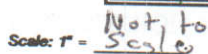




BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

AUG 20 1989

Justin L. Lane
(Applicant)



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

☒ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	3.0	282-1022-201	Jacuzzi	Unknown

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

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

1.

2. Measurements:

[illegible]

AUG 09 1996

S2-T10S-R17E

47-8174

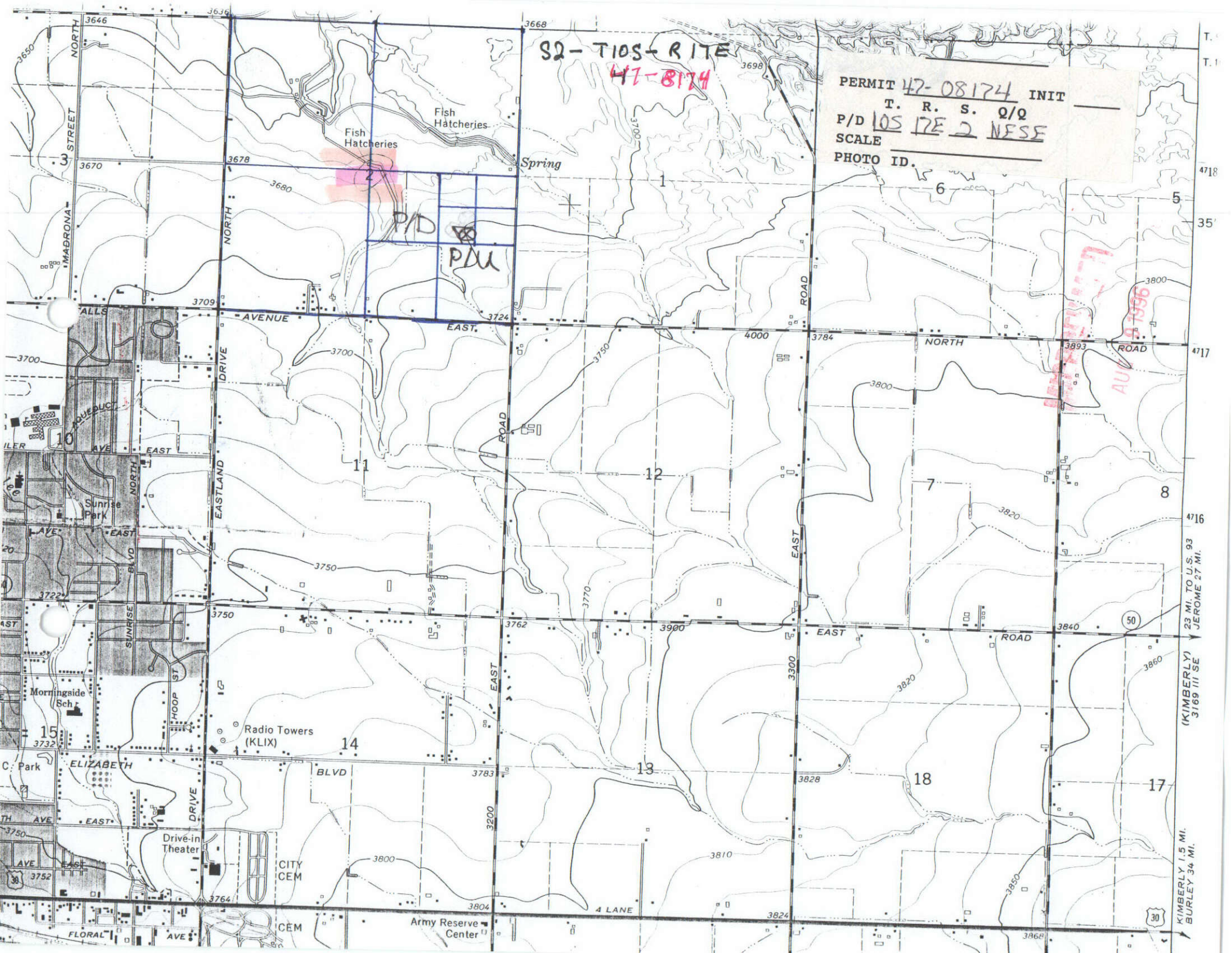
PERMIT 47-08174 INIT

T. R. S. Q/Q

P/D 10S 17E 2 NESE

SCALE

PHOTO ID.



WIR# 47-08174



P/D



P/U

RECEIVED

AUG 09 1996

W # 47-08174



P/U



P/U

INDEXED

AUG 09 1996

W# 47-0817



P/U



P/U

APPROX 4/27

AUG 09 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08174

Priority: January 8, 1989

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

8.1 AF

This is to certify, that JUD SUDWEEKS
1129 SKYLINE DR

TWIN FALLS ID 83301

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 9, 1988; and has submitted Proof of Beneficial Use on July 30, 1990. An examination indicates that the works have a diversion capacity of 0.170 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>
IRRIGATION	04/01 to 10/31	0.06 CFS	8.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
	Totals	0.07 CFS	8.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 2, Township 10S, Range 17E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	17E	2	NESE	2		2

Total number of acres irrigated: 2

PLACE OF USE:

STOCKWATER, same as IRRIGATION 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

AUG 09 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08174

CONDITIONS OF APPROVAL AND REMARKS

6. Irrigation use under this right is authorized only in connection with a domestic use.

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 3RD day of AUGUST, 1976.


KARL J. DREHER, Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~47-08174~~	~~Austin L Hall~~	~~0.08~~
~~Full Assignment~~	~~47-08174~~	~~Jay Sudweeks~~	~~0.08~~
	Reduced at Licensing		
License	47-08174	Jay Sudweeks	0.07

RECEIVED

AUG 09 1996

RECEIVED

07/94

JUL 3 1996

Department of Water Resources

For Office Use Only
\$25.00 Filing Fee
Receipt # C 036173
Date 7-23-96

RECEIVED

JUN 25 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Austin L. Hall, hereby assign to Jay Sudweeks
(Permit Holder)
Of 1129 Skyline Dr., Twin Falls ID 83301 (208) 733-6094
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 47-08174
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. N/A 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.

N/A

Made this _____ day of _____, 1996.

X Austin L. Hall
Austin L. Hall, Permit Holder(s)

State of Idaho)
County of Twin Falls ss

On this 24th day of June, 1996, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Janice M. Jones

Notary Public

SEAL

Janice M. Jones
Signature

My commission expires: March 18, 1997

AUG 08 1996

RECEIVED

JUN 7 1990

No fee enclosed
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 15.00
Date 7/30/90
Receipt No. 68178/8
Received by [Signature]

RECEIVED

JUL 30 1990

Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 47-08174 Telephone No. 208-733-2837

Name(s) of Permit Holder(s): AUSTIN L. HALL

Post Office Address: Route #3, Box 6623

Source of Water: Well

If ground water, well driller's name: Unknown Date drilled: ~1995 per

Extent of Use: Domestic 1 (No. of households) Irrigation 2.8 (No. of acres) Telephone conversation

Stockwater 3 (No. and type of stock) Other holder

Cattle - Horse's

~~Flow rate and/or volume for which permit is submitted~~ 0.04 cfs acre/feet Unknown

Show date water was first diverted and beneficially used under this permit: Per letter of 11-29-90

One of the following may be a condition of approval of your permit:

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

OR

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

RECORDED

Fee Enclosed: \$ (See License Examination Fee Schedule)

AUG 05 1991

Person to contact to accompany the Department representative during the field examination:

AUSTIN L. HALL

208-733-2837

Name

Telephone No.

Route #3, Box 6623,

Twin Falls,

ID 83301

Address

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.

6-6-90
Date

Austin L. Hall
Signature (and title if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-8174 IN THE
NAME OF AUSTIN HALL

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

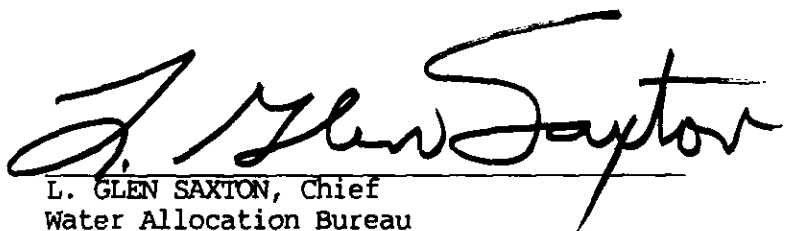
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 30, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-8174 be REINSTATED and the priority advanced to January 8, 1989.

Dated this 30th day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

AUG 05 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 47-08174

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Austin Hall Phone 733-2837 ³³⁰⁵

Post office address Rt 3, Skyline Dr, Twin Falls, 83301

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

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____

Sec. 2 Township 10 S. Range 17 E. B.M. Twin Falls ^{OK} County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 cfs for Irrigation purposes from Mar. 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 cfs for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .08 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well with a 2 hp
submersible pump to sprinkler system

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 6 inches; proposed depth of well is 100 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
1 years (minimum 1 year).

MICROFILMED

AUG 20 1989

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S.	17E.	2													2				2
"	"	"													5				

Total number of acres to be irrigated 2

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

11. a. Who owns the property at the point of diversion? Applicant

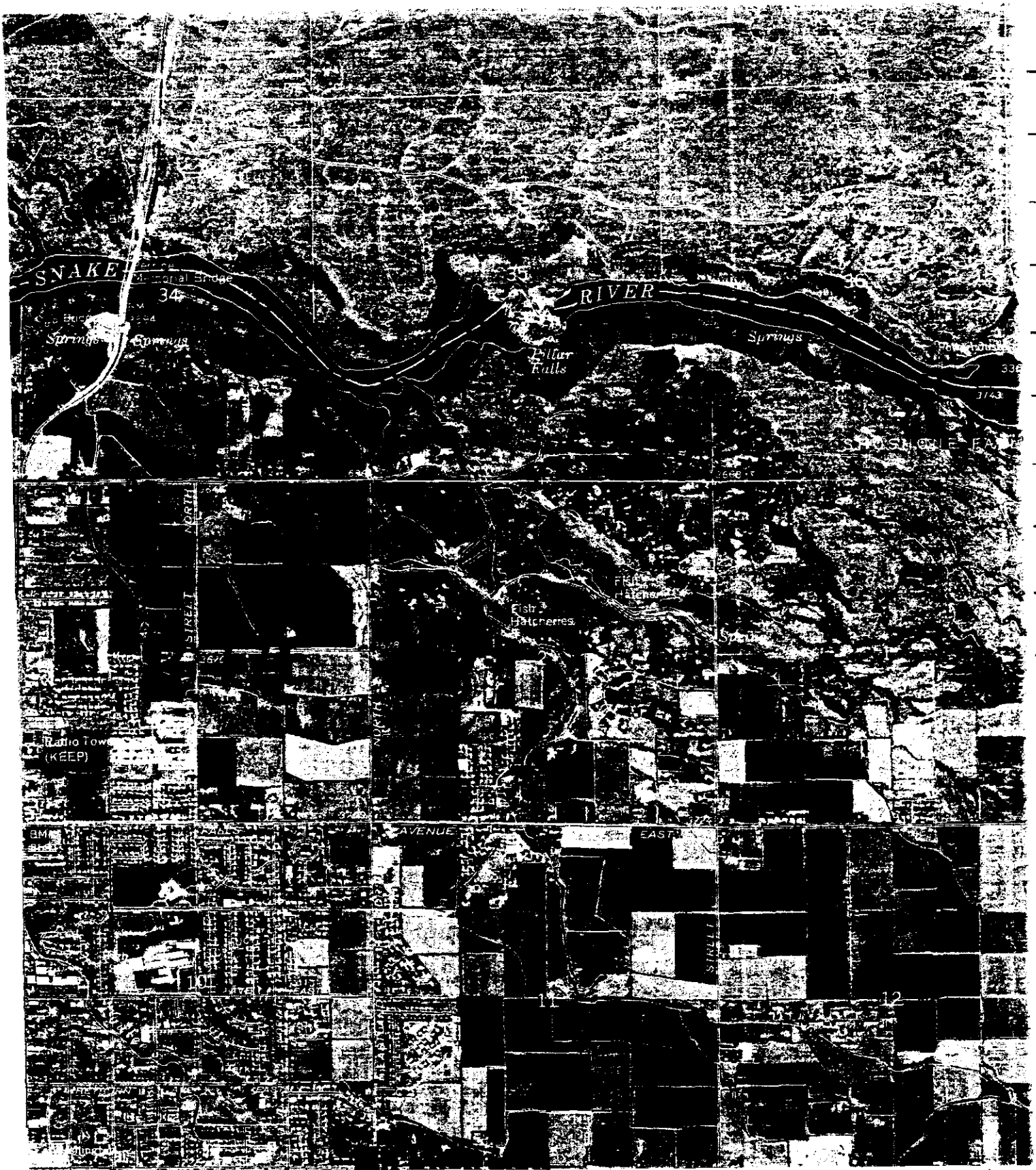
b. Who owns the land to be irrigated or place of use? "

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: _____

MICROFILMED

AUG 23 1989



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 25 1989

Gustav L. Hau
(Applicant)

Proposed Priority 12/9/88

Received by T/B Date 12/9/88 Time 1:00 Preliminary check by DRJ

Fee \$ 30.00 Received by T/B # 5004384 Date 12-9-88

Publication prepared by M. Baldwin Date 3/30/89 Published in Times News

Publication approved Thyde R Page Date 7-19-89

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. 47-8174, 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 July 1, 19 90.

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.

Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 6th day of June, 1989.

A. Glen Saylor

MICROFILMED

AUG 23 1989

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

WRIGHT FAMILY PARTNERSHIP
C/O JACK WRIGHT
P.O. BOX DD
KIMBERLY, ID 83341
Source: Groundwater
Diversion Pt: NWNWSW
Sec 28 T 10S R 18E
Use: Irrigation (.090 cfs)
Date Filed: 12/07/1988
In: T10S R18E S28 NWSW
3.0 acres total
47-08170

GILMAN FAMILY TRUST
C/O DAVID R. GILMAN, TRUSTEE
RT. 3 SKYLINE DR.
TWIN FALLS, ID 83301
Source: Groundwater
Diversion Pt: NWSESE
Sec 2 T 10S R 17E
Use: Domestic (.040 cfs)
Irrigation (.060 cfs)
Date Filed: 12/09/1988
In: T10S R17E S02 SESE
2.0 Acres total
47-08172
THOMAS, BRENT
RT. 3 BOX 6616
TWIN FALLS, ID 83301
Source: Groundwater
Diversion Pt: NENWSE
Sec 2 T 10S R 17E
Use: Irrigation (.060 cfs)
Domestic (.040 cfs)
Date Filed: 12/09/1988
In: T10S R17E S02 NWSE
3.0 Acres Total
47-08174

HALL, AUSTIN
RT. 3 SKYLINE DR
TWIN FALLS, ID 83301
Source: Groundwater
Diversion Pt: SWNESE
Sec 2 T 10S R 17E
Use: Irrigation (.060 cfs)
Stockwater (.020 cfs)
Date Filed: 12/09/1988
In: T10S R17E S02 NESE
2.0 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, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before April 24, 1989.
R. KEITH HIGGINSON
Director
PUBLISH: Thursday, April 6 and 13, 1989.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 19696

I, Linda Capps McSwine, being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated April 6, 1989, and ending with the issue dated April 13, 1989.

STATE OF IDAHO
COUNTY OF }

On this 14 day of April in the year of 1989 before me,
a Notary Public, personally appeared Linda Capps McSwine
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

I V E S T

9 1989

Water Resources
Region Office

Heva R. Feltman
Notary Public for Idaho

Residing at Twin Falls County the County of Twin Falls,
My commission expires: 5/19/94 at Twin Falls, Idaho

consolidation, effective February 16, except Sunday, and the Twin of which newspapers prior to ind county continuously and e months, and said TIMES- newspaper except Saturday, publication under said name

Code, Thursday of each week by order of any court of com- eekly, will be published; and pers, and in each issue there- will be published.

McSwine
14 day of



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 25, 1996

Jay Sudweeks
1124 Skyline Dr.
Twin Falls, ID 83301

RE: Water Right No. 47-08174

Dear Mr. Sudweeks:

I apologize for the name error made on the license. I have updated our computer records to correct the error and changed the mailing address per your instructions.

Enclosed is a computer-generated report of the water right reflecting the updated information. Again, I apologize for the error. If there is anything else I can do for you, please let me know.

Sincerely,

A handwritten signature in cursive script that reads 'Sharla Curtis'.

SHARLA CURTIS
Water Resource Agent

Enclosure

MEMORANDUM

TO: File 47-08174

FROM: Sharla

DATE: September 25, 1996

RE: Name/Address Correction

Per Mr. Sudweek's letter of 9/16, the name and address has been corrected. The name listed on the license was an error on the part of the department.

All documents in the file contain the address of 1129 Skyline Dr.; this is the address listed in the Twin Falls phone book as Mr. Sudweek's residential address. However, there is no reason to require Mr. Sudweek's to submit any additional document in order for us to make the address change. His letter identifies the water right number and contains his signature. The database will be changed and a letter sent informing the right holder that the changes have been made.

**ELLSWORTH, MAY, SUDWEEKS, STUBBS,
IPSEN & PERRY
ATTORNEYS AT LAW**

BART D. BROWNING
JAN E. DeROIN
MAURICE O. ELLSWORTH
LOREN C. IPSEN
THOMAS D. KERSHAW, JR.
J. MICHAEL KULCHAK
J. DEE MAY
THOMAS V. MUNSON
MARK B. PERRY
MARK D. STUBBS
JAY D. SUDWEEKS

*With Attorneys Licensed to Practice
in Idaho, Arizona, Nevada and Oregon*

516 Second Street East
P.O. Box 1846
Twin Falls, Idaho 83303
Telephone (208) 733-7180
Facsimile (208) 733-7967

BOISE, IDAHO

Alaska Center
1020 Main Street, Suite 400
P.O. Box 637
83701
Telephone (208) 338-1001
Facsimile (208) 338-8400

HAILEY, IDAHO

219 S. Main
83333
Telephone (208) 788-0834

16 September, 1996

Sharla Curtis
Department of Water Resources
WR Permits Section
1301 N. Orchard St.
Boise ID 83706

re: Water Right No. 47-08174

Dear Ms Curtis:

I have received the enclosed water right (copy is enclosed). It is certified to the name of Jud Sudweeks. That name is incorrect. My name is Jay Sudweeks. The address is also incorrect it should be 1124 Skyline Drive instead of 1129 Skyline Drive.

I checked with the local office here and they gave me your name and suggested you may be able to correct the error. Will you? Please let me know if there is some difficulty in correcting the error. If there is not I would appreciate your prompt action in this matter.

I thank you in advance for your consideration and remain,

Very truly yours,


Jay D. Sudweeks



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 5, 1996

JUD SUDWEEKS
1129 SKYLINE DR
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08174

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

208-327-7900
AUG 09 1996

MEMORANDUM

DATE: June 13, 1996
TO: File No. 47-08174
FROM: Cindy Zimmerman C-3.
SUBJECT: Review of Beneficial Use Field Report

=====

This permit authorized the diversion from groundwater of 0.06 cfs for irrigation of 2.0 acres and 0.02 cfs for stockwater. The examiner found 2.3 acres irrigated including pasture and lawn, and stockwater for 3 horses. However, the examiner recommended 1.8 acres of irrigation (2.3 acres - 0.5 acre domestic lawn).

The owner of record, Austin L Hall, filed then withdrew a SRBA claim for domestic use at 0.04 cfs. No other rights or claims overlap the permit.

Due to the withdrawal of the SRBA claim, the following adjustments¹ were made on the field report:

1. Place of use.
 - a. Irrigation = 2.0 acres within NESE, S02, T10S, R17E.
 - b. Stockwater use is same place of use as irrigation use.
2. Rate of diversion.
 - a. Irrigation = acres x cfs/acre
= 2.0 x 0.03
= 0.06 cfs.
 - b. Stockwater, 3 horses, per exhibit 15, Field Examiner's Handbook = 0.01 cfs.
 - c. Maximum rate of diversion = a + b
= 0.06 + 0.01
= 0.07 cfs.
3. Annual Volume.
 - a. Irrigation = acres x AF/acre
= 2.0 x 4.0
= 8.0 AF.
 - b. Stockwater = (hd x gpd x dpy) ÷ 325,850
= (3 x 12 x 365) ÷ 325,850
= 13,140 ÷ 325,850
= ~~0.04~~ ≈ 0.1 AF.
 - c. Maximum annual volume = a + b
= 8.0 + 0.1
= 8.1 AF.

AUG 09 1996

¹Adjustments made are **bolded and underlined.**



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

June 27, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAY SUDWEEKS
1129 SKYLINE DR
TWIN FALLS ID 83301

RE: Permit No. 47-08174

Dear Mr. Sudweeks;

The above permit is currently being reviewed for licensing. My review identified two issues.

First, the Department's field examiner noted a change of ownership had occurred. I contacted the owner of record, Austin Hall, who signed the enclosed 'Assignment of Permit' form identifying you a new owner. Please review the form and if you agree, please return the form to me in the envelope provided with the \$25.00 filing fee. Upon receipt of the form and fee, I will modify this permit to identify you as owner.

Secondly, the Department's field examiner reported that the water system developed under this permit actually diverts up to 0.07 cfs. However, because the Proof of Beneficial Use submitted by Mr. Hall was for 0.04 cfs, the license will be limited to a diversion rate of 0.04 cfs. I have enclosed a copy of your Proof of Beneficial Use for your reference.

If you want your water right license to reflect the 0.07 cfs developed, you must submit the examination fee of \$50.00 required for a diversion of 0.07 cfs, plus a late payment penalty of \$25.00, within 30 days. If we receive the examination fee after 30 days from the date of this letter, the priority date of this right will be advanced in accordance with Section 42-217, Idaho Code.

If you have any questions, you may contact me directly at (208) 327-7944.

Respectfully,

Cindy Zimmerman
Water Resource Agent

AUG 09 1996

Assignment of Permit
and Beneficial Use Exam Fees
paid 7/24/96 c.j.



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

June 20, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUSTIN HALL
113 WOODRIDGE DR
TWIN FALLS ID 83301

RE: Permit No. 47-08174

Dear Mr. Hall:

Thank you for your prompt response to my letter of June 13, 1996. I understand from our telephone conversation that you sold the property with the water right.

For the department to recognize the new property owner as the new permit holder, an assignment of ownership must be filed. I have enclosed a partially completed form for your use. Please complete the form and return it to me in the envelope provided.

Upon receiving the assignment from you, I will contact the new owner for completion of the the assignment and licensing processes.

If you have any questions about filling out the assignment form, you may contact me directly at (208) 327-7944.

Respectfully,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman
Water Resource Agent

Enclosure

AUG 09 1996



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

June 13, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUSTIN L HALL
RT 3 BOX 6623
TWIN FALLS ID 83301

RE: Permit No. 47-08174

Dear Mr. Hall:

The above permit is currently being reviewed for licensing. The Department's field examiner reported that the water system you developed actually diverts up to 0.07 cfs. However, because you submitted your Proof of Beneficial Use for 0.04 cfs, the license will be limited to a diversion rate of 0.04 cfs. I have enclosed a copy of your Proof of Beneficial Use for your reference.

If you want your water right license to reflect the 0.07 cfs you developed, you must submit the examination fee of \$50.00 required for a diversion of 0.07 cfs, plus a late payment penalty of \$25.00, within 30 days. If we receive the examination fees after 30 days from the date of this letter, the priority date of your right will be advanced in accordance with Section 42-217, Idaho Code.

If you have any questions, you may contact me directly at (208) 327-7944.

Respectfully,

A handwritten signature in cursive script that reads 'Cindy Zimmerman'.

Cindy Zimmerman
Water Resource Agent

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 07 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08174

1. Owner: Jay Sundweeks Phone No. (208) 733-6094

Current Address: 1129 Skyline Dr., Twin Falls, ID 83301

2. Accompanied by: Jay Sundweeks EXAM DATE: 06/09/95

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Ground water tributary to None

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

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
		SW	NE	SE	2	10S	17E	Twin Falls	Photo Aired

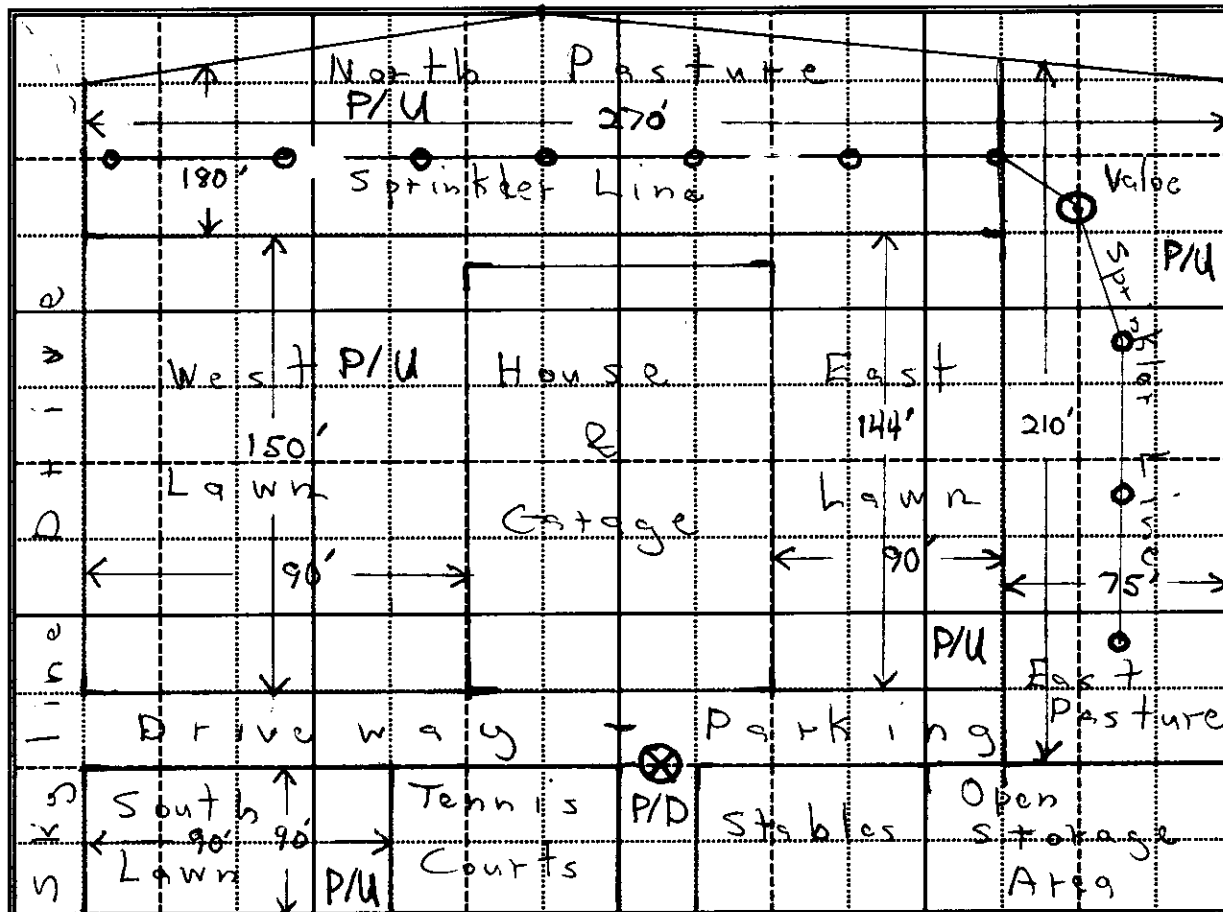
2. Place(s) of Use:

Indicate Method of Determination On-site exam

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	17E	2													S				
10S	17E	2													I				1.8 *

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



Scale: 1" = 100'

☒ 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
	Franklin	3.0	282-1022-201	Jacuzzi	Unknown

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

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E. NARRATIVE/REMARKS/COMMENTS

A 6" well, with a 3.0 hp submersible pump & motor, diverts water to approximately 2.3 acres of pasture & lawn for irrigation. Water is diverted to 1 stock water trough for 3 horses. A total of 10 Rainbird sprinklers with $\frac{9}{16}$ " nozzles are used to irrigate the pasture. The well also furnishes 1 home with a domestic water supply. Since .5 acre of lawn can be covered by domestic water-use, 1.8 acres ($2.3 - 0.5$) has been allocated for Irrigation use.

No overlaps were found.

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

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{(3.0)(8.8)(0.7)}{\sum (2.31 \times 40) + 16} = .17 \text{ cfs}$$

$$(7) \times (3.5) = \frac{24}{449} = .05 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.8) \times (4.0) \text{ afa} = 7.2 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.05) \times (214) \times (1.9835) = 21.29 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 7.2 \text{ afa}$$

2. Volume Calculations for Other Uses:

Stock water use:

$$= (3) \text{ horses} \times (12) \text{ gpd.} \times (365) \text{ days}$$

$$= \frac{13,140 \text{ gals.}}{325,850 \text{ gal.}} = .04 \text{ a.f.a.}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	.05 *	7.2 *
Stock water	1-1	12-31	.01	0.1
Totals:			.06 *	7.3 *

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

Bruce Campbell

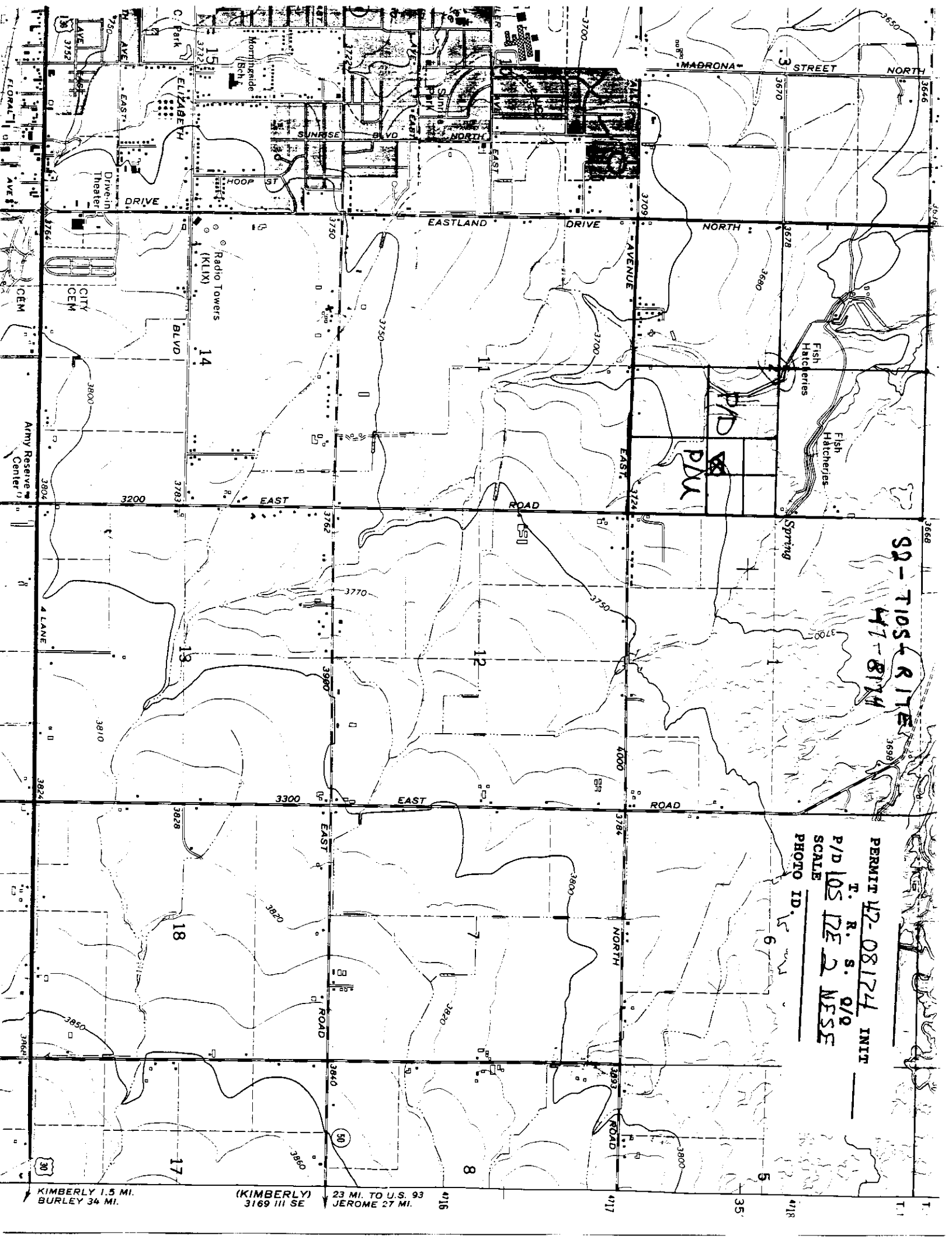
Date 06/12/95

Reviewer

Date

SEAL

AUG 09 1996



S2-7105-8174
47-8174

PERMIT 42-08174 INIT
T. R. S. 9/9
P/D LOS 17E 2 NESE
SCALE
PHOTO ID

KIMBERLY 1.5 MI.
BURLEY 34 MI.
(KIMBERLY) 3169 III SE
23 MI. TO U.S. 93
JEROME 27 MI.

WIR# 47-08174



P/D



P/U

AUG 09 1956

W- # 47- 08174



P/U



P/U

1/2 2 1/2 1/2 1/2

AUG 09 1956

W# 47-0817



P/U



P/U

100-100000

100-100000



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

47-8174

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M E M O R A N D U M

DATE: JULY 31, 1992

TO: WATER RIGHT HOLDERS AND APPLICANTS IN TWIN FALLS
LOW-TEMPERATURE GEOTHERMAL MORATORIUM AREA

FROM: NORM YOUNG

RE: EXTENSION OF MORATORIUM

139394

Enclosed is a copy of an order extending the order designating the Twin Falls Low-Temperature Geothermal Moratorium Area. I appreciated the attendance of many of the users at the public information meeting on this matter held in Twin Falls last week. I understood those in attendance favored an extension of the moratorium, and some of the users were encouraging that the size of the area be increased and that additional actions be taken to protect artesian pressures. I indicated at the meeting that the moratorium would be extended without modification to keep its continuity and that IDWR will schedule as time and resources permit a review of the following matters:

- Expansion of the area.
- The need for repair or reconstruction of wells in and adjacent to the area.
- Evaluate the adequacy of the agreement to manage pumpage to prevent withdrawal in excess of the average rate of recharge or to maintain artesian pressures in the public interest.
- Review need for and adequacy of monitoring programs.

With respect to monitoring, the data recorded by the USGS from the well at the Nazarene Church is an important part of the information now being collected. The Church will soon be finished and will be using water from the well. Data from an unused well is more reliable for evaluating aquifer conditions. USGS and IDWR are evaluating alternatives for replacing this source of data. If you are aware of a well that is finished into the low-temperature geothermal aquifer and is not being used, please call Loren Holmes, IDWR Regional Manager at Twin Falls, a call at 736-3033.

AUG 09 1996

November 29, 1990

Austin L. Hall
Route 3, Box 8823
Twin Falls, ID 83301

Dear Mr. Hall:

Re: Permit No. 47-8174

The department received the proof of beneficial use form submitted on July 30, 1990. Enclosed is a copy of the order reinstating the permit.

On June 25, 1990, I sent a letter requesting you to complete the blanks for rate of diversion and date water was first diverted and beneficially use. When the form was returned on July 30, 1990, neither blank had been properly completed. However, as a result of my telephone call to you today, I did find that the well had been in existence since about 1975.

The permit was issued for a total diversion rate of 0.08 cfs. And at the time of first proof submittal, you submitted \$15. Since no rate was indicated on the proof form, I am allowing 0.04 cfs as the diversion rate, for which no fee is required. The \$15 will be refunded to you soon. At the time of the field inspection, a measurement of the diversion rate will be made and you will have an opportunity to adjust the licensing exam fee accordingly.

The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Southern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

c: Fiscal Sec.
S. Region

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AUG 05 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 11, 1990

AUSTIN HALL
RT. 3 SKYLINE DR.
TWIN FALLS, ID 83301

LAPSE NOTICE

RE: PERMIT NO. 47-08174

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 April 30, 1990. 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

Enclosures

LGS:RF

RECEIVED

AUG 05 1991

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

July 11, 1990

AUSTIN HALL
RT. 3 SKYLINE DR.
TWIN FALLS, ID 83301

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L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

AUG 05 1991

CERTIFICATION OF MAILING

I hereby certify that on 7-13-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

June 25, 1990

Austin L. Hall
Route 3, Box 6623
Twin Falls, ID 83301

Dear Mr. Hall:

Re: Permit No. 47-8174

Returned is the proof of beneficial use form submitted to this office on June 7, 1990.

Please:

- indicate the rate and/or volume for which proof is submitted. For a diversion greater than 0.04 cfs (18 gpm), there is a license exam fee of \$50. Note the enclosed instruction sheet and license exam fee schedule.

- show date water was first diverted and put to a beneficial use; an approximate month and year is adequate.

If you have questions, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

INDEXED

AUG 05 1991

MEMORANDUM

DATE: November 29, 1990

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - 47-08174

Please prepare a refund of \$15.00 (receipt No. C017848). Attached is a copy of the letter which explains why the refund is necessary.

Also, please reference the identification number on any papers returned to me for the file. Thanks.

Attachments: letter
receipt

AUG 05 1991

AUSTIN HALL
RT. 3 SKYLINE DR.
TWIN FALLS, ID 83301

RE: PERMIT NO. 47-08174

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 July 1, 1990. (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.

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.

Rita Fleck
Secretary/Records Manager

100-443887-100

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
June 7, 1989

AUSTIN HALL
RT. 3 SKYLINE DR.
TWIN FALLS, ID 83301

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

RE: PERMIT NO. 47-08174

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.

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. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 25 1989

30-Mar-1989

Austin Hall
Rt. 3 Skyline Dr.
Twin Falls, ID 83301

Re: Application for Permit No. 47-08174

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 4/6 & 4/13/89. 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,

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

DJ:MB

MICROFILMED

AUG 25 1989

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

MARCH 30, 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 APRIL 24, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

AUG 20 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 25 1989

47-08174

HALL, AUSTIN
RT. 3 SKYLINE DR.
TWIN FALLS, ID 83301

Source: GROUNDWATER

Diversion Pt:

Use: IRRIGATION
STOCKWATER

SWNESE Sec 2 T 10S R 17E

(.060 CFS)
(.020 CFS)

Date Filed: 12/09/1988

In: T10S R17E S02

NESE

2.0 ACRES TOTAL

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AUG 20 1989

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 APRIL 24, 1989.

R. KEITH HIGGINSON, Director

Published 4/06/1989 & 4/13/1989

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AUG 20 1989