (CFS) _____ 0.52 ³
³ limited by permitted rate
 0.33
 COMMERCIAL USE:
 CORRAL MISTERS (GPM) _____ 0
 FLOW RATE REQUIRED (CFS) _____ 0.00
 IN BARN RATE DURATION (GALLONS) _____ 126793
 FLOW RATE REQUIRED (GPM) _____ 176
 FLOW RATE REQUIRED (CFS) _____ 0.39
 TOTAL COMMERCIAL FLOW RATE REQUIRED (CFS) _____ 0.39
³ limited by permitted rate
 0.33 ³
 TOTAL DIVERSION RATE REQUIRED (CFS) _____ 0.64 ³
³ limited by permitted rate
 0.33

DIVERSION VOLUME (AFA):
 STOCKWATER USE:
 MILKING CATTLE @35 GPD/HD _____ 27.4
 NONMILKING CATTLE @12 GPD/HD _____ 4.0
 TOTAL STOCKWATER VOLUME _____ 31.5
 COMMERCIAL USE:
 WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.4
 PARLOR FLOOR AND MILK-HOUSE FLOOR _____ 0.0
 CORRAL MISTERS _____ 0.0
 CATTLE WASHING BASED UPON METHOD OF WASHING _____ 25.9
 VACUUM PUMP _____ 0.0
 REFRIGERATION COMPRESSORS _____ 0.0
 COOLER PLATE USAGE _____ 6.3
 TOTAL COMMERCIAL VOLUME _____ 32.5
 TOTAL ANNUAL DIVERSION VOLUME REQUIRED _____ 64.0

CONSUMPTIVE USE VOLUME (AFA):
 STOCKWATER USE:
 MILKING _____ 4.1
 NONMILKING _____ 0.0
 TOTAL STOCKWATER VOLUME _____ 4.1
 COMMERCIAL USE: _____ 4.0
 TOTAL ANNUAL CONSUMPTIVE USE VOLUME REQUIRED _____ 8.1

PUMP INFORMATION

	WELL	WELL	WELL	WELL	WELL 5
PUMP HORSEPOWER (HP) _____	15.0	0.0	0.0	0.0	0.0
LIFT (FT) _____	120	0	0	0	0
DISCHARGE PRESSURE (PSI) _____	50	0	0	0	0
FRICTION LOSSES (FT) _____	0.0	0.0	0.0	0.0	0.0
HOURS WATER IS PUMPED DAILY _____	14	0	0	0	0

CALCULATIONS

THEORETICAL FLOW RATE (GPM) * _____	176	0	0	0	0
THEORETICAL FLOW RATE (CFS) * _____	0.39	0.00	0.00	0.00	0.00
DAILY VOLUME (GALLONS) _____	330	0	0	0	0
DIVERSION VOLUME (AFA) ** _____	165.7	0.0	0.0	0.0	0.0
TOTAL COMBINED FLOW RATE (CAPACITY) (CFS) _____					0.39

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
 THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
 DAY OF THE YEAR.

EVALUATION OF REDUCTION REQUIRED IF AN IRRIGATION RIGHT IS USED
 IRRIGATION RIGHT (BEFORE CHANGE)

INPUT:

RATE (CFS)	0.80
ACRES	40.0
ACRE FEET PER ACRE	4.0
CONSUMPTIVE USE PER ACRE	3.0

CALCULATIONS BASED ON CFS/ACRE:

RATE PER ACRE	0.02	ACRES
RATE NEEDED FOR DAIRY OPERATION	0.39	ACRES
REDUCTION OF IRR. BASED ON RATE/ACR	19.6	ACRES
REDUCTION BASED ON CONSUMPTIVE USE	2.7	ACRES
REDUCTION BASED ON ANNUAL VOLUME	16.6	ACRES

NUMBER OF ACRES THAT CAN BE IRRIGATED BY CONSUMPTIVE USE

INPUT DATA	
IRRIGATION CONSUMPTIVE USE/ACRE	4.0
CALCULATED	
ACRES IRRIGATED	2.0

RECORDED

FEB 25 1998



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

July 10, 1997

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

CATHY LETH
3616 N 1400 E
BUHL ID 83316

RE: Water Right No. 47-08206

Dear Mrs. Leth:

As you requested, I have enclosed a photocopy of the Beneficial Use Field Report for water appropriation permit no. 47-08206. The charge is \$0.80 for copies and \$1.24 for postage, for a total of \$2.04 payable to IDWR. We would appreciate receiving your payment within ten days.

I have requested that permit no. 47-08206 be reviewed for licensing as soon as possible during the month of July. Some analysis of the information in the field report will occur during the licensing review. Therefore, the water right license, when it is issued, may differ slightly from the recommendations made by the field examiner.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosure

RECORDED
FEB 19 1998

MEMORANDUM

DATE: June 24, 1997

TO: Water Right File 47-08206

FROM: Shelley W. Keen *SWK*

RE: Phone Call from Cathy Leth

This morning I returned a phone call from Cathy Leth (208-543-5534), who had called to discuss the field report submitted for Permit 47-08206. Mrs. Leth's main concern is that the field examiner may have over-reported the beneficial use developed under this permit by overestimating the number of cattle. Mrs. Leth would like IDWR to somehow double-check the number of cattle associated with the dairy during the development period authorized by the permit.

I told Mrs. Leth that I would place a memo in this file to remind our licensing reviewer to somehow address this issue when the license is being prepared. I also notified Mrs. Leth that Application 47-08365, which appears to have been filed to cover additional water use at Mr. Loman's dairy, is not being processed as long as the Eastern Snake Plain Aquifer moratorium is in place.

Because Mrs. Leth mentioned water quality concerns in a letter she recently submitted to IDWR, I reminded her that those issues should be referred to DEQ.

RECORDED
FEB 27 1998

RECEIVED

JUN 18 1997

Department of Water Resources

RECEIVED

JUN 16 1997

Department of Water Resources
Southern Region

Twin Falls County Commissioners

Dept. of Water Resources

Twin Falls, Idaho

Dear Sirs:

I am writing this letter concerning a proposal to increase the number of cows on the Rick Loman dairy from 700 to 1400. After talking to some of our friends who live near a large dairy operation we understand that their domestic water supply is no longer fit for drinking. We have lived within a mile of the Loman dairy ever since it has been in operation and so far have had no complaints. I feel that the proposed wells should be tested before that dairy operation is expanded as the increase in the number of cows on this dairy can be a serious threat to our water supply and be a detriment to our quality of life.

This is being threatened by the influx of dairies in this area. The possible loss of potable water, the increase of house flies and the accompanying odor is a source of concern to my family.

I would appreciate your serious attention to this problem.

Sincerely yours,

Mary E. Leth
Leonard L. Leth



Mr. & Mrs. Leonard Leth
3818 N 1400 E
Buhl, ID 83316

RECORDED
INDEXED

RECEIVED

JUN 13 1997

RECEIVED

JUN 10 1997

Department of Water Resources

Department of Water Resources
Seymour, ID 83441

3616N 1400E
Buhl ID 83316
June 5, 1997

Dept of Water Resources
ATTN: Doug Jones
1341 Fillmore Street
Twin Falls ID 83301

RE: Water Right 47-08206

This letter is written to express my concerns regarding the amended permit for Water Right 47-08206, and the subsequent expansion of the Loman Dairy located on the southwest corner of 3700 N and 1400 E in Twin Falls County.

It is my understanding this permit is based on a licensing exam conducted in 1994. I have lived at the above address since August, 1991, my husband's family has lived here since 1908. We are located approximately one-half mile south of the Loman Dairy. I can see the corrals of this dairy from my kitchen window and I drive past this dairy on the average of four times per day. Since 1991, I will say that this dairy has caused no major problems. The Lomans have kept the corrals and grounds very clean and except for a few times when the lagoon has over filled been a well managed dairy.

My concerns are regarding the number of cows the licensing exam was based upon. The Lomans claim they have had 1400 cows on this dairy. I would like them to provide proof of this. I am not a "city girl" and have been around livestock all of my 43 years. I would say that at the most, the Lomans have had a total of 700 cows, dry and milking, on their dairy since 1991. My estimate is based on 500 milking and 200 dry cows.

In the past year or two, they have enlarged and added corrals and in the past month it appears they are working at expanding their lagoon which would put the edge of it very close to 1400 East.

I strongly feel that another on site licensing exam should be conducted and a "head count" of existing cows be conducted. We have four dairies located within one mile of our place. Only one of them is less than 500 cows. Our well water quality and quantity would be severely threatened should the Lomans be allowed to increase their herd to 1400 cows.

The Lomans are only four miles from Buhl, in a heavy traffic and populated area when compared to other county settings. I am not opposed to their current operation only to an expansion coupled with the fact that the Lomans will not be the ones operating it. This is why we needed a moratorium on the expansion and addition of dairies until the LCO issue is resolved. If the Lomans are allowed to expand to 1400 cows and are still "grandfathered" under the LCO there will be nothing stopping them from further

MICROFILMED

FEB 25 1999

expansion to 2800 cows, except for the water quality issue.

Along with documentation that they have already had 1400 cows on this dairy I would like several test wells installed south and southeast of their lagoon, with test results of these wells made available to us on a quarterly basis.

It is my understanding that your department exists to protect the water supply for people of this county. I strongly suggest, with this goal in mind, and considering our increasing ability to monitor the ground water quality, that you base your permit and licensing on substantiated facts and information. The potential exists for someone to hold the State of Idaho and/or the County accountable because the department failed to "protect" our valuable water resource.

I feel my family and other long time residents of this area deserve the same if not more consideration in this matter as the Lomans. It is our property and livelihood at stake here.

Thank you for your consideration of this matter and should you require further information please do not hesitate to contact me at 543-5534.

Sincerely,


Cathy L Leth

cc: Twin Falls County Commissioners

1 - 543-5534

UNOFFICIAL

FEB 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 23 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08206

1. Owner: LOMAN, RICK & ESTHER Phone No. 543-5649

Current Address: 1391 E 3700 N

2. Accompanied by: RICK LOMAN EXAM DATE: 31 MAR 97

Address: _____ Phone No. _____

Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 47-13317

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
#1		NE	NE	NE	26	10S	14E	TWIN FALLS	FIELD EXAM, ASCS PHOTO

2. Place(s) of Use:

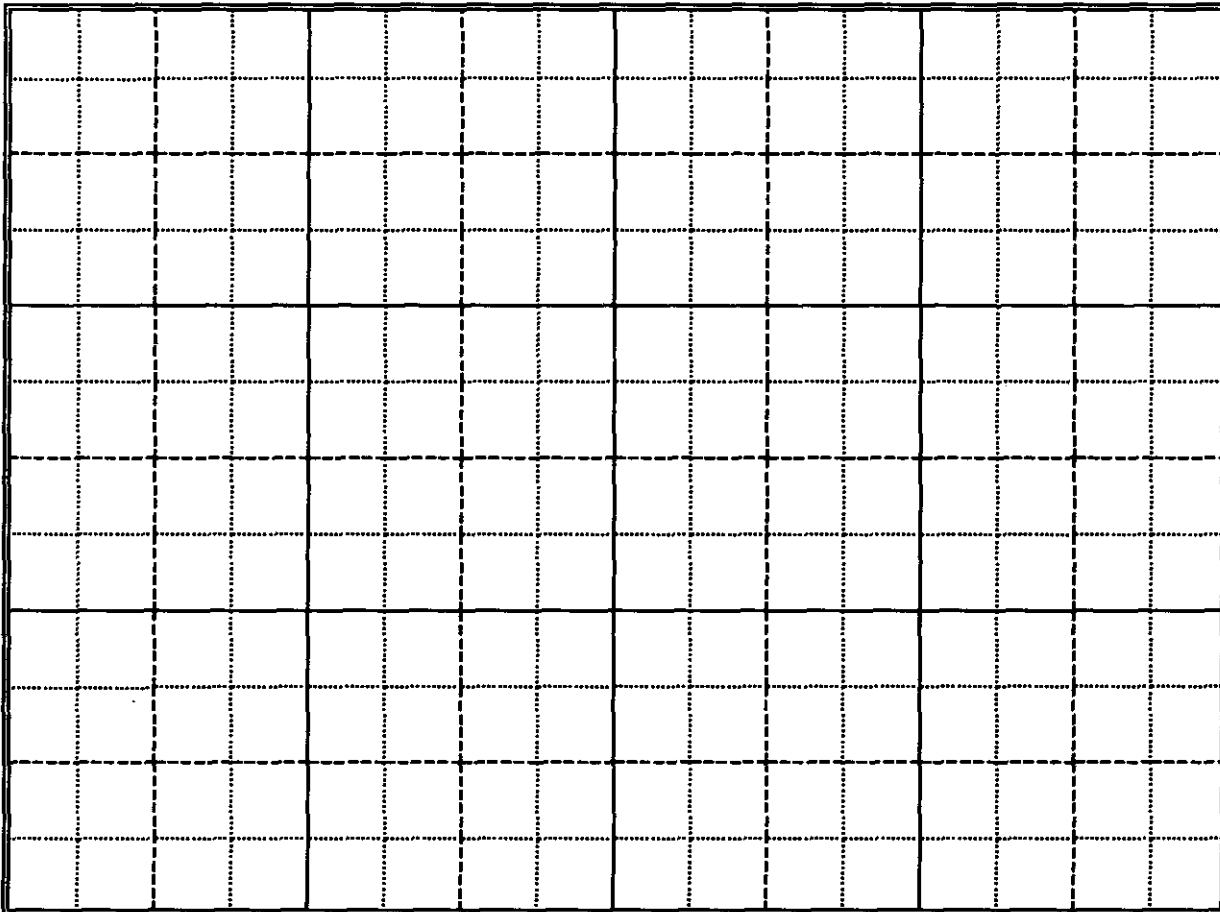
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	14E	26	D																
"	"	"	S																
"	"	"	C																

MICROFILMED

FEB 25 1998

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	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 1		15			

*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
THEORETICAL $\frac{1}{2}$						
INFO. FROM STEVE CRAMER PER INSTALLATION						

2. Measurements: _____

MICROFILMED

FEB 25 1982

MEMO TO FILE

FROM: Georgia Satterlee
DATE: 04 April 1997
RE: 47-08206

At 0930 hrs. on 31 March 1997, I met with Rick Loman to perform a field examination regarding the above permit number. In addition to the permit 47-08206, there is an adjudication claim, A47-13317. The adjudication claim is for the domestic well for the rental house on the same place of use. Also, there is an application for permit 47-08365 that is held due to the moratorium.

The field examination clarifies the distinction between the two claims:

There are 2 wells. The first well claimed in 47-08206, is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T10S, R14E (photo page 1/6). Recently, Steve Cramer replaced the old pump with a 15 hp pump.

This is the primary well for the use of commercial for a dairy plus stockwater and domestic (one house).

Using a theoretical, I calculate the rate of flow as 0.39 cfs. The rate on the permit is 0.33 cfs.

The second well is also located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T10S, R14E (see file for A47-13317). The well is domestic for one home with irrigation. The home is a rental for one of Mr. Loman's employees.

I calculated the rate by using a theoretical which came out to 0.04 cfs (theoretical included in file). In the summer of 1996, Steve Cramer replaced the old pump with a 1 $\frac{1}{2}$ hp pump.

The claimed rate for A47-13317 is 0.06 cfs. I recommend the rate to be changed to 0.04 cfs.

The two wells are separate systems and are not tied together. Per phone call on 31 March 1997, from Steve Cramer, who installs pumps, gave me the following information:

47-08206 Dairy Well: 15 hp, 120 feet to water, 144 gpm @ 50 PSI
A47-13317 Domestic Well: 1.5 hp, 120 feet to water, 18 gpm @ 50 PSI

The Dairy Operation:

At the time of the examination, there were only 700 milkers and 300 non-milkers. Although the number in the herd fluctuates, the corrals can hold approximately 1,400 head.

The milking cows are washed in the washing pen by sprinklers. There are 55 sprinklers. Prior to milking, the cattle are washed from water that is stored in a 10,000 gallon tank (photo page 1/6).

RECORDED
FEB 2 1998

The Dairy Operation - continue:

The cows are milked twice a day. The milking station is a double twelve herring bone or 24 cows can be milked at a time (photo page 2/6).

The milk is kept in one 2,500 gallon bulk tank. The milk is picked up twice a day. After each pick up, the bulk tank is washed with approximately 25 gallons of wash water (photo page 2/6).

The equipment room has one water cooled compressor, one hot water reclaimer tank, one water heater tank, and two pressure tank (photo page 3/6). The pressure gage showed 50 PSI.

The dairy waste and water is dumped into 2 settling ponds located in the most southern portion of the property. Once the solids are settled, the water flows by gravity to a lagoon where it is drained on the 14 (more or less) acres surrounding the ponds. See ASCS schematic drawn from the 1996 flight.

Stockwater:

There are 6 stock tanks. Each tank can hold approximately 100 gallons (photo page 4/6).

At the time of the examination, there were only 700 milkers and 300 non-milkers. Although the number in the herd fluctuates, the corrals can hold approximately 1,400 head.

Domestic:

The Loman residence with irrigation of $\frac{1}{2}$ acre, is also served by the same well for commercial and stockwater.

Analysis/Recommendation:

The diversion rate on the permit states 0.33 cubic feet per second. The rate derived from a theoretical calculation is 0.39 cubic feet per second. The rate on the permit is the recommended amount.

PLEASE SEE BACK OF BENEFICIAL USE FIELD REPORT FOR RATES AND VOLUMES.

Analysis/Recommendation:

The adjudication claim, 36-13317 claims domestic for one house only with $\frac{1}{2}$ acre irrigation.

Domestic with $\frac{1}{2}$ ac. A47-13317	<u>0.04 cfs</u>	<u>1.2 afa</u>
TOTAL NOT TO EXCEED:	0.04 cfs	1.2 afa

RECORDED
FEB 25 1998

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
March 18, 1997 3:46pm

CUSTOMER
Loman, Rick

SUBJECT: 47-08206

phone call (x) walk-in (.)

Called to set up an appointment to do a field examination.

When: 1030 hrs. 24 March 1997 Monday

Where: 1391 East 3700 North

Changed per phone conversation w/
Mrs Loman (21 Mar):

Rescheduled for 31 Mar 97
@ 0930 hrs.

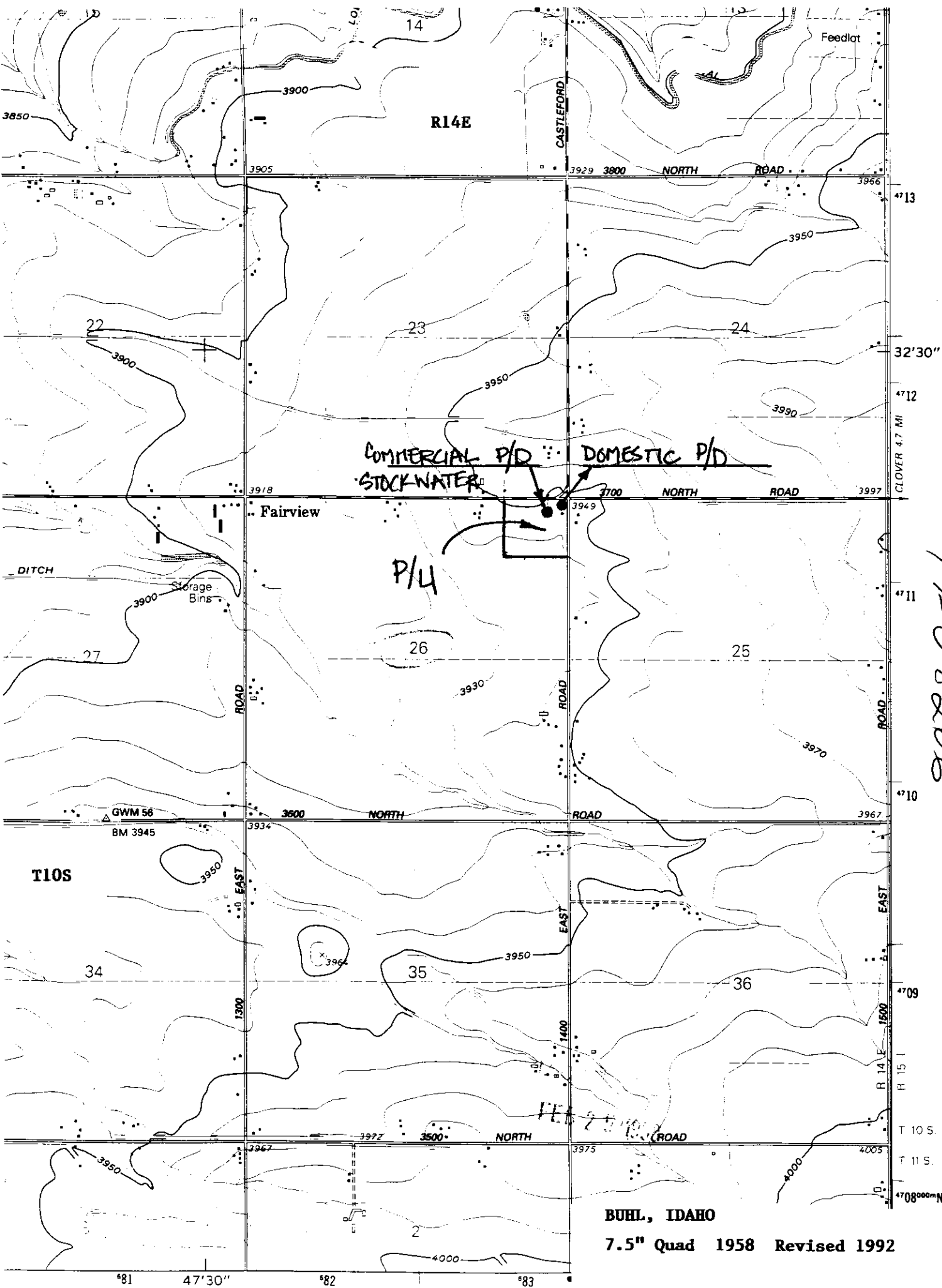
Dave Austin Kimberly @

Eaton Drilling of Wendell @ 536-2223

Pump Installed Steve @ 543-6663
Cramer

or
Leon Bunkhart's Nephew @

FEB 23 1997



T 10S - R 14E - S 26 NE NE
47-08206

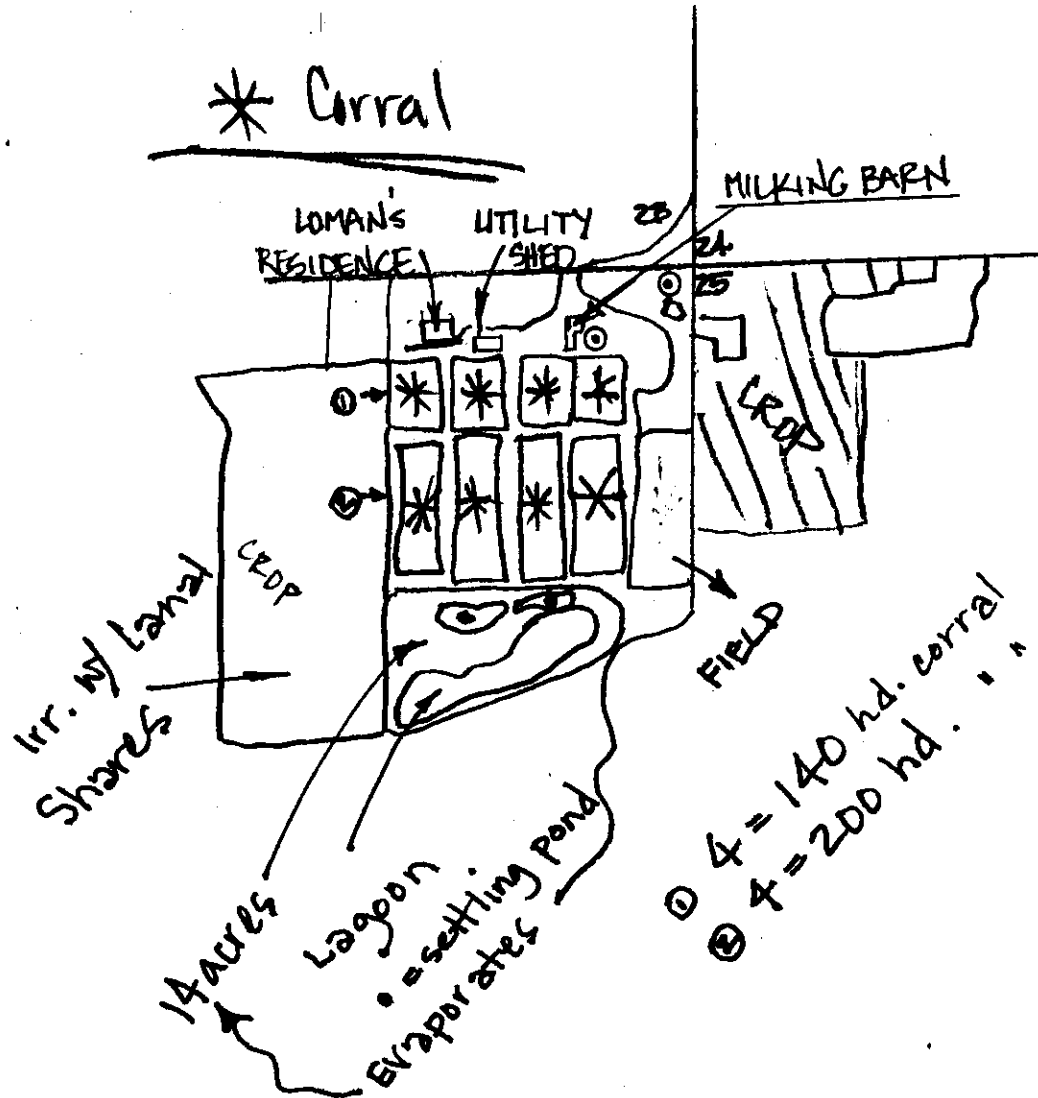
BUHL, IDAHO
7.5" Quad 1958 Revised 1992

7386

© P/D's

1" = 660' ±

11/20/00
P/D's



Loman, Rick & Esther
P/D Sec 26, T10S, R14E NE 1/4
31 March 1997 1000 hrs.
Slides from 1990
47-08206

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 47-08206
DATE: 31 MARCH 1997
BY: SUTTERLEE

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

- 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])

$$Q = \frac{(8.8) (.15) (0.70)}{[(.120) + (.50 \times 2.31)]} = \frac{.94}{235.5} = 0.39 \text{ cfs}$$

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

REMARKS ALL INFORMATION OBTAINED FROM STEVE CEAUER WHO INSTALLED PUMP(S) FOR LOMAN, RICK

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	POTENTIAL = (.....) X (1.98) X (.....)
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

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 ()

47-08206

FILE NUMBER 47-08206
 REVIEWER '31 March 1997

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 960
 NUMBER OF NONMILKING CATTLE 400
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES:
 IF ANAEROBIC, ENTER ZERO 1.0
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) 4
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS
 NUMBER OF MILKINGS PER DAY 3
 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD 0.62
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.65
 NONMILKING CATTLE @12 GPD/HD 0.09
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.09
 TOTAL (BASED UPON ROUNDED NUMBERS) 0.74

DIVERSION VOLUME (AFA):

STOCKWATER
 MILKING CATTLE @35 GPD/HD 37.6
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 40.0
 NONMILKING CATTLE @12 GPD/HD 5.4
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 5.4
 TOTAL (BASED UPON ROUNDED NUMBERS) 45.4

COMMERCIAL
 WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
 PARLOR FLOOR AND MILKHOUSE FLOOR 0.1
 CATTLE WASHING BASED UPON METHOD OF WASHING 35.0
 TOTAL 35.5

TOTAL DIVERSION VOLUME 80.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
 MILKING 5.8
 NONMILKING 0.0
 TOTAL 5.8

COMMERCIAL 4.0

TOTAL CONSUMPTIVE USE 9.8

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP)	15.00	1.50	10.00
LIFT (FT)	120	120	120
DISCHARGE PRESSURE (PSI)	50	50	50
FRICTION LOSSES (FT)	10.0	10.0	10.0

CALCULATIONS

	0.39	0.04	0.26
THEORETICAL FLOW RATE (CFS) *			
DIVERSION VOLUME (AFA) **	284.1	27.2	189.4

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.
 * DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
 THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
 DAY OF THE YEAR.

47-08206

A47-13317

I calculated amounts after deducting
0.04 cfs & 1.2 afa from 0.33 cfs.

$$\frac{45.4}{80.9} = 56\%$$

$$56\% (0.29) = 0.16 \text{ cfs}$$

$$\frac{0.16}{0.02} = 8.0 (4) = 32 \text{ afa}$$

$$\frac{35.5}{80.9} = 44\%$$

$$44\% (0.29) = 0.13 \text{ cfs}$$

$$\frac{0.13}{0.02} = 6.5 (4) = 25.5 \text{ afa}$$

FEB 25 1998

GPS 1/1



3700 NORTH

LOMAN'S
RESIDENCE



MILKING
BARN

GPS # 0002749
TAG Wired on handle
to lid for cistern.

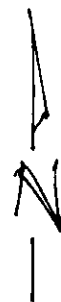
18' from Well
to GPS #0002748

WASHING
PARLOR

RENTER'S
HOME

1400 EAST

BUHL
5 MILES



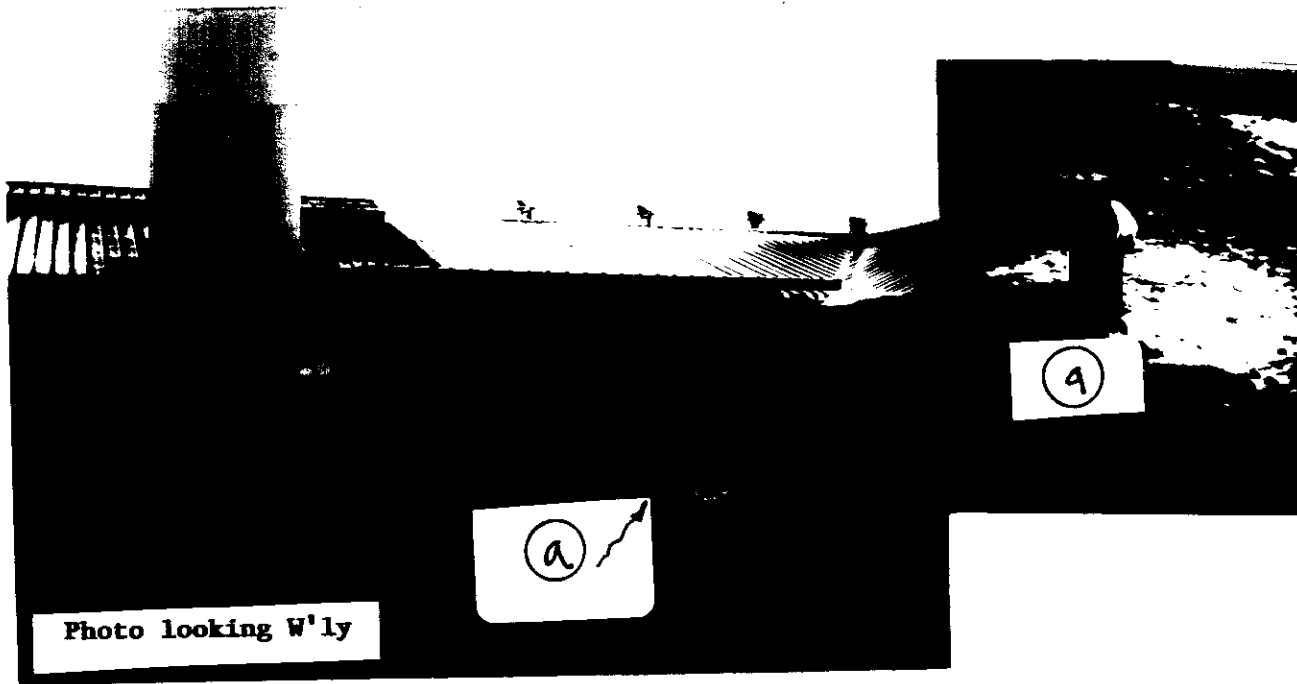
47-08206 ✓
A47-13317

SEC 26, T10S, R14E NE $\frac{1}{4}$ NE $\frac{1}{4}$

07 APRIL 1997 1000 hrs
LOMAN, RICK & ESTHER
47-08206 & A47-13317

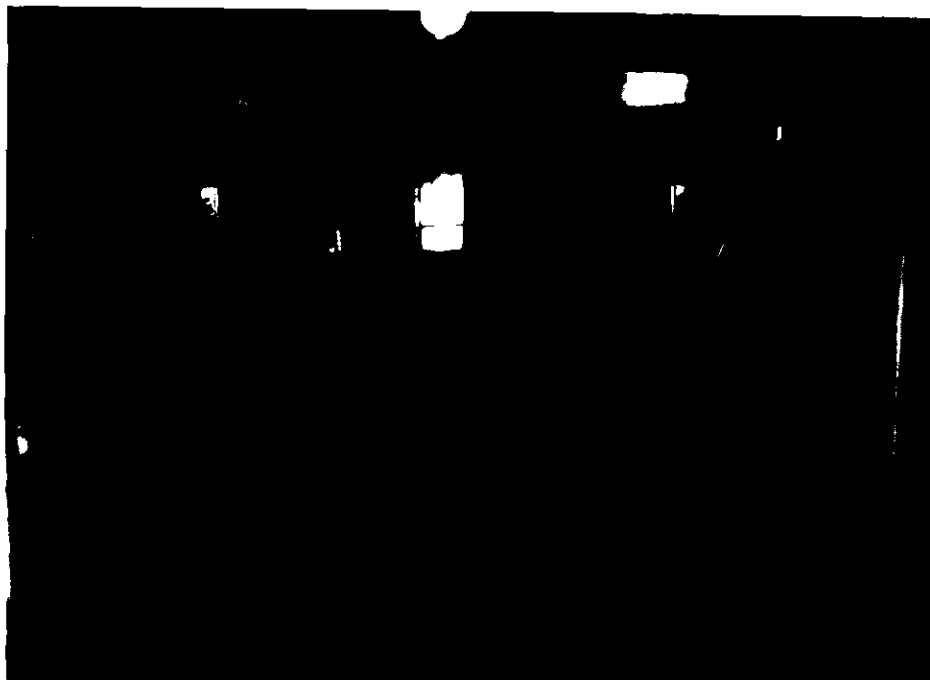
10,000 gallon holding tank for
washing the cow before milking.

1/6

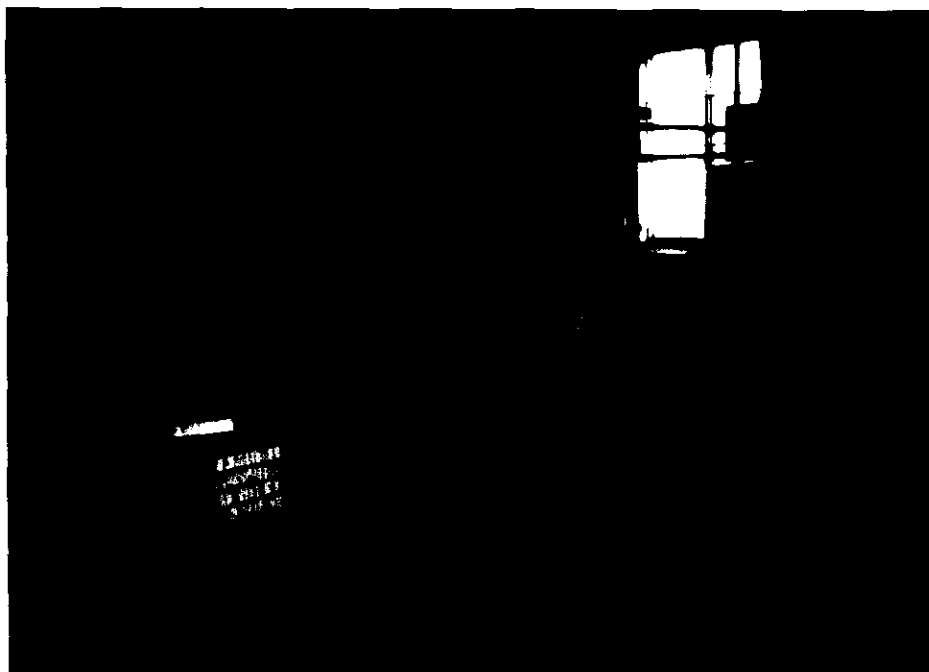


31 March 1997 Loman, Rick &/or Esther
P/D = Sec 26, T10S, R14E NE¼ NE¼ NE¼

47-08206



①



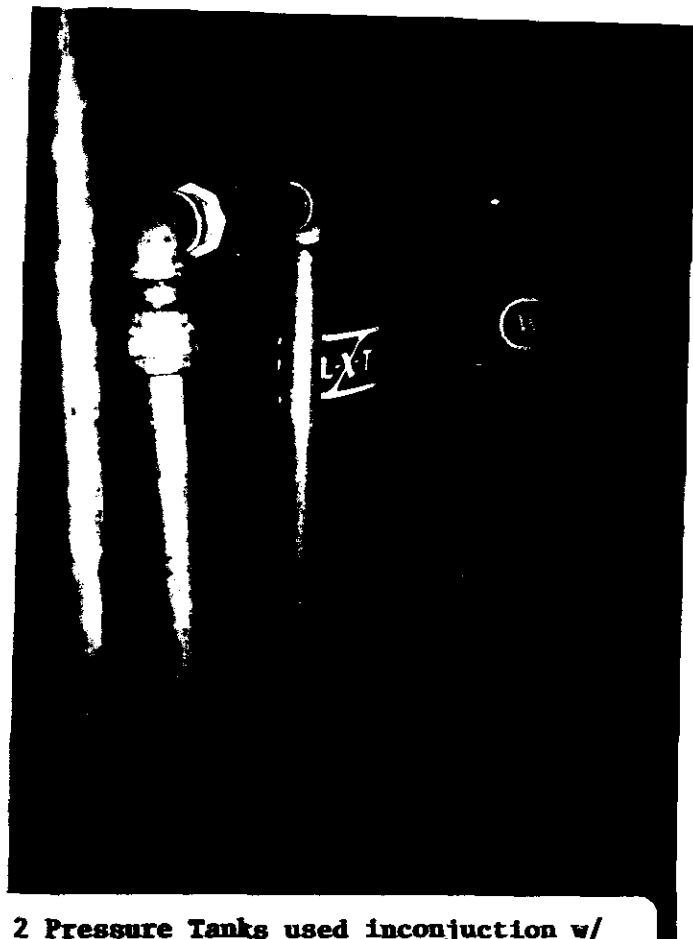
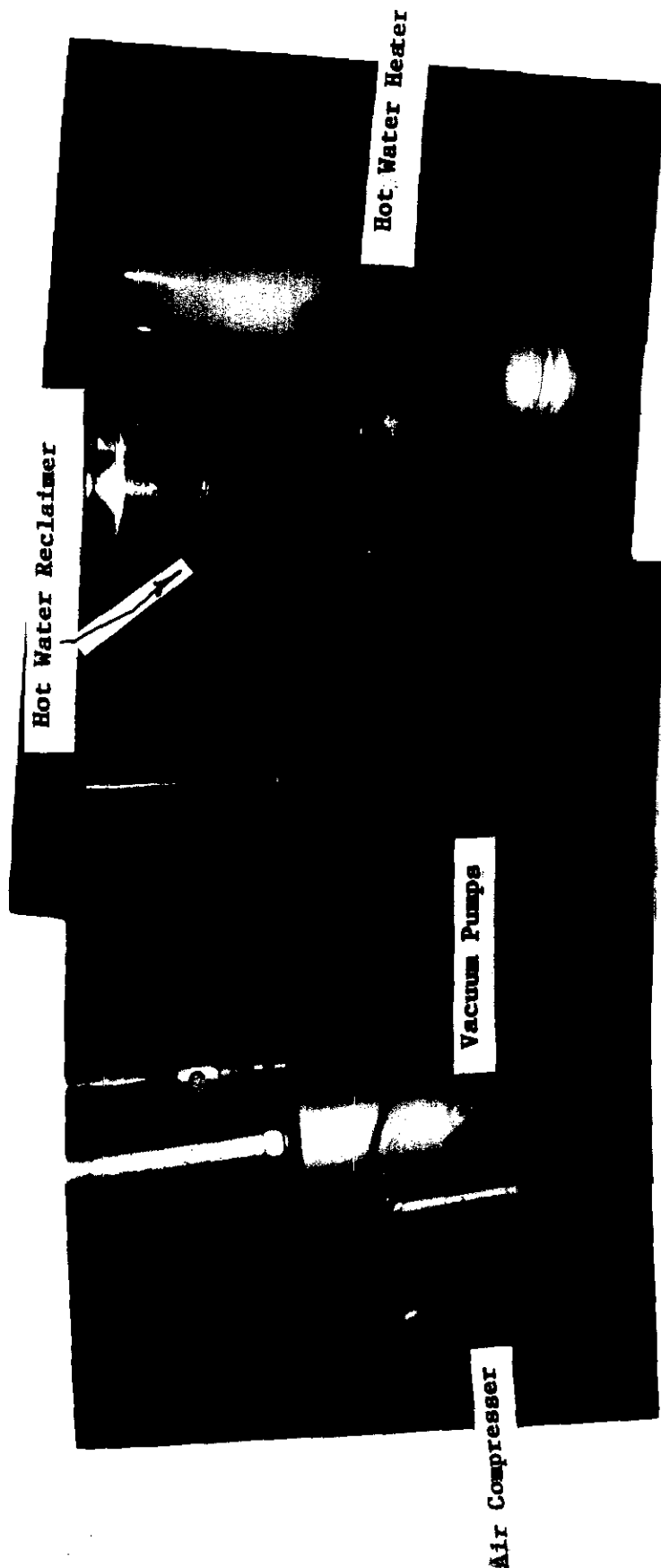
②

APR 10 1997
FBI - S. 1033

- ① Double 12 Herring Bone Milk Station
- ② 2,500 gallon bulk tank

GEC 26, TIOS, R14E NE $\frac{1}{4}$, NE $\frac{1}{4}$

31 Mar 1997 1000 hrs. Loman, Rick
47-08206



2 Pressure Tanks used inconjunction w/
10,000 gallon holding tank

31 March 1997 Loman, Rick & Esther
1000 hrs.
P/U = Sec 26, T10S, R14E NE½ NE½
47-08206

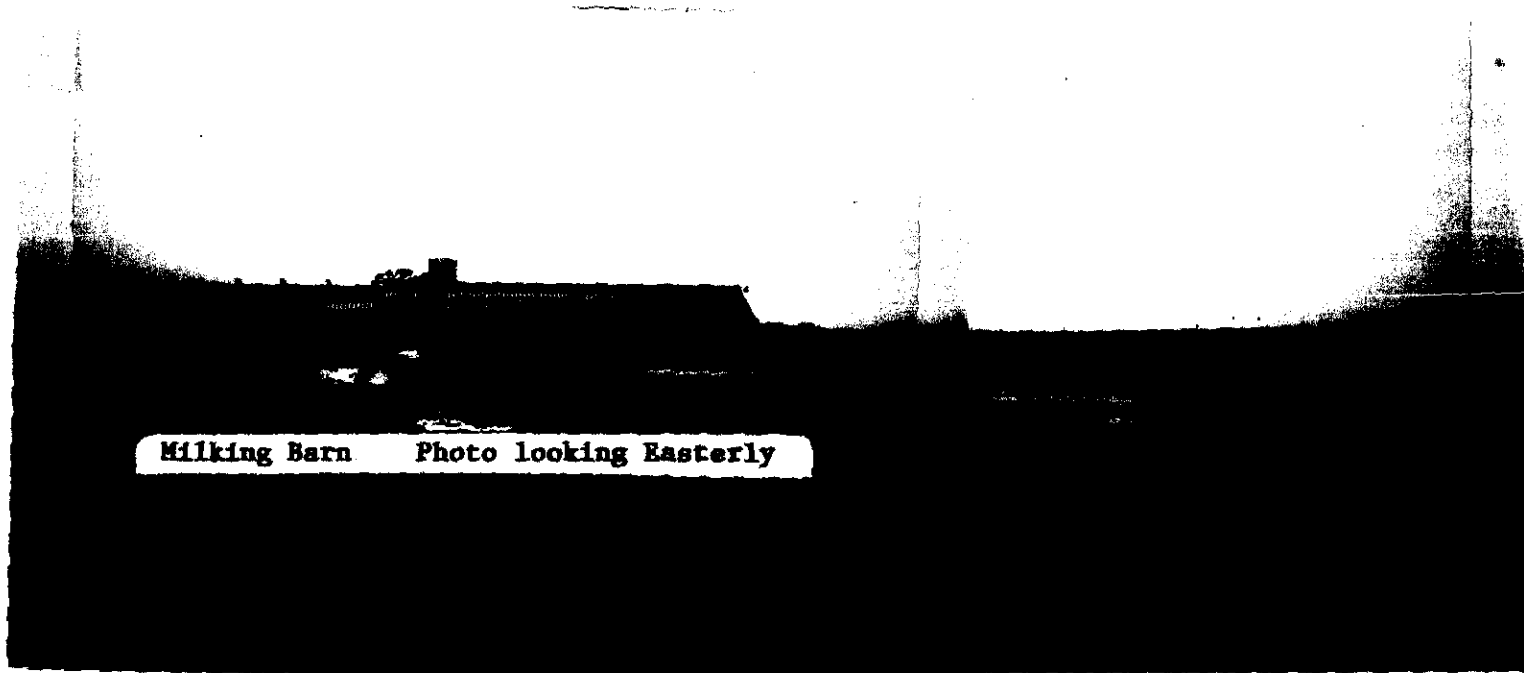


Photo looking S'ly

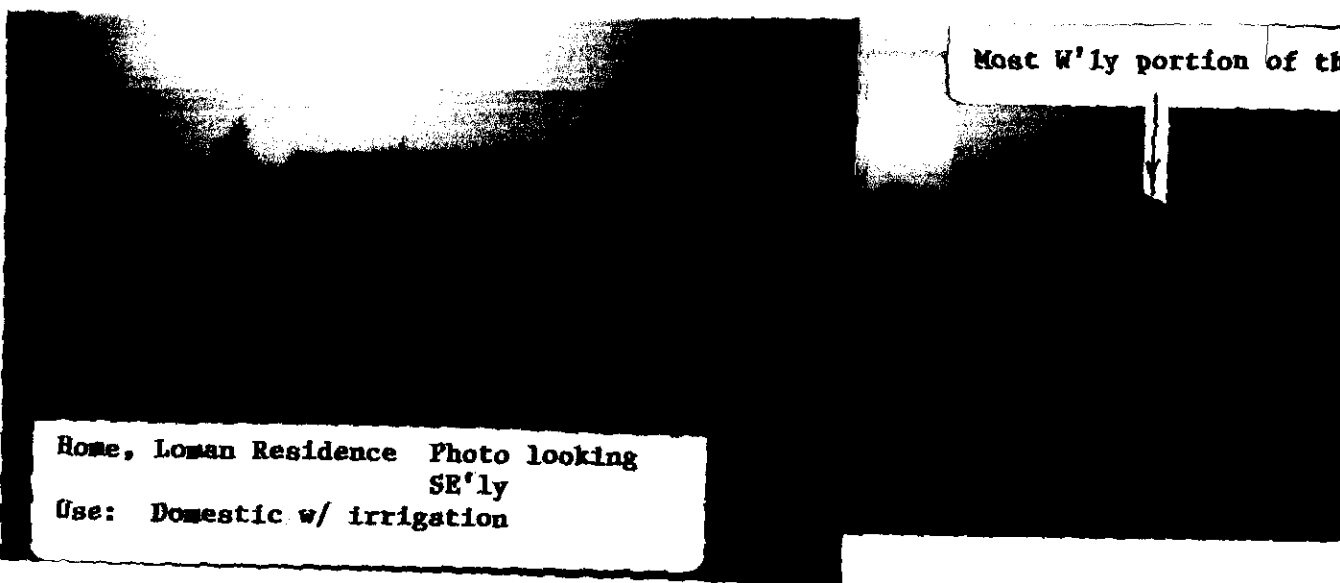


PROPOSED
FEB 23 1997

31 March 1997 1000 hrs
Place of Use Sec 26, T10S, R14E NE1 NE1
Stock Tank Holds approximately 100 gal.
47-08206



Milking Barn Photo looking Easterly



Most W'ly portion of the corrals

Home, Loman Residence Photo looking
SE'ly
Use: Domestic w/ irrigation

31 March 1997 1000 hrs.

PLU Sec 24, T10S, R44E
NE 1/4 NE 1/4

47-06206



Photo looking S'ly



Photo looking W'ly

31 March 1997 1000 hrs
 P/U Sec 26, T10S, R14E NE1 NE1

47-08206

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Rick Lottan
Address Route 2 Box 164 Bub, Id 83316
Owner's Permit No. 47-89-5-616

7. WATER LEVEL

Static water level 140 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature -85 °F. Quality good
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☒ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	7	Over Burden		
10	7	35	Black Basalt		
8	35	49	Red Basalt		
8	49	51	Black Basalt		
8	51	54	Red Basalt		
8	54	250	Lost Circulation		

4. METHOD DRILLED

☐ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness _____ inches Diameter _____ inches From _____ feet To _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____

Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth _____ Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____

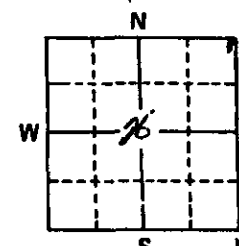
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent
Weld

☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Twin Falls

NE 1/4 NE 1/4 Sec. 26, T. 10S, R. 14E E.W.

10.

Work started June 6, 1989 finished June 6, 1989

11. DRILLERS CERTIFICATION

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

Firm Name Eaton Drilling Firm No. 26

Address _____ Date 6-28-89

Signed by (Firm Official) [Signature]

and _____

(Operator) [Signature]

RECEIVED

JUL - 3 1989

Department of Water Resources
Southern Region Office

E. NARRATIVE/REMARKS/COMMENTS

SEE ATTACHMENT "MEMO TO FILE"

MICROFILMED

Have conditions of permit approval been met? ☒ yes FEB 25 1998

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{10cm}}$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

PERMIT RATE : 0.33
RATE LIMIT : 1.00
MEASURED RATE : 0.39

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
COMMERCIAL	1/1	12/31	0.13 *	32.0 afa *
STOCKWATER	"	"	0.16 *	25.5 " *
*DOMESTIC W/ IRR.	*	*	0.04 *	1.2 " *
Totals:			0.33	58.7 afa *

☐ 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.

PLEASE SEE:
"MEMO TO FILE"

Field Examiner's Name Donna Patterson Date 31 Mar 97

Reviewer _____ Date _____

SEAL

* Adjustments made during review of this right for license approval.
See Memo for additional information. 1/21/98 C3.

FEB 25 1958



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

October 17, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

H C LOMAN
ESTHER C LOMAN AND
NORTHWEST FARM CREDIT SERVICES ACA
PO BOX 288
TWIN FALLS ID 83303-0288

Re: Permit No. 47-08206

Dear Water Right Holders:

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,

A handwritten signature in black ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

c: Rick and Esther Loman

OCT 21 1994



Farm Credit Services

RECEIVED

OCT 13 1994

Department of Water Resources

129 Eastland Drive
P.O. Box 288
Twin Falls, Idaho 83303-0288
208/733-2577

September 29, 1994

Department of Water Resources
222 Shoshone Street East
Twin Falls ID 83301

RE: Water Permit 47-08206
Rick Loman

OCT 03 1994
Department of Water Resources
Southern Region Office

Gentlemen:

This letter will serve as notice to the Department of Water Resources that Northwest Farm Credit Services, ACA, has a security interest in the above Permit and a real estate mortgage has been filed on property where the wells are located. Enclosed is an Assignment from Rick Loman to H. C. Loman aka Rick Loman and Esther C. Loman, husband and wife, and Northwest Farm Credit Services, ACA.

We request copies of all notices and correspondence mailed to H. C. Loman aka Rick Loman and Esther C. Loman regarding the above-described permit number be sent to our office address.

Please acknowledge below and return this letter to our office. We appreciate your cooperation in this matter.

Sincerely,

Carolyn Hoover
Customer Service Representative

ACKNOWLEDGED this 3 day of Oct. , 1994.

DEPARTMENT OF WATER RESOURCES

By S/ MTS.

OCT 21 1994

July 26, 1994

RICK LOMAN
1391 E 3700 N
BUHL ID 83316

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 47-08206

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.

Enclosed is an order reinstating your permit since the Proof of Beneficial Use form was submitted after the proof due date. Please note that the priority date has been advanced to July 19, 1994.

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

Enclosure

c: IDWR - Region

RECEIVED

AUG 15 1994

July 15, 1994

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

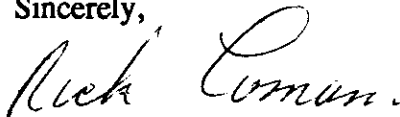
Re: Rick Loman, Permit # 47-08206 (lapsed)

Dear Sirs:

Enclosed is a Proof of Beneficial use form in connection with permit # 47-08206. This application for permit was approved August 23, 1989. A copy is enclosed. The well was drilled in 1989, and water was put to beneficial use. Due to our not clearly understanding the steps required to complete the water licensing procedure, the proof of beneficial use form was not completed and mailed to your office by the required date (August 1, 1992). We now understand that this caused the permit to lapse. However, the permit had been developed as intended in the original application for permit prior to the expiration date of the permit.

The failure to complete the required paper work in connection with this permit was due to not clearly understanding the required procedures and forms, and was not due to any delay or change in plans relating to the construction of the dairy and development of the water. We are therefore requesting that you consider reinstating this permit and allowing us to continue with the process to obtain a water right for our dairy by filing the enclosed Proof of Beneficial Use form. The required fee of \$100 is enclosed. Your consideration is appreciated.

Sincerely,



Rick Loman

AUG 15 1994

Case No. 47-8206

has been reviewed and is ready to be MICROFILMED.

DESTROYED.

Deirda Miller
Signature

12-30-68
Date

This is the final report is the water right as it appeared in the database.
by the final status and deletion from the database.

1992

old city number -

.....

1 - RT. 2 BOX 166
2 -
3 -
City- BURL
Phone - 208-543-5449

SECRET - NO FORN DISSEM

+ - - - Stage - - - +
P - PERMIT

◆ ◆ ◆ **SECRET** ◆ ◆ ◆

♦ - - - - - Tributary

State	Description	Period From	Period To	Diversion Rate	Diversion Volume
10	WATER COOL	01/01	12/31	0.330	
10	WATER COOL	01/01	12/31	0.330	

• - Total Div. Volume - • - Total Div. Capacity - •

Page	Page	Page	Tract	Lot	Place of Use	Code	Description	County
100	100	24	NE NE		04	STOCKWATER		(15) TOWN OF

• • • • • **Information Status - WILL, FLOW**

Supply Index Nov - C/DAIRY RUM, 8/1500 DAIRY

Other Rights for Same Use - NONE

Remarks
No Remarks found.

..... Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval

044 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

045 - 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.

046 - Water used under this right if discharged into a natural

BOARD DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Case Number - 47-00004

Proof Translation WATER RIGHT

Conditions of Approval
(Condition continued from previous page)
- channel or subsurface system shall meet Idaho Water Quality
Standards.

Water Plaintiff

Decree Defendant

Decree Date
05/05/00

Comments
Subject: Lapse Notice Sent
Lapse Notice Sent

Build Date - 04/19/99 BALDWIN 04/20/99 BALDWIN 07/18/99 CURTIS 08/24/99 CURTIS 08/08/92 COWEN

Water Rights Dates and Flags Area

Proof Due Date - 06/01/1992	Field Exam Made - 06/06/00	Field Exam Fee -
Approved/Denied - 07/16/1999	Protected Date - 06/06/00	Exam fee - C
Proof Read Date - 06/06/00	Hearing Date - 06/06/00	Temporary Right - P
Exam to U.S. Date - 06/06/00	Verified Date - 06/06/00	SLA/Share Apt -
Order Show Cause - 06/06/00	Receipt Number - 000337	Water Clerk's -
Licensed Date - 06/06/00	Appl. Received - 02/22/1999	Transfer/Amended -
Decree Date - 06/06/00	Presumption Flag -	

August 5, 1963

RICK LOMAN
RT. 2 BOX 164
BOWLE ID 83316

LAPSE NOTICE

RE: PERMIT NO. 47-08206

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 proper forms to you in our proof due notice dated May 31, 1963. 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.

B. GLEN SAXTON
Chief, Water Allocation Bureau

405:hlj

Enclosures

CERTIFICATION

I hereby certify that the
copy of the original
deposited in the
proper records
individuals

INTER-DEPARTMENT MEMO

Karen

MEMO

During my review of the file to send to the USIA, I noted that the permit approval was incorrectly. The numbers were wrong. The permit was mailed to us 4/2/50. The permit approval went to the USIA on 4/2/50. I received a copy. I mailed a copy of the permit with the Ency. to the USIA on 4/2/50.

Your information

Required

Karen

May 31, 1993

RICK LOHAN
RT. 2 BOX 164
BURL ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-08206

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, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for a 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 submitted 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 letter of notice. Within sixty (60) days of the mailing of the letter of notice, the permit will no longer be of any force nor effect.

SINCERELY,

Jaren L. Gustafson
Secretary/Records Manager

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
208 334-7900
July 19, 1989

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OSGREN, UT 84053

RE: PERMIT TO DRILL FOR WATER

Dear Permit Holder:

Enclosed is a copy of the permit for which you applied for permit. We direct your attention to the conditions of the permit on the final page.

Section 43-21, Idaho Code, requires that all wells constructed after July 1, 1987, must be drilled under a separate permit that must be issued by the Department of Water Resources. Commencement of drilling for water under your permit is prohibited unless a drilling permit is obtained.

Please note that as a permit holder you must commence the drilling work within one year of the date the permit is issued and you must proceed diligently with the drilling. The enclosed blue card must be submitted to the State Office as soon as you commence drilling. The card must be submitted to the State Office within the date the permit was applied for.

We have enclosed a copy of the permit for Proof of

Beneficial for... since
you must take...
license.

Sincerely,

GARY SPACKMAN, Director
Water Right Division

GS: SC
Enclosures

21 Apr-1989

Idaho Dept. of Health & Welfare
P.O. Box 1606
Twin Falls, ID 83303-1606

Re: Application for Permit No.

Gentlemen

Please find enclosed copies of Applications for Permit for
your information and files.

If you have any questions or if this file can be of further
assistance, please feel free to contact us.

Very truly yours,

Sally Bunderburg
S.W. Water Resource Agent

20-Apr-1989

Rick Loman
Rt. 2 Box 164
Buhl, ID 83316

Re: Application for Permit No. 47-08206

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 will be advertising the application in the Times News on 5/4 & 5/11/89. 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,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Form 235-1
4/88

Drilling Permit No. 47-89-3-014
Water Permit No. 47-02 06
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Rich Loman
2. Address Route 1 Box 184 Twin Falls, Idaho 83316
Telephone 208 543-5649
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 26, Twp. 10S, Rge. 14E, County Twin Falls,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☒ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify Commercial - Dairy
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 8" Maximum depth 250'
Anticipated bottom hole temperature: _____
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date March 1, 1989
7. Well Driller (if known) Eaton Drilling, Wendell, ID
Address _____
8. Applicant's signature Rich Loman
Title _____
Date X 2/21/89

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$30 or \$10.

ACTION OF IDWR

☒ Approved () Denied

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

GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

By accepting this permit and commencing construction, Applicant acknowledges that he accepts all risk that the well may not ultimately be approved for use.

Dated this 19th day of April, 19 85.

Signed [Signature] FOR LOREN HOLMES
Title SOUTHERN REGIONAL MANAGER

Received by JC Fee 100.00 Date 4-22-89
Receipt No. 5804337 Construction start extension to _____
Extension approved by _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
1148 4th Avenue East
Twin Falls, ID 83301
208/734-3578

APRIL 19, 1989

TIMES NEWS
P.O. BOX 548
TWIN FALLS, ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (one 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 22, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Manager

Enclosure

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08206

LOMAN, RICK
RT. 2 BOX 164
BUHL, ID 83316

Source: GROUNDWATER

Diversion Pt: NENE Sec 26 T 10S R 14E

Use: COMMERCIAL (.330 CFS)
STOCKWATER (.330 CFS)

Date Filed: 2/22/1984

In: T10S R14E S26 NENE

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 22, 1989.

R. KEITH HIGGINSON, Director

Published 5/04/1989 & 5/11/1989

February 22, 1989

DEPARTMENT OF WATER RESOURCES
2149 4th Avenue East
Twin Falls, Idaho

Dear Sir:

I have just had the well drilled on my new dairy. I have also had the pumping system and water lines installed. I am going to have stock in the corral in April and will need water.

Sincerely Yours,

Paul Luman