

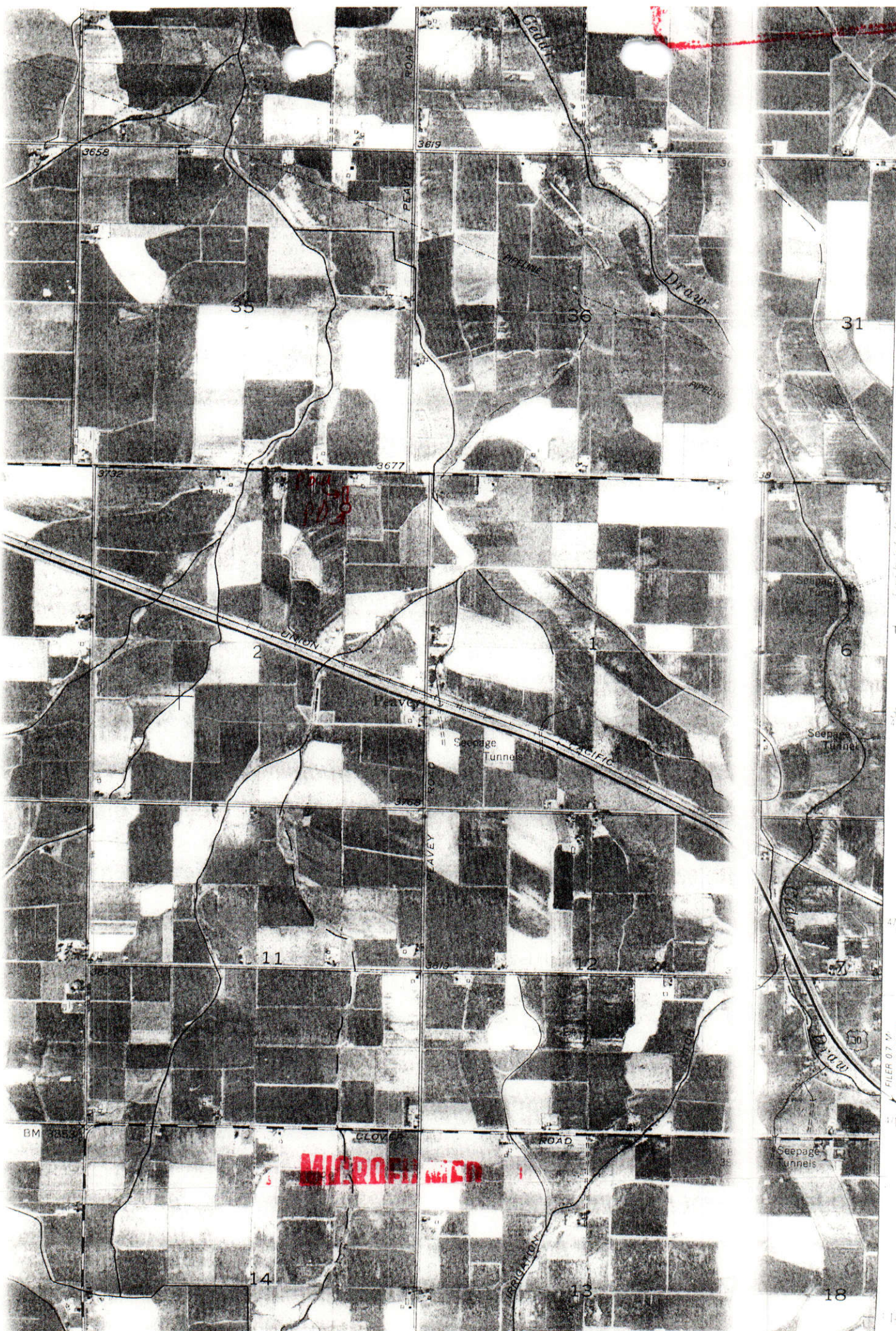


FIG
19 S
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476

FILER 07 V
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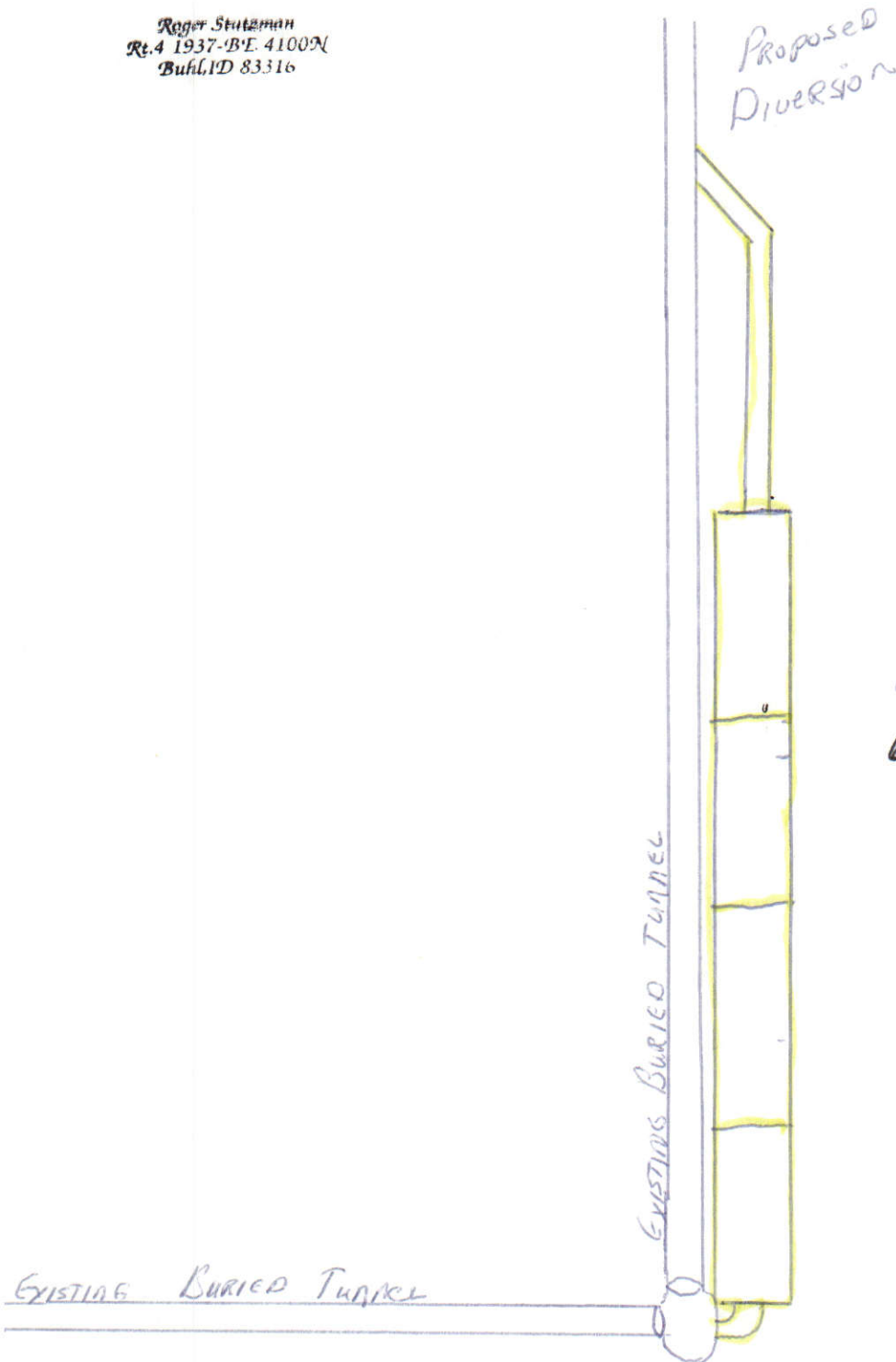
415

114

PLANS FOR FISH PROPAGATION

Permit No 47-08199

Roger Stutzman
Rt. 4 1937-BE 41009
Bufile 83316



4 ponds CONCRETE
8ft WIDE
4ft DEEP
60ft LONG } 1920

~~4 - 1920 ft ponds~~

MICROFILMED

AUG 23 1989

WARRANTY DEED

For Value Received
HENRY H. GRAHAM, a single man, and AGNES G. BROWNE, a widow

the grantor s, do hereby grant, bargain, sell and convey unto

ROGER LEE STUTZMAN and MARY KAY STUTZMAN, Husband and Wife
the grantees, whose current address is Route #4, Box 380, Buhl, Idaho 83316

the following described premises, in Twin Falls

County Idaho, to-wit:

Section 2, Township 10 South, Range 15
East, Boise Meridian:

Lot 2 and SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT that part of said SW $\frac{1}{4}$ NE $\frac{1}{4}$
lying South and West of the Railroad Right of Way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 22, 1982

AUG 23 1989

Henry H. Graham
HENRY H. GRAHAM

Agnes G. Browne
AGNES G. BROWNE

STATE OF IDAHO, COUNTY OF TWIN FALLS
On this day of July, 1982,
before me, a notary public in and for the said State, personally appeared

HENRY H. GRAHAM, a single man
and AGNES G. BROWNE, a widow

known to me to be the person s whose name s
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Jeffrey J. Poling
Notary Public
Residing at Twin Falls, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Twin Falls
I hereby certify that this instrument was filed for record at
the request of TitleFact, Inc.

at 15 minutes past 4 o'clock P.M.
this AUG 24 1982 day of
19, in my office, and duly recorded in Book
of Deeds at Page

RICHARD A. FENCE
Ex-Officio Recorder

By Jane Brown
200 Deputy.

Fees \$
Mail to: Roger Lee Stutzman
Route #4, Box 380
Buhl, Idaho 83301

100-10000-10-826411

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08199

1. Owner: Roger Stutzman

Phone No. 543-6824

Current Address: Rt 4 Box 380, Buh, ID 83316

2. Accompanied by: Mr. Stutzman

EXAM. DATE: 7-10-92

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Unnamed Stream tributary to Lateral #11 & Cedar Drwg

B. OVERLAP REVIEW

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

☐ Copies Attached

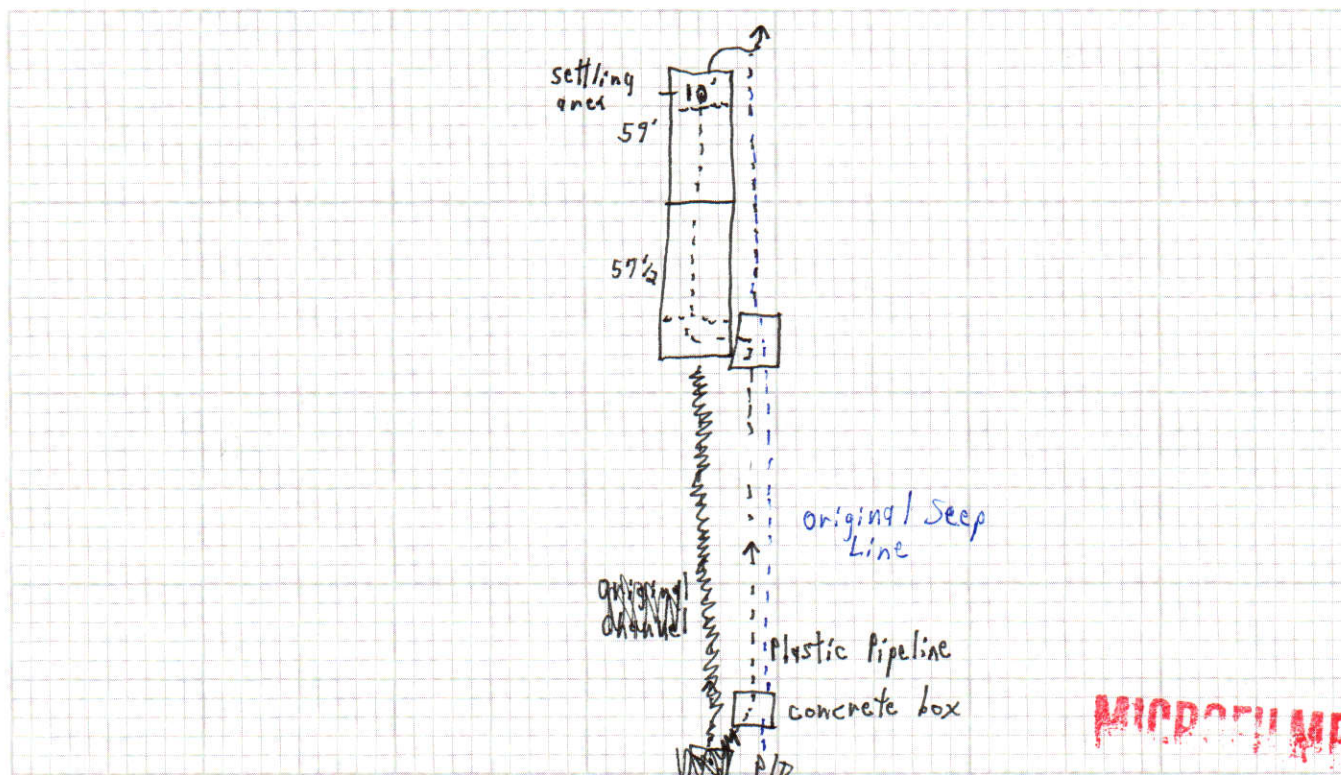
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



MICROFILMED

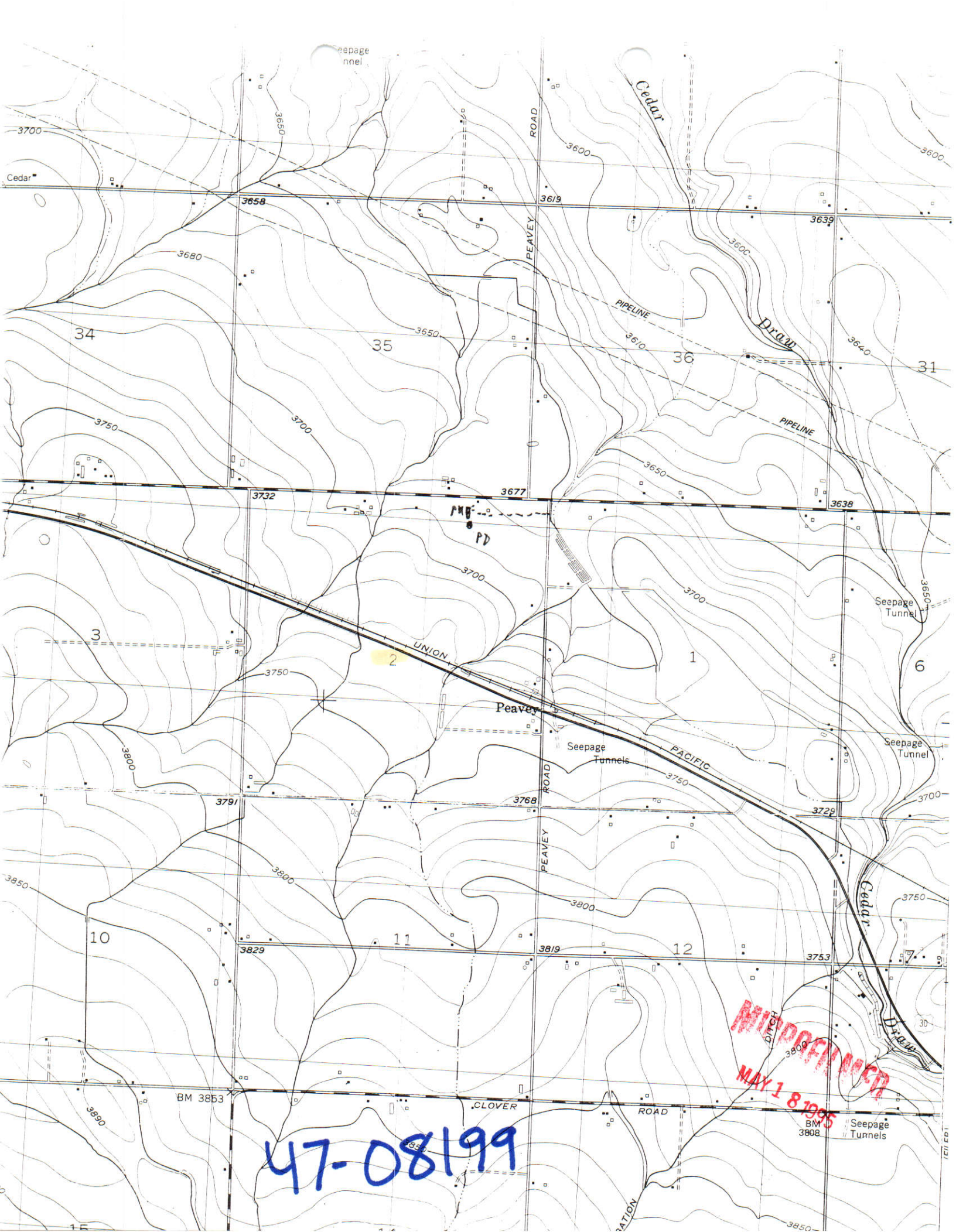
MAY 18 1995

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more).

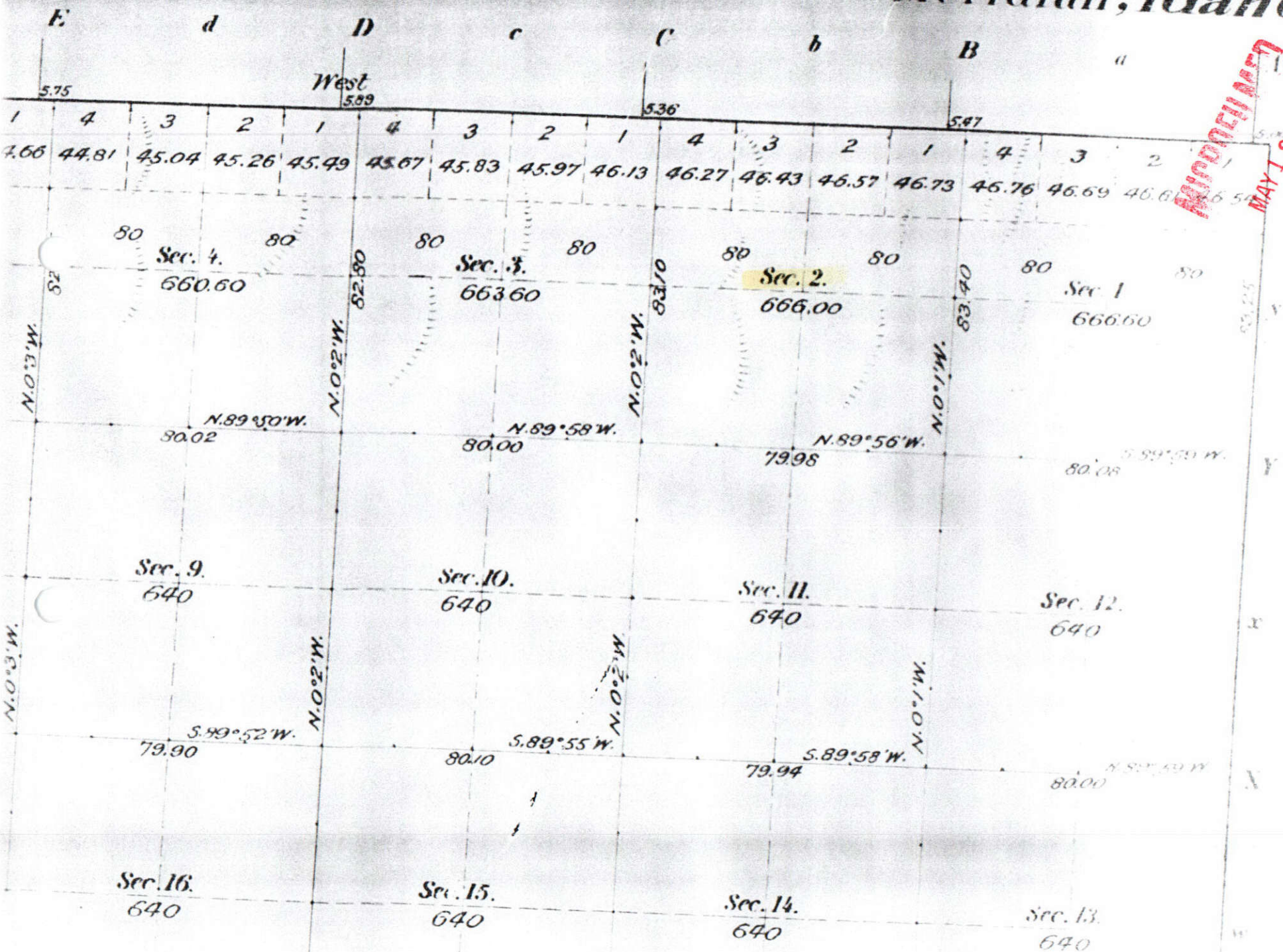
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).



REPRODUCTION
MAY 18 1965

47-08199

Range N° 15 East of the Boise Meridian, Idaho.



RECORDED
MAY 18 1995

47-08199



Diversion Works



Measuring Devices
Raceway Inlet

MISSOURI
MAY 18 1995

47-08199



Raceways - Downstream View



Same - Looking Upstream

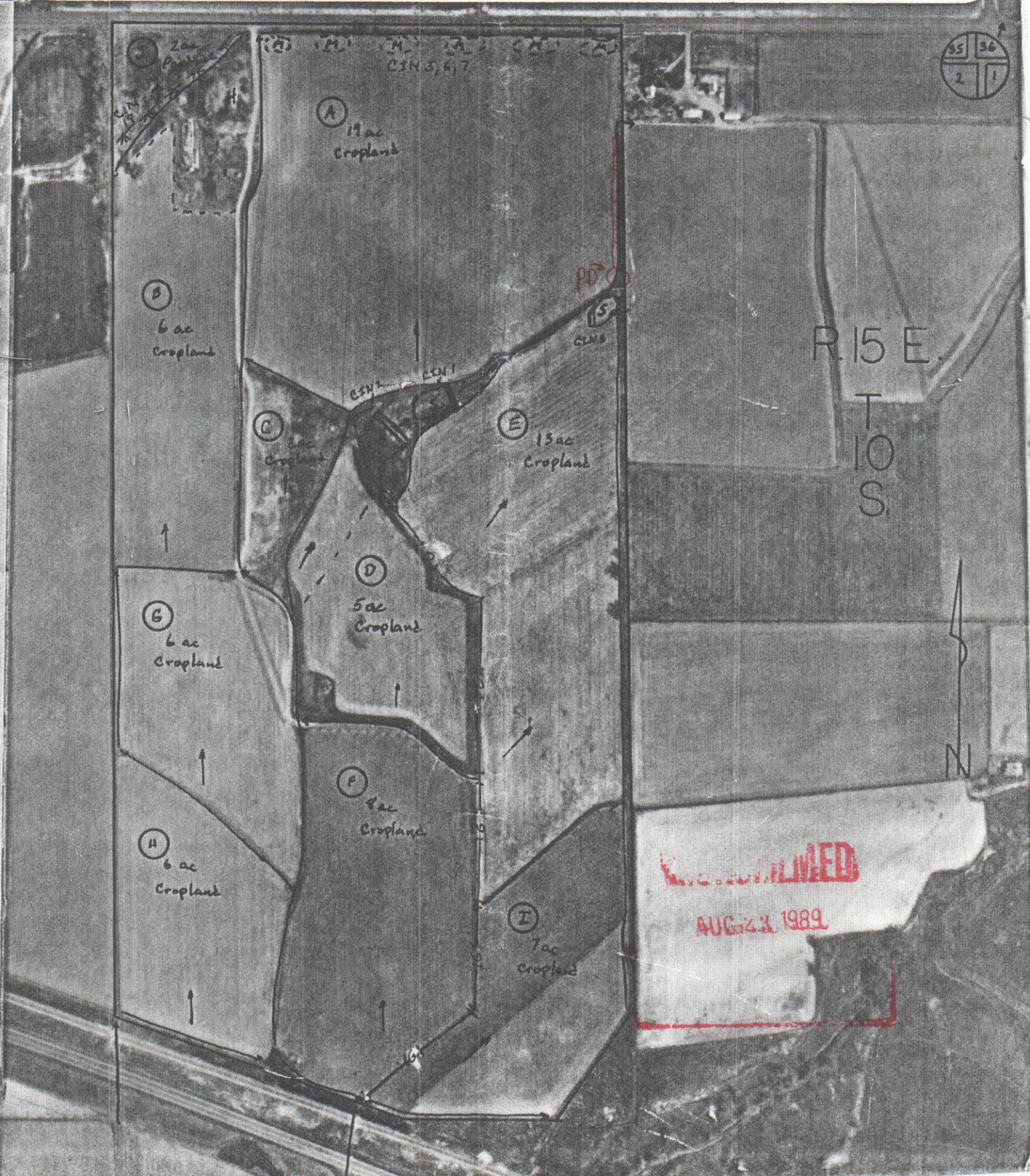
Raceway Outlet
Back Into Seep
Line



RECEIVED
MAY 18 1995

CONSERVATION PLAN M/

Owner Roger Stutzman Operator Same
 County Twin Falls State Idaho Date April, 1983
 Approximate acres 80 ac. Approximate scale _____
 Cooperating with Balanced Rock Soil Conservation District _____
 Plan identification _____ Photo number _____
 Assisted by Gary Champlin USDA Soil Conservation Service



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08199

Priority: January 9, 1989

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

721.8 AF

This is to certify, that ROGER STUTZMAN
1937-B E 4100 N
BUHL ID 83316

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 9, 1989; and
has submitted Proof of Beneficial Use on June 8, 1992. An examination indicates
that the works have a diversion capacity of 1.730 cfs of water from:

UNNAMED STREAM

tributary to CEDAR DRAW

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>
FISH PROPAGATION	01/01 to 12/31	1.00 CFS	721.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 2, Township 10S, Range 15E
TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

10S 15E 2 Lot 2(NWNE)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. 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. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
6. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
7. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

MAY 18 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

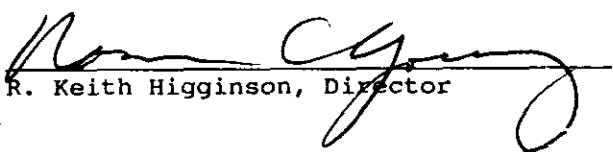
WATER RIGHT NO. 47-08199

CONDITIONS/REMARKS:

8. Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.
9. Use of water under this right shall be non-consumptive.
10. The facility volume is 3495 cubic feet.

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 2ND
day of MAY, 1995.

Acting for


R. Keith Higginson, Director

MAY 18 1995

RECEIVED
JUN 8 1992

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 6-8-92
Receipt No. 0024432
Receipt by HLB

Department of Water Resources **STATE OF IDAHO**
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 47-20/99 Telephone No. 208 543 6824
2. Name(s) of Permit Holder(s): ROGER STUTZMAN
3. Mailing Address: RT 4 Box 380 Buhl Idaho 83316
4. Source of Water: SPRING (seep)

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other FISH PROPAGATION

6. Total rate and/or volume for which proof is submitted 1.00 cfs OR _____ acre/feet

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

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

OR

Flow Measurement Port: Required? _____ Yes ☒ No Installed? ☒ Yes _____ No

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

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

ROGER STUTZMAN 5436824
Name Telephone No.

RT 4 Box 380 Buhl Idaho 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.

6-2-92
Date

Roger Stutzman owner
Signature (and title, if on behalf of a company or organization)

MICROFILMED
JUN 25 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 47-08199

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant ROGER STUTZMAN Phone (208) 543 6824
Post office address RT 4 Box 380 Buhl, ID 83316
2. Source of water supply unnamed stream which is a tributary of * Cedar Draw (Lateral E. Twin Falls Canal then to Cedar Draw)
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 2
Sec. 2 Township 10S Range 15E B.M. Twin Falls County; additional
points of diversion if any: * corrected 1-19-89 JS
4. Water will be used for the following purposes:
Amount 1.0 for Fish Propagation purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.0 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Concrete Diversion Dam
diverts directly to roadway
 - 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 _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water for beneficial use is
5 years (minimum 1 year).

MICROFILMED

AUG 23 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Fish propagation 8' wide 5' deep approx. 500' long.
may be more than.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10s	15E	2		H															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Dom. well.
and irr. through Twin Falls Irr.
11. a. Who owns the property at the point of diversion? Yes 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: _____

MICROFILMED

AUG 23 1989



T
-1

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of 15 columns and 15 rows, creating a total of 225 small square units. The lines are thin and black, set against a white background. There are no margins, text, or other markings on the page.

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

AUG 23 1963

Roger Shepman
(Applicant)

Proposed Priority 1/9/89

Received by gre Date 1/9/89 Time 2:59 Preliminary check by J. F. Stanton
Fee \$ 45⁰⁰ Receipted by gre # MOD 2484 Date 1-9-89
Publication prepared by M. Baldwin Date 4/10/89 Published in Times News
Publication approved M. Baldwin Date 5/22/89

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. 47-8199, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 92.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other: SEE ATTACHED SHEET FOR ADDITIONAL CONDITIONS OF APPROVAL

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

J. Glen Stanton

MICROFILMED

AUG 23 1989

ATTACHMENT OF CONDITIONS OF APPROVAL

FOR PERMIT NO. 47-8199

- e. The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
- f. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
- g. 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.
- h. Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- i. Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.
- j. Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.
- k. Water shall not be diverted under this permit until a written agreement with the irrigation district or canal company serving the area containing the point of diversion is filed with the Department of Water Resources providing for the coordination of the permit use with the irrigation district or canal company operation.
- l. Use of water under this permit shall be non-consumptive.

Witness my hand this 16th day of July, 1989.

A. Glen Saylor

MICROFILMED

AUG 23 1989

STATE OF FLA. DEPARTMENT OF TRANSPORTATION
Permit No 47-02199

ROBERT SHUBERTMAN
Rt. 4 1937-B'E. 4100N
Buhl, ID 83316

Proposed
Divergence

4 ponds concrete
8ft wide
4ft deep
60ft long } 1920

~~4 - 1920 ft ponds~~

EXISTING BURIED TUNNEL

EXISTING LURICA TUNNEL

MICROFILMED

AUG 23 1988

WARRANTY DEED

For Value Received
HENRY H. GRAHAM, a single man, and AGNES G. BROWNE, a widow

the grantor S, do hereby grant, bargain, sell and convey unto
ROGER LEE STUTZMAN and MARY KAY STUTZMAN, Husband and Wife,
the grantees, whose current address is Route #4, Box 380, Buhl, Idaho 83401
the following described premises, in Twin Falls County Idaho, to-wit:
Section 2, Township 10 South, Range 15
East, Boise Meridian:
Lot 2 and SW 1/4 NE 1/4, EXCEPT that part of said SW 1/4 NE 1/4
lying South and West of the Railroad Right of Way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee S, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 24, 1982

Henry H. Graham
HENRY H. GRAHAM

Agnes G. Browne
AGNES G. BROWNE

STATE OF IDAHO, COUNTY OF TWIN FALLS
On this day of July, 1982,
before me, a notary public in and for the said State, personally appeared

HENRY H. GRAHAM, a single man
and AGNES G. BROWNE, a widow

known to me to be the person S whose name S
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Jeffrey J. Holley
Notary Public
Residing at Twin Falls, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Twin Falls
I hereby certify that this instrument was filed for record at
the request of TitleFact, Inc.

at minutes past o'clock P. M.,
this day of
1982, in my office, and duly recorded in Book
of Deeds at Page

EDWARD A. FENCE
Ex-Officio Recorder

By Deputy Recorder Deputy.

Fee \$ 200
Mail to: Roger Lee Stutzman
Route #4, Box 380
Buhl, Idaho 83401

826411



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

May 3, 1995

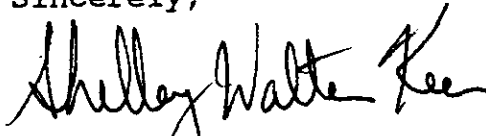
ROGER STUTZMAN
1937-B E 4100 N
BUHL ID 83316

RE: WATER RIGHT NO. 47-08199

Dear Water Right Holder(s):

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

MAY 18 1995

MEMORANDUM

TO: File 47-08199 / Roger Stutzman
FROM: Brenda Chapman
DATE: April 21, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

Note: One of the permit conditions was that measuring devices were to be located at the points of diversion and effluent discharge. The examiner found both measuring devices to be located at the raceways inlet. No seepage or losses occur because of the facility's cement structure. Therefore, measurements from those two locations provided acceptable information from which to make the rate recommendation. According to the 8/7/79 Administrative Memorandum for Application Processing (#15), that particular measuring device requirement is required when the source is highly appropriated or is regulated by a watermaster. This permit does not fall within that criteria. Therefore, in agreement with the examiner's recommendation, the standard condition of requiring a measuring device be part of the diverting works is being placed on the license.

RECORDED

MAY 18 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 15 1994
Department of Water Resources

A. GENERAL INFORMATION

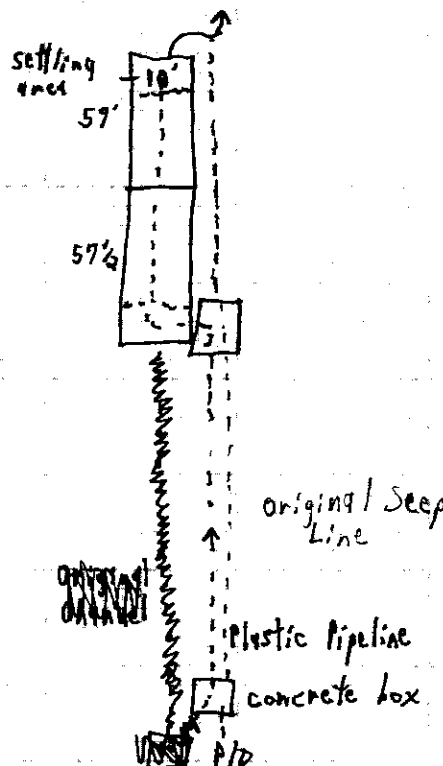
Permit No. 47-08199
Phone No. 543-6824
1. Owner: Roger Stutzman
Current Address: Rt. 4 Box 380, Buh, ID 83316
2. Accompanied by: Mr. Stutzman EXAM. DATE: 7-10-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Unnamed Stream tributary to Lateral #11 & Cedar Draw

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

MICROFILMED
MAY 18 1995

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Buried pipeline from buried seepage line to 2 concrete raceways, discharge back into buried tile line. Source is underground drainage from fields above. The old pipeline discharged into 1 concrete sump. A buried plastic line from the sump feeds the raceways.

2 raceways - 10' wide x 3' deep x 57 1/2' + 57' long. = 3495 cu. ft.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2	NE	NW	NE	8	10S	15E	Twin Falls	

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	15E	2		H															

RECEIVED

Do not use this space

MAY 18 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Measured 0.25' x 0.27" head on two 2' contracted rectangular weirs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

.82 cfs + .91 cfs = 1.73 cfs. Allow 1.0 cfs permitted.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

RECORDED

MAY 18 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Diversion takes entire flow of seep stream above the facility to get more head. Permittee stated that the flow drops to about 1 cfs in winter, but comes back up once irrigation starts again. I advised him to file a permit for the additional flow that he is using.

Recommend requirement for outlet measuring device be lifted. Inlet device is adequate, & there is no seepage loss from the pond due to concrete construction.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Fish Propagation	1-1	12-31	1.0	721.8
Totals:			1.0	721.8

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

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton

Signature J. E. Stanton

Certification Date _____

Field Report Preparation Date 7-13-92

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

MAY 18 1995

Annual Volume for Fish Propagation

1. Calculate changes per hour:
total flow into facility x 3600/facility volume(cf)=changes
2. Calculate annual volume:
facility volume(AF) x changes x 8760=AFA
3. Calculate volume given by permitted flow:
flow rate(cfs) x 1.9835 x 365 days=AFA
4. Recommend lower figure

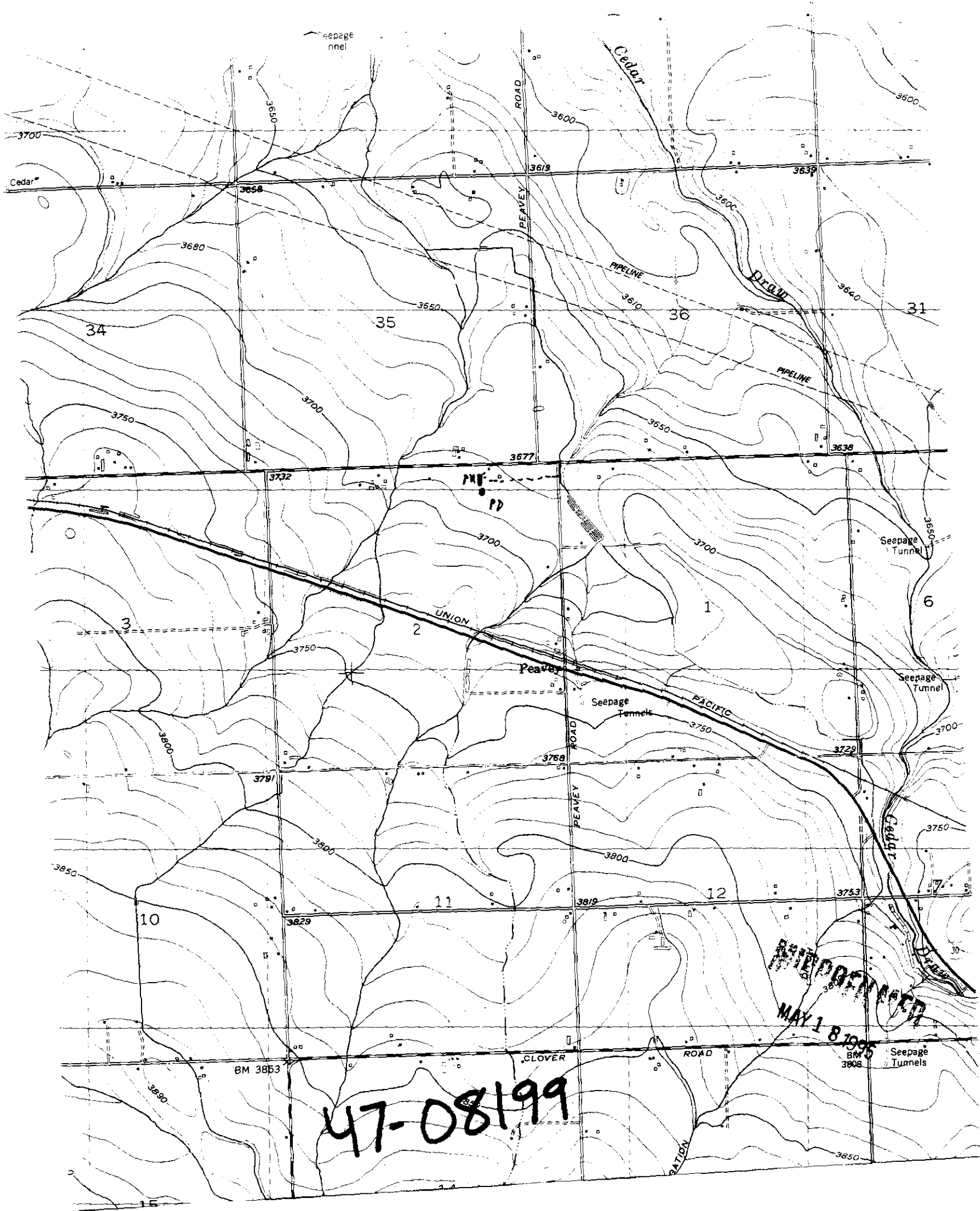
-
1. * 1.0 cfs x 3600/ 3495 cf = 1.03
 2. 0.08 AF x 1.03 x 8760 = 721.8 AFA
 3. 1.0 cfs x 1.9835 x 365 days = 724.0 AFA

RECOMMENDATION: 721.8 AFA

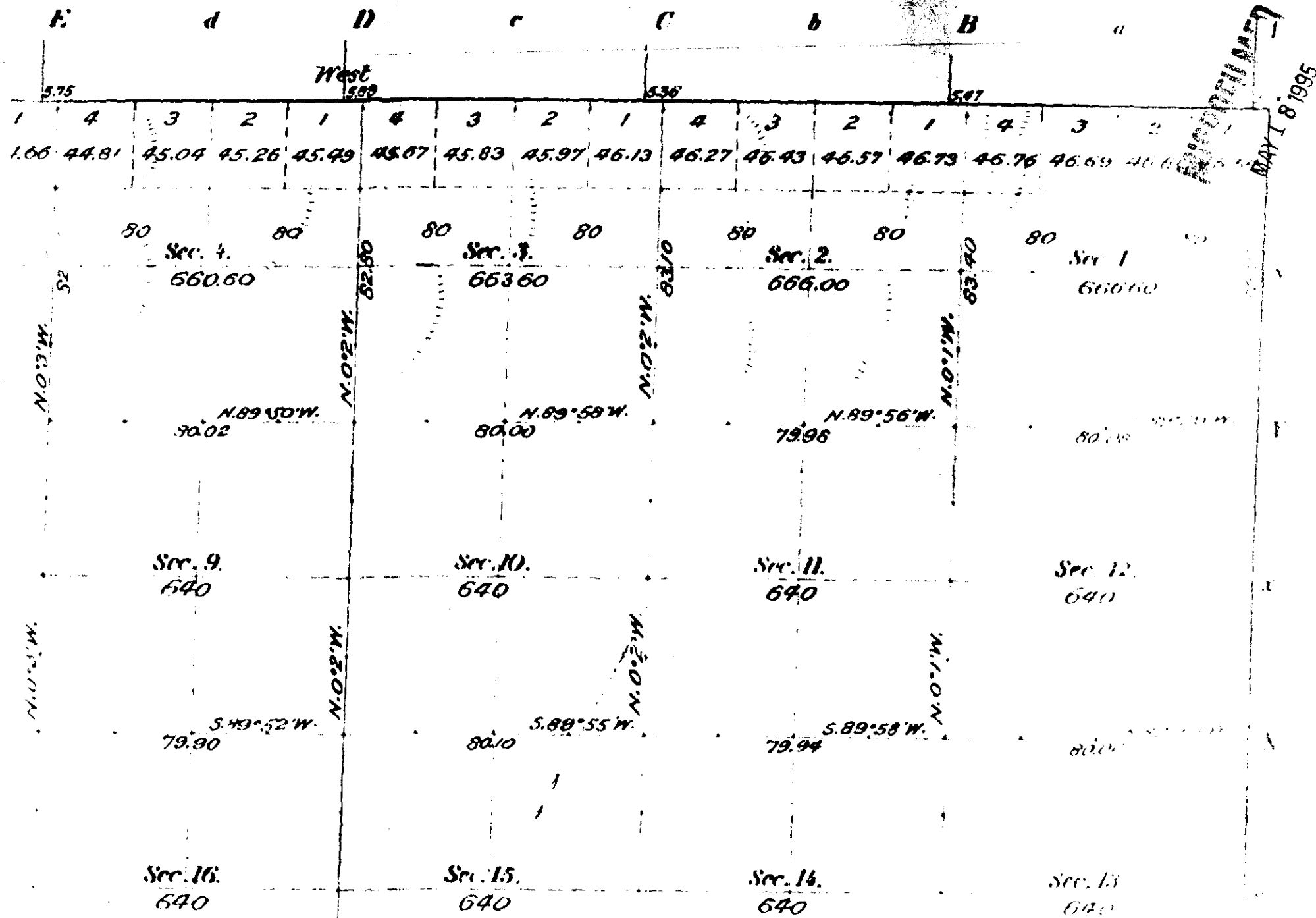
* Permitted/Recommended Flow, not actual measured diversion rate.

WIPDRE

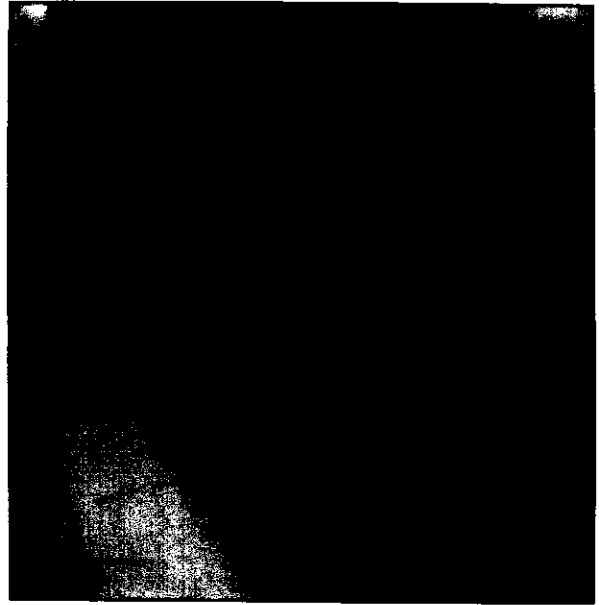
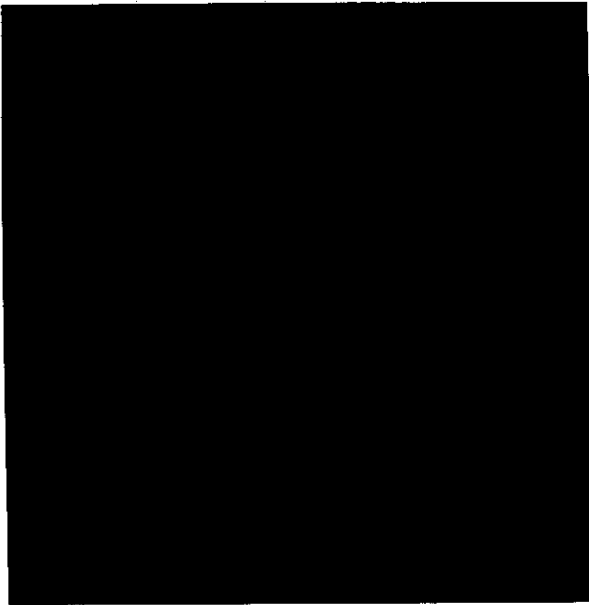
MAY 18 1995



Range N^o 15 East of the Boise Meridian, Idaho.



47-08199

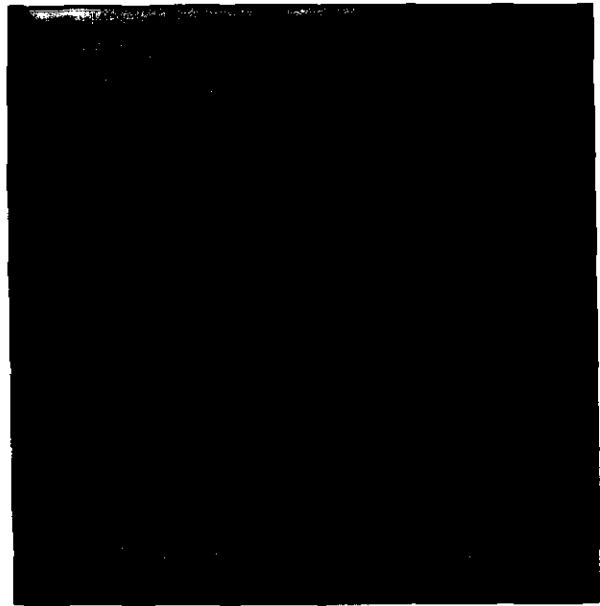


Diversion Works

Measuring Devices
Raceway Inlet

RECEIVED
MAY 18 1995

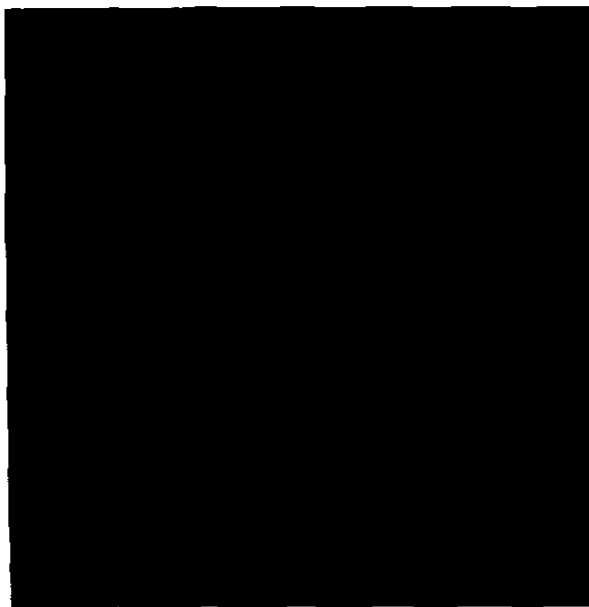
47-08199



Raceways - Downstream View

Same - Looking Upstream

Raceway Outlet
Back Into Seep
Line



RECEIVED
MAY 18 1995

June 12, 1992

ROGER STUTZMAN
RT. 4 BOX 380
BUHL ID 83316

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08199

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

REC'D

JUN 25 1992

May 31, 1992

ROGER STUTZMAN
RT. 4 BOX 380
BUHL ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-08199

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

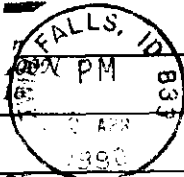
NO. 139041

RECORDED

JUN 25 1992

IDAHO

Roger Stief
Rt. 4 1937-B
Bufile ID 83316



USA 25 1890

RECEIVED

APR 3 1990



MICROFILMED

JUN 25 1992

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-08199
Name(s) of Permit Holder(s): ROGER STUTZMAN
Post Office Address: RT 4 BOX 380
Buhl Fork ID 8316 Tel. No. 543 6824

☒ I hereby certify that construction of diversion works for the above referenced permit began on 3-23-90 . I understand that I must
(date)
continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

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

3-30-90
Date

[Signature]
Signature of Permit Holder

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

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

ROGER STUTZMAN
RT. 4 BOX 380
BUHL, ID 83316

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

RE: PERMIT NO. 47-08199

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.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.

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

RECORDED

AUG 23 1989

RECEIVED

MAY 18 1989

**Department of Water Resources
Southern Region Office**

April 26, 1989

Dear Sirs:

I have applied for a permit, No. 47-08199 with the Department of Water Resources. They have advised me to seek comment on the effects of the construction and operation of this proposed project.

If you have any comments, I need to receive them by the May 8, 1989 deadline for receiving protests.

Enclosed is a copy of my application and a map of the location of this project.

Very truly yours,

Roger Stutzman

RS:MS

Enclosure

MICROFILMED

AUG 26 1989



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENTAL QUALITY
Twin Falls Field Office
Post Office Box 1626
Twin Falls, Idaho 83303-1626

May 2, 1989

Roger Stutzman
Route #4, Box 380
Buhl, Idaho 83316

Re: Water Appropriation Permit for Fish Propagation Permit No.
47-08199

Dear Mr. Stutzman:

We are in receipt of your April 26, 1989 letter on the above referenced permit and submit the following comments.

- 1) If the proposed facility will produce 20,000 pounds of fish per year or feed more than 5,000 pounds per month, an Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) permit must be obtained for the operation.
- 2) Facility design plans and specifications and an operation plan should be submitted to our agency for review and approval prior to construction.

Should any questions arise, please contact me at 734-9520.

Sincerely,

Michael J. McMaster

Michael J. McMaster
Water Quality Field Supervisor

MJM/ta

cc: Susan Martin
Wally Scarborough
Loren Holmes ✓

RECEIVED

MAY 3 1989

Department of Water Resources
South
MICROFILMED

AUG 23 1989

CONSERVATION PLAN M/

Owner Roger Stutzman Operator Same
County Twin Falls State Idaho Date April 1983
Approximate acres 80 ac. Approximate scale _____
Cooperating with Balanced Rock Soil Conservation District _____
Plan identification _____ Photo number _____
Assisted by Gary Champlin USDA Soil Conservation Service



Roger Stutman
Page 2
10-Apr-1989

- 3) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 4,5,3,5,1) A copy of your application is enclosed for your use in obtaining this information.

The required additional information must be submitted within 30 days after the final date for receiving protests (May 8, 1989). The time may be extended upon request and showing of good cause that additional time is required to submit the information.

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

Very truly yours,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure

DEQ

P.O. Box 1626
Twin Falls

CO. COMMISSIONERS

425 Shoshone North

ID. Dept. F&G

868 Main

Jerome

ID. Dept
H & W

Regional office
479 Park T.F.

T.F. Canal Co.

Letters sent

4-26-89

RECEIVED

AUG 27 1989

10-Apr-1989

Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

Re: (2) Applications for Permit

Gentlemen:

Please find enclosed copies 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,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

Enclosures

MICROFILMED

AUG 23 1989

10-Apr-1989

Roger Stutzman
Rt. 4 Box 380
Buhl, ID 83316

Re: Application for Permit No. 47-08199

Dear Applicant (s):

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

This office is currently reviewing and processing your application pursuant to Idaho statutes and the department's Rules and Regulations for Water Appropriation.

A legal notice of the application is being prepared for publication in the Times News and will appear on 4/20 & 4/27/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be notified and sent a copy of all protests filed. 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.

Review of your application indicates the following additional information is required to be made part of the application file pursuant to IDAHO CODE section 42-203A and the Rules and Regulations for Water Appropriation:

- ✓ 1) Copies of deeds, leases, easements, or other information documenting that you have a possessory interest in the place of use. (Rule 4,5,3,3,1)
- ✓ 2) Copies of plans and specifications for the project works. The plans must be definite enough to allow for determination of project impacts and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 4,5,3,4,2)

MICROFILMED

AUG 23 1989

Roger Stutman
Page 2
10-Apr-1989

- 3) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 4,5,3,5,1) A copy of your application is enclosed for your use in obtaining this information.

The required additional information must be submitted within 30 days after the final date for receiving protests (May 8, 1989). The time may be extended upon request and showing of good cause that additional time is required to submit the information.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure

MICROFILMED

AUG 23 1989

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

47-08197
KIMBALL, ALICE R.
KIMBALL, CECILIA
4355 N. 1200 E.
BUHL, ID 83316
Source: Groundwater
Diversion Pt: NESENE
Sec 21 T 09S R 14E
Use: Domestic (.040 CFS)
Stc. water (.050 CFS)
Com. nercial (.050 CFS)
Date Filed: 1/04/1989
In: T09S R14E S21 SENE

47-08198
MILLARD, DAVID R.
(DBA) CRYSTAL
SPRINGS RANCH)
RT. 1 BOX 119
FILER, ID 83328
Source: Waste Water
Tributary: Snake River
Diversion Pt: Lot 8 (NWS-
ESE) Sec 12 T 09S R 15E
Use: Fish Propagation
(2,000 CFS)
Recreation (2,000 CFS)
Date Filed: 1/06/1989
In: T09S R15E S12 SWSE
Lot 8 (SESE)

47-08199
STUTZMAN, ROGER
RT. 4 BOX 380
BUHL, ID 83316
Source: Unnamed Stream
Tributary: Cedar Draw
Diversion Pt: Lot 2 (NEN-
WNE) Sec 2 T 10S R 15E
Use: Fish Propagation
(1,000 CFS)
Date Filed: 1/09/1989
In: T10S R15E S02
NWNE

47-08200
KASEL, RONALD A.
KASEL, CAROLE J.
RT. 6 BOX 9104
TWIN FALLS, ID 83301
Source: Unnamed
Streams
Tributary: Snake River
Diversion Pt: Lot 6 (SWS-
ESW) Sec 35T 09S R 17E
NWNE Sec 2 T 10S R
17E
Use: Power (2,000 CFS)
Date Filed: 1/11/1989

In: T09S R17E S35 Lot 16
(SWSW)

47-08202
CITY OF BUHL
203 BROADWAY
BUHL, ID 83316
Source: Groundwater
Diversion Pt: SWSSE
Sec 34 T 09S R 14E
Use: Commercial (.040
CFS)
Date Filed: 1/17/1989
In: T09S R14E S34 SESE

47-08203
CHURCH OF GOD IN
CHRIST MENNONITE
DEEP CREEK MENNO-
NITE SCHOOL
RT. 3
BUHL, ID 83316
Source: Groundwater
Diversion Pt: SWSWSW
Sec 33 T 09S R 14E
Use: Domestic (.200 CFS)
Irrigation (.060 CFS)
Fire Protection (.200 CFS)
Date Filed: 1/20/1989
In: T09S R14E S33
SWSW

2.0 acres total
The permit(s) will be sub-
ject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Resources,
Southern Region, 2148
4th Avenue East, Twin
Falls, Idaho 83301 on or
before May 8, 1989.
R. Keith Higginson, Direc-
tor
PUBLISH: Thursday, April
20 and 27, 1989.

Advertisement of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } ss.

Shirley Capps McQuinn Department of Water Resources
do hereby solemnly swear, depose
and say that I am Public Clerk of the Southern Region of the Idaho Department of Water Resources 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 April 20, 1989,
and ending with the issue dated April 27, 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 ex-
cept 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 28 day of April in the year of 1989, before me,
a Notary Public, personally appeared Shirley Capps McQuinn
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.

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

MICROFILMED

AUG 23 1989

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

APRIL 10, 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 8, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 23 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

FILED

AUG 23 1989

47-08199

STUTZMAN, ROGER
RT. 4 BOX 380
BUHL, ID 83316

Source: UNNAMED STREAM

Tributary: CEDAR DRAW

Diversion Pt: LOT 2 (NENWNE) Sec 2 T 10S R 15E

Use: FISH PROPAGATION (1.000 CFS)

Date Filed: 1/09/1989

In: T10S R15E S02 NWNE

MICROFILMED

AUG 23 1989

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

R. KEITH HIGGINSON, Director

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

MICROFILMED

AUG 23 1989