



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.

G. H. Yamagata
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 11 1995

Department of Water Resources

A. GENERAL INFORMATION

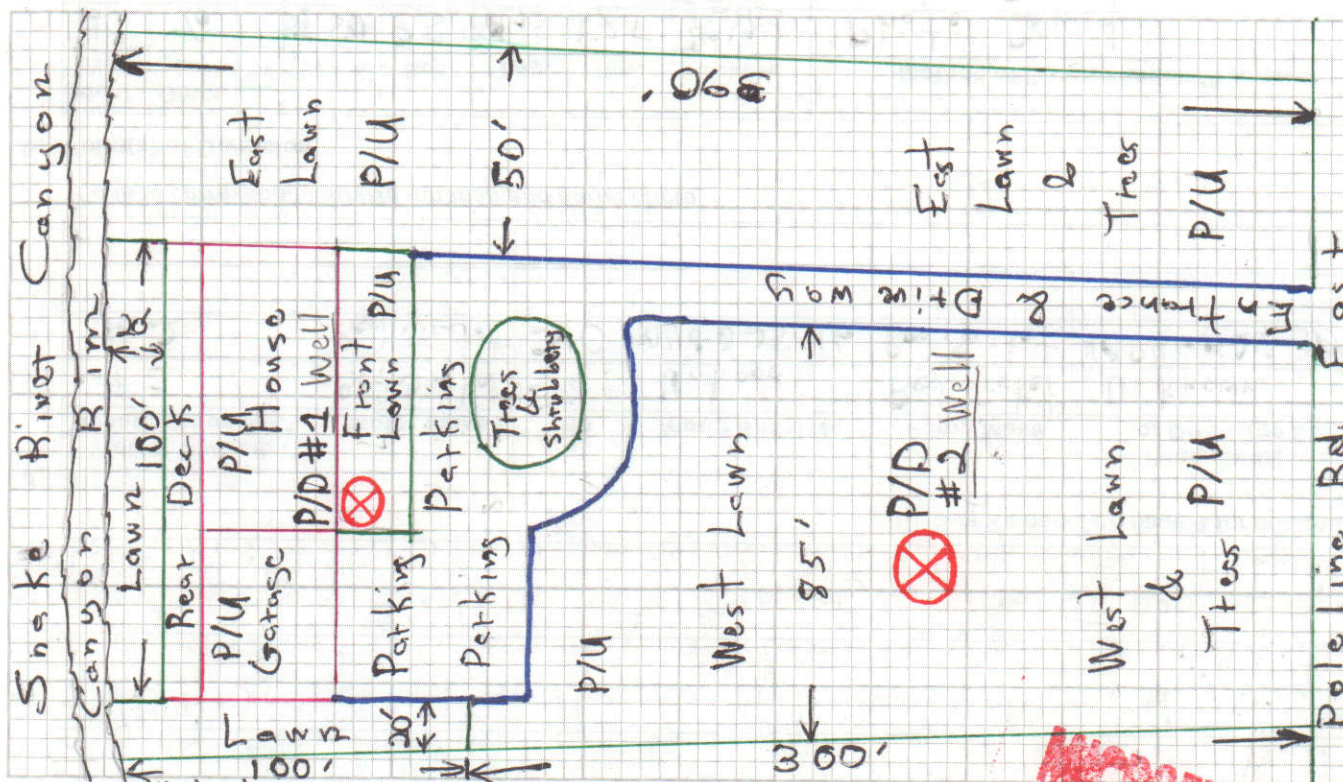
1. Owner: Denis Perron
Current Address: 2547 Poleline Rd. E., Twin Falls, ID 83301
2. Accompanied by: Denis Perron
Address: Same
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to None
- Permit No. 47-08156
Phone No. (208) 734-4321
EXAM. DATE: 7/06/95
Phone No. Same

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ 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" = 50'.

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.)

SEP 14 1995

R. 17 E. R. 18 E.

PHOTO ID.

A topographic map showing the Shoshone Falls area. The map features contour lines indicating elevation. The text "SHOSHONE FALLS PARK" is visible at the bottom, and "Mc Falls" is written in a stylized font at the top right. A dashed line with an arrow points towards the falls area.

SEP 14 1995

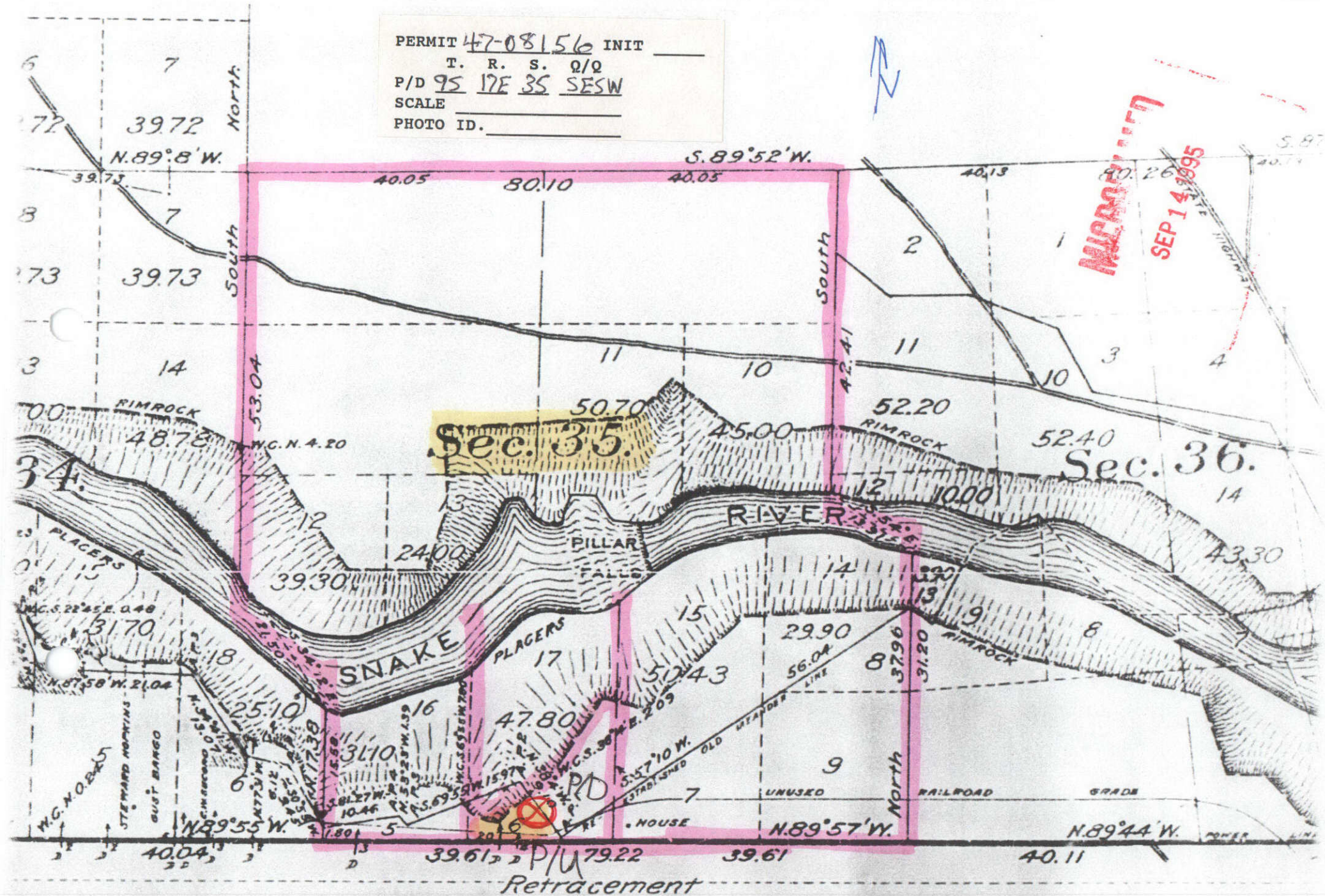
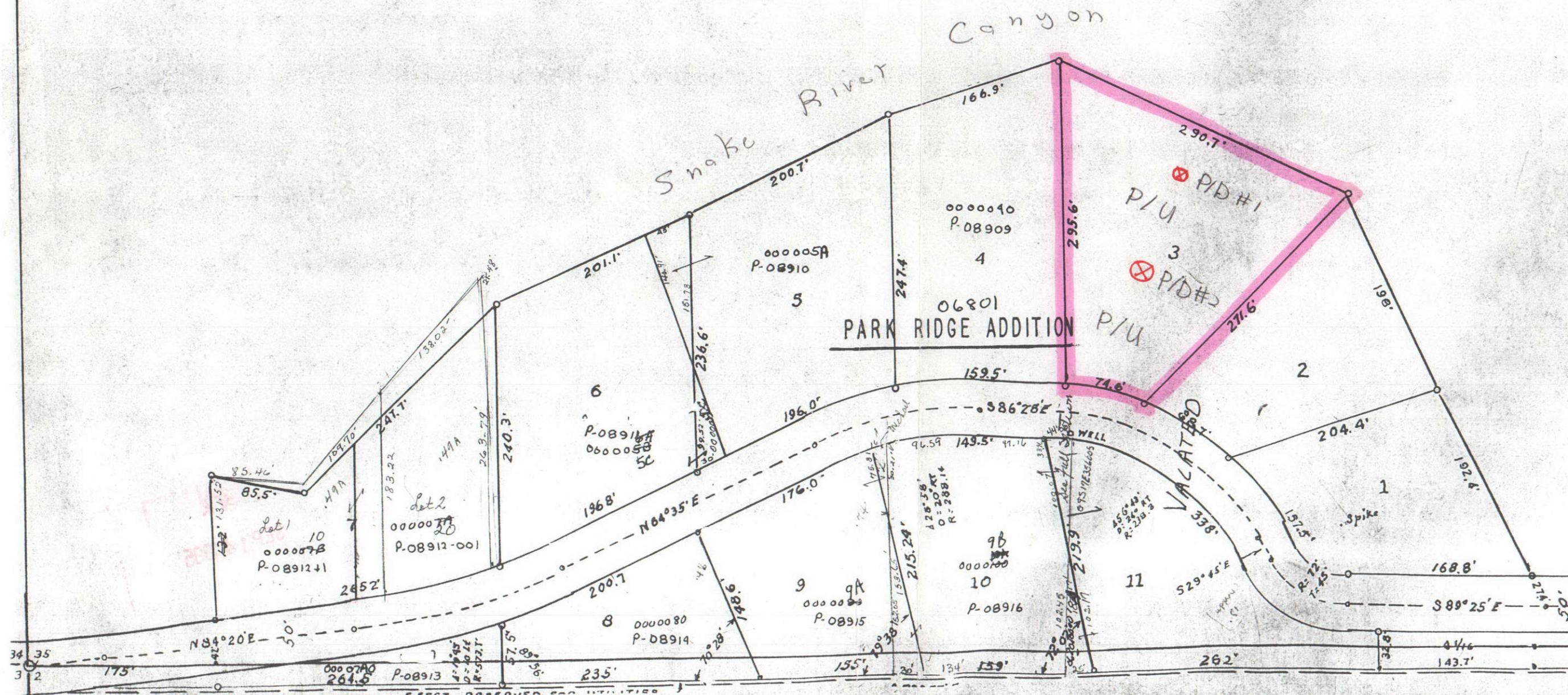


PHOTO ID.



WP# 47-08156



P/D #1
($\frac{3}{4}$ hp pump
& motor to
supply 2 heat
pumps (heating
& cooling))



P/D #2
(2.0 hp
pump & motor
to supply &
divert water for
domestic &
irrigation
use)

SEP 14 1995

WR# 47-08156



P/U
(Home)
garage &
parking area)



P/U
(central area
of lawn &
trees)

SEP 14 1995

WR# 47-08156



P/U
(West side
of lawn &
trees)



P/U
(East side
of lawn &
trees)

SEP 14 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08156

Priority: April 21, 1992

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

17.6 AF

This is to certify, that DENIS PERRON

2547 E POLELINE RD

TWIN FALLS ID 83301

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 25, 1988; and has submitted Proof of Beneficial Use on April 21, 1992. An examination indicates that the works have a diversion capacity of 0.100 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	03/15 to 11/15	0.04 CFS	4.8 AF
HEATING	10/01 to 05/01	0.04 CFS	8.4 AF
COOLING	05/01 to 09/30	0.04 CFS	3.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.10 CFS	17.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (SESW), Sec. 35, Township 09S, 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>
09S	17E	35	Lot 6 (SESW)	1.2		1.2

Total number of acres irrigated: 1.2

PLACE OF USE:

HEATING, same as IRRIGATION use

PLACE OF USE:

COOLING, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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 SEP 14 1995
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

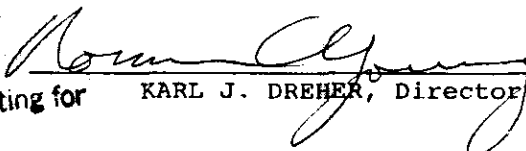
WATER RIGHT NO. 47-08156

CONDITIONS/REMARKS:

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. Irrigation use under this right is authorized only in connection with a domestic use.
6. 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.
7. Two points of diversion are located within SESW, S35, T09S, R17E.
8. Place of use is located within Lot 3, Park Ridge Addition.
9. Heating and cooling uses are for a domestic heat pump.
10. Domestic use is for 1 home.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 24th day of August, 19 95.

Acting for


KARL J. DREHER, Director

SEP 14 1995

PH-734-4321

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 10 1995

ASSIGNMENT OF PERMIT
To change the ownership of a permit

Department of Water Resources
Southern Region

I, Gene H. Yamagata, hereby assign to Dennis Perron
(Permit Holder)
X of 2547 East Poleline Road, Twin Falls, Idaho 83301
(Full Address)

All my right, title, and interest in and to Permit No. 47-08156
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 30th day of June, 1994.

X *Gene H. Yamagata*
Permit Holder(s)

State of ~~Idaho~~ NEVADA)
SS
County of CLARK)

On this 30th day of June, 1994, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



JANETTE E. LLOYD
Notary Public - Nevada
SENIOR County
My appt. exp. Apr. 15, 1998

JANETTE E. LLOYD
Notary Public

Janette E. Lloyd
Signature

My commission expires: 4/15/98

RECEIVED

SEP 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-08156	)	
	)	
IN THE NAME OF GENE H. YAMAGATA	)	ORDER OF
	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On June 6, 1989, the Director of the Department of Water Resources issued Permit No. 47-08156 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before July 1, 1990.

2. On April 30, 1990, the Department sent a proof due notice to the permit holder.

3. On July 11, 1990, the Department sent a lapse notice to the permit holder since the permit holder did not submit either proof of beneficial use or a request for extension of time to the Department.

4. On April 21, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. 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.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes affidavits from a relative and the well driller. Also submitted was a copy of the well log dated July 27, 1988 indicating the well was drilled and used prior to the proof due date.

7. The permit holder states, in correspondence to the Department, that he was traveling on business for most of the year. He had asked his agents to complete the paperwork and he assumed they had taken care of everything.

MICROFILMED

MAY 18 1992

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 as identified on the permit.

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

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 47-08156 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to April 21, 1992.

Dated this 30th day of April, 1992.

L. Glen Saxton

L. GLEN SAXTON

Chief, Water Allocation Bureau

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MAY 18 1992

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APR 21 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 4-21-92
Receipt No. 5019901
Receipt by J. F. Stanton

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. 47-08156 Telephone No. 733-4980
2. Name(s) of Permit Holder(s): GENE H. YAMAGATA
3. Mailing Address: 6708 Oakcreek Circle, Twin Falls, Idaho 83301
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Dave Austin Date Drilled: 6-17-1988

OPTIONAL:

Pump horsepower: 2 Pressure (psi): 40-60 Dynamic pumping level (ft.):

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

Domestic 1 (No. of households) Stockwater None (No. and type of stock)
Irrigation 2 (No. of acres) Other Heating/Cooling

6. Total rate and/or volume for which proof is submitted 0.14 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: \$ 50.00 (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.

Robert Jones 733-0404
Name Telephone No.
1766 Addison Avenue East, Twin Falls, Idaho 83301
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.

4-17-92
Date

Gene H. Yamagata OWNER
Signature (and title, if on behalf of a company or organization)

FILED
APR 18 1992

Form 202
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 42.06156

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Gene H. Yamagata Phone 733-4980
Post office address 2547 Park Ridge Rd., Twin Falls, ID 83301
2. Source of water supply Groundwater which is a tributary of _____
3 points
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____
Sec. 35 Township 9S Range 17E B.M. Twin Falls County, additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Heating/Cooling purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for Irrigation purposes from Mar 15 to Nov 15 (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) 0.14 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 3 existing wells & pumps, heat pump,
Sprinklers
 - 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 50 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
One years (minimum 1 year).

- [illegible]

Total number of acres to be irrigated 2

- 12 Remarks Land is Lots 2 & 3 of Park Ridge Subdiv.
One well in Lot 3 provides water for domestic & irrigation use. A separate
well in Lot 3 provides water for the heat pump, so heating/cooling is shown
as a separate use. A well in Lot 2 is now capped, but can be used for
irrigation if needed: the pump is still in place

Proposed Priority 11/25/88

Received by [Signature] Date 11-25-88 Time 10:35 am Preliminary check by DRJ

Fee \$ 20.00 Receipted by [Signature] # 500401 Date 11-25-88

Publication prepared by M. Baldwin Date 12/1/88 Published in Times News

Publication approved Thyl R. Rose Date 3-30-89

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. 47-8156, 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.

[Signature]

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08151

DARLING-DELAWARE CO. INC.
P.O. Box 5485
Boise, ID 83705
Source: Groundwater
Diversion Pt: SWNNWN
Sec 23 T 10S R 17E
Use: Domestic (.020 cfs)
Commercial (.020 cfs)
Date Filed: 11/18/1988
In: T10S R17E S23 NWNW

47-08152

EMERY, ALFRED C.
EMERY MARY F.
Rt. 4 Box 7344
Twin Falls, ID 83301
Source: Groundwater
Diversion Pt: SWNNWN
Sec 7 T 10S R 17E
Use: Domestic (.040 cfs)
Irrigation (.020 cfs)
Date Filed: 11/21/1988
In: T10S R16E S12 NENE
R17E S07 NWNW
1.01 acres total

47-08155

YAMAGATA, GENE H.
2547 Park Ridge Rd.
Twin Falls, ID 83301
Source: Groundwater
Diversion Pt: SESW
Sec 36 T 08S R 17E
Use: Domestic (.040 cfs)
Irrigation (.030 cfs)
Date Filed: 11/25/1988
In: T08S R17E S36 SESW
1.0 acres total

47-08156

YAMAGATA, GENE H.
2547 Park Ridge Rd.
Twin Falls, ID 83301
Source: Groundwater
Diversion Pt: SESW
Sec 35 T 08S R 17E
Use: Domestic (.040 cfs)
Heating (.040 cfs)
Cooling (.040 cfs)
Irrigation (.080 cfs)
Date Filed: 11/25/1988
In: T08S R17E S35 SESW
2.0 acres total

47-08157

TALBOT, JEAN C.
Rt. 5 Box 5088
Buhl, ID 83316
Source: UNNAMED STREAM

Tributary: MUD CREEK
Diversion Pt: SESENE
Sec 34 T 08S R 14E
Use: Fish Propagation (1,000 cfs)
Date Filed: 11/30/1988
In: T08S R14E S34 SESENE

The permits 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 2, 1989.
R. Keith Higgins
Director

PUBLISH: Thursday, March 16 and 23, 1989

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS

Nº 19819

Linda Capps McSwine bring first daily news upon oath, depose and say that I am *Bruce Clark* 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 *March 16*, 1989, and ending with the issue dated *March 23*, 1989.

STATE OF IDAHO
COUNTY OF

On the *23* day of *March* 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.

Howard L. Feltman
Notary Public for Idaho

Reading at *Twin Falls County, Idaho*
My commission expires: *5/19/94*

as, effective February 18, 1987, Sunday, and the Twin Falls newspaper prior to county continuously and months, and said TIMES-NEWS except Saturday, Monday under said name

Thursday of each week of any court of county will be published; and and in each issue there published.

March 23 day of *March*
County of Twin Falls, Idaho

RIGHT #47-08151 EC 11

Two Times

March 16, 1989, 84 lines @ .36 - - \$30.24
March 23, 1989, 84 lines @ .28 - - \$23.52

TOTAL DUE

RECEIVED
\$33.76

MAR 27 1989

INVOICE
Department of Water Resources
Southern Region Office
19819

Idaho Water Resources
2148 4th Ave East
Twin Falls ID 83301

March 24, 1989



The Times-News
P.O. Box 548 • Twin Falls, ID 83303-0548
March 24, 1989



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 25, 1995

DENIS PERRON
2547 E POLELINE RD
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08156

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

SEP 14 1995

INTER-DEPARTMENT MEMO

TO: Whom it will concern

SUBJECT: Assignment of Permit

FROM: Southern Region

DATE: 8/10/195

This original Assignment of Permit was found in the 47-08156 this date. Checked back in Staffing Book, no entry, no date stamp on Assignment. Conclusion - it was never processed nor sent to Baine SD until today. Processing the Assignment this date.

RECEIVED

☒ For your information SEP 14 1995

☐ Response required

Wor E Bates
signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 11 1995

Department of Water Resources

A. GENERAL INFORMATION

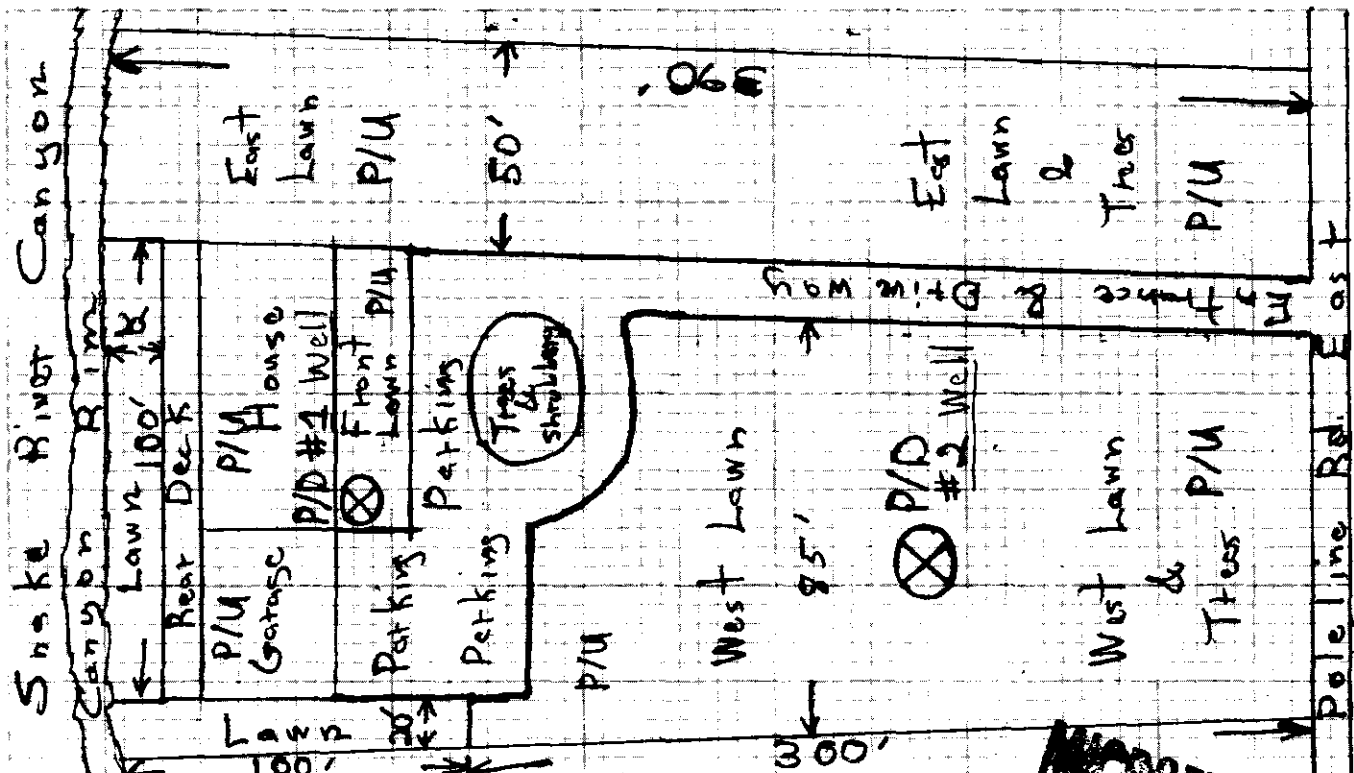
1. Owner: Denis Perron Permit No. 47-08156
Current Address: 2547 Poleline Rd. E., Twin Falls, ID 83301 Phone No. (208) 734-4321
2. Accompanied by: Denis Perron EXAM. DATE: 7/06/95
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ 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" = 50'

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

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System Description (continued)

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

There are 2 wells (P/Ds) which divert water for domestic, heating & cooling, & irrigation use. Well #1 (P/D #1), located by the home & garage, supplies water to 2 heat pumps for heating & cooling use year-around. Well #2 (P/D #2), located in the central lawn area, diverts water for domestic & irrigation use. The irrigation system is a Rainbird auto-timing system of pop-up sprinklers; 14 sprinklers @ 2 gpm each (.06 cfs) operate at capacity.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	Red Jacket	3/4	Unknown	Red Jacket	Unknown
#2	Red Jacket	2.0	M46025-16	Red Jacket	40P46025-30

*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
#1	6	SE	SW		35	09S	17E	Texas	Photo Quesd
#2	6	SE	SW		35	09S	17E	Texas	Photo Quesd

6. Place(s) of Use:

Indicate Method of Determination On-site exam

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	
09S	17E	35												D					
"	"	"												H/C					
"	"	"												1.2					1.2

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SEP 14 1995

Do not use this space

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:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $14(\text{sprinkler}) \times 2(\text{gpm}) = 28 \text{ gpm} = .06 \text{ cfs}$
 (Well #2) Well #1: $Q = \frac{(675)(8.8)(0.7)}{(2.31 \times 40) + 2.6} = .04 \text{ cfs}$
2. Alternate Method for Checking Purposes: $Q = \frac{(2.0)(8.8)(0.7)}{[(2.31 \times 40) + 2.6]} = .10 \text{ cfs}$
 (Well #2)

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

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

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____

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

SEP 14 1995

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.2)(4.0) = 4.8 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.06)(214)(1.9835) = 25.5 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.8 \text{ afa}$$

* 2. Volume Calculations for Other Uses: Summary of annual volume:

Heat pump #1 (Lennox): (from the formula for heating & cooling)
 $.02(\text{cfs}) \times 200(\text{days}) \times .42(10 \text{ hrs. daily}) \times 1.9835 = 3.33 \text{ afa}$

Heat pump #2 (Florida):
 $.01(\text{cfs}) \times 200(\text{days}) \times .42(10 \text{ hrs. daily}) \times 1.9835 = 1.67 \text{ afa}$

Domestic (house only):

Total: 5.6 afa

H. REMARKS AND OVERLAP REVIEW ANALYSIS

According to Mr. Petron, owner & permit holder, his property has just 2 wells (P/D), and is limited to the boundaries of Lot #3, Park Ridge Subdivision, Lot #2, and a 3rd well located on Lot #2, as listed on the permit for Mr. Petron (formerly Gene H. Yams-sa), belongs to another property owner & permit holder. The recommendation therefore is that this water right (47-08156) be amended to list 2 wells (P/Ds), and places of use (P/Us) are limited to Lot #3. The dimensions listed on the Park Ridge Sub-division plat are less than the actual dimensions measured during the field exam. No over lps were found.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Domestic	1-1	12-31	.04	.6
Heating & Cooling	1-1	12-31	.03	5.0
Irrigation	4-1	10-31	.04	4.8
Totals:			.11	10.4

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

Bruce Campbell

Signature

Bruce Campbell

Certification Date

Field Report Preparation Date

8/10/95

CONSULTANT SEAL

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

* See adjustment explanation. R

SEP 14 1995

MEMORANDUM

TO: File 47-08156 / Denis Perron
FROM: Brenda Chapman
DATE: August 15, 1995
RE: Recommendation Adjustment(s)

=====

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

F. FLOW CALCULATIONS

The domestic rate has been adjusted to an internal use rate of .02 cfs. This conforms the recommendation with the current guidelines for processing combination domestic and irrigation rights.

Also, the heating and cooling rate has been left at the permitted rate (also the capacity).

G. VOLUME CALCULATIONS

There was no information in the exam on the square footage of the home using the heat pumps; therefore, the volume recommendations are based on the seasonal use times. Volume has been adjusted based on the following:

- a) Average heating season is 10-1 to 5-1 or 212 days.
System average run time used is 12 hrs per day.

$$.04 \text{ cfs} \times [12/24] \times 212 \text{ days} \times 1.9835 = 8.4 \text{ af}$$

- b) Average cooling season is 5-1 to 9-30 or 90 days
System average run time used is 12 hrs per day.

$$.04 \text{ cfs} \times [12/24] \times 90 \text{ days} \times 1.9835 = 3.8 \text{ af}$$

H. RECOMMENDATIONS

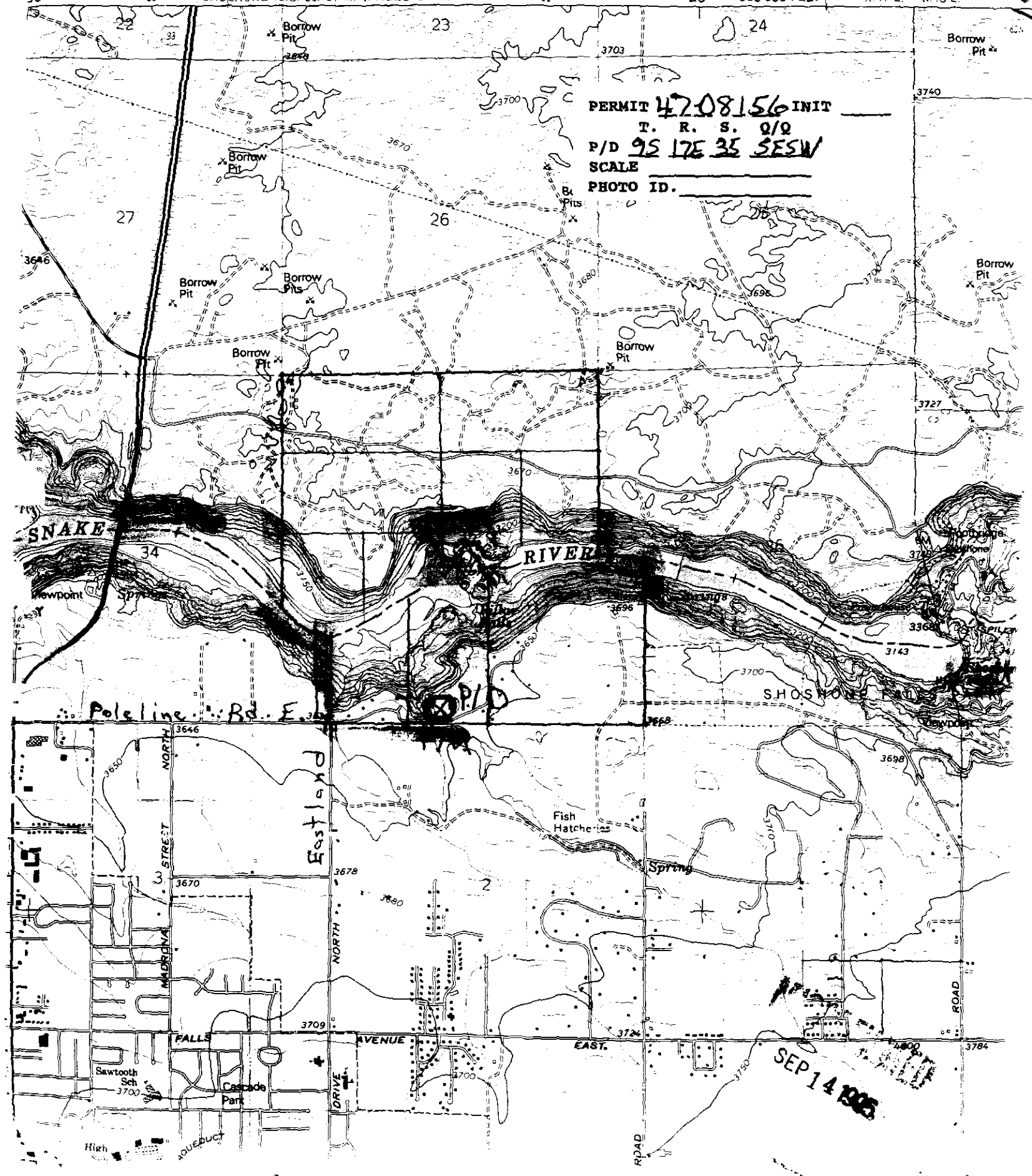
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	04-01 to 10-31	.04	4.8
Heating	10-01 to 05-01	.04	8.4
Cooling	05-01 to 09-30	.04	3.8
Domestic	01-01 to 12-31	.02	.6

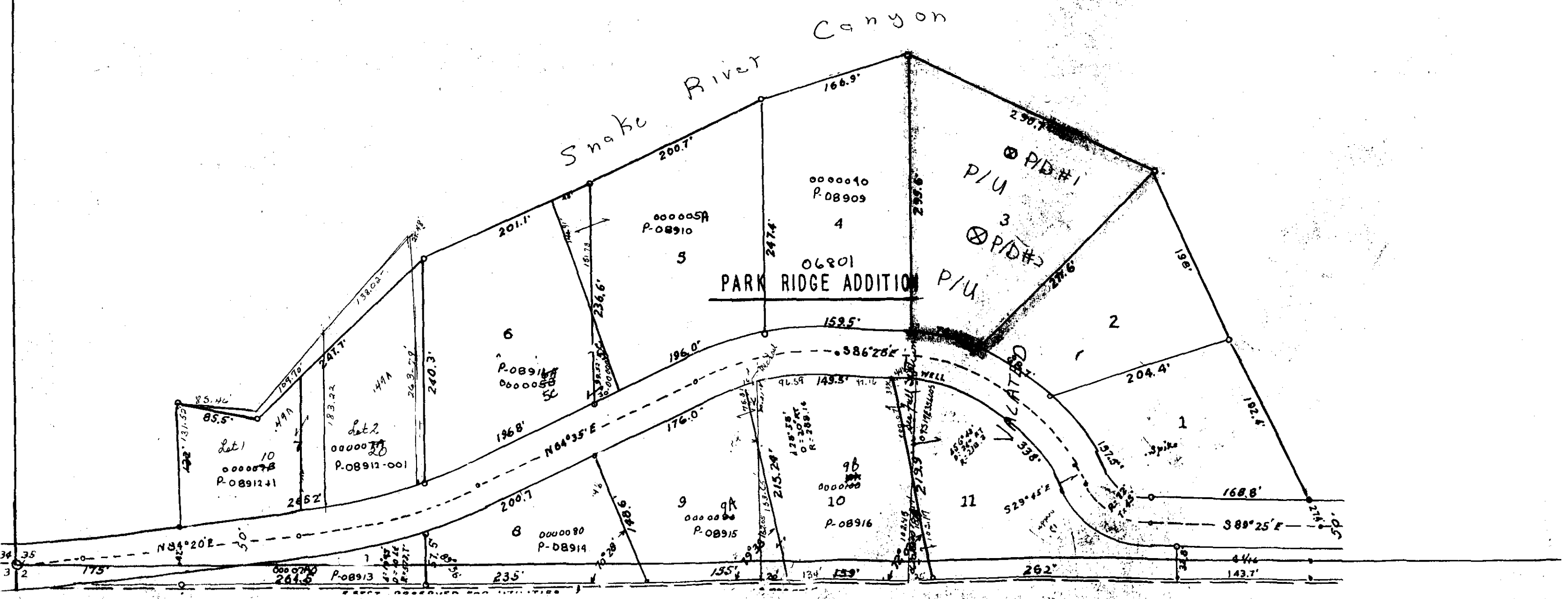
SEP 14 1995

30" 709 3169 III NW SHOSHONE (U.S. 26) 21 MI. (FALLS CITY) 711 25' 390 000 FEET R 17 E. R 18 E.

PERMIT 4708156 INIT
T. R. S. Q/Q
P/D 95 17E 35 SESW
SCALE
PHOTO ID.



PERMIT 42-08156 INIT _____
T. R. S. Q/Q
P/D 95 DE 35 SE/SW
SCALE _____
PHOTO ID. _____



AMENDED
RESTRICTIONS
AFFECTING PARK RIDGE ADDITION
TWIN FALLS COUNTY, IDAHO

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned John B. Robertson and Norma W. Robertson, his wife, and Robertson Development Company, an Idaho corporation, did by agreement make certain restrictive covenants relative to the use and development of lands in Lot 4, in Section 2, Township 10 South, and Lot 5, in Section 35, Township 9 South, all in Range 17 East, Boise Meridian, Twin Falls County, Idaho, being all of the lands within Park Ridge Addition as appears in Volume 7 of Plats, on Page 9, in the records of said County. Said agreement and restrictions were recorded in the office of the County Recorder, Twin Falls County, Idaho, on December 22, 1967, in Book 28 of Miscellaneous records, at Page 214, which are as follows:

1. LOT SIZE. No parcel of land shall be divided or subdivided into an area of less than one-half acre.
2. LAND USE AND BUILDING TYPE. No land shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain either permanently or temporarily other than one detached single-family dwelling for each one-half acre of area. Such dwelling shall not exceed two stories in height and may include private garage and other out buildings or structures for use related to such residence when approved by the Architectural Committee. Such approval in every instance shall be obtained prior to any excavation or construction.
3. ARCHITECTURAL CONTROL. No building or structure shall be erected, placed, or altered on any land until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of design with existing or proposed structures, and as to location with respect to topography and finished grade elevation.
4. DWELLING QUALITY AND SIZE. No dwelling shall be permitted on any land having a ground floor area of the main structure, exclusive of open porches and garage, of less than 1200 square feet; it being the intention and purpose of these covenants to assure that all buildings and structures shall be of a design and quality workmanship and materials in conformity with high standards of design and construction.
5. BUILDING LOCATION. The location of the dwelling and any other structure on any land shall first be submitted on a plot plan to the Architectural Control Committee, and the approval of such plan shall be obtained prior to excavation or construction.
6. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, garage, barn, or other structure shall be used on any land at any time as a residence either temporarily or permanently. Included in the term, temporary structures, shall be what is commonly known as a mobile home or any structure that is not intended to be permanently fixed to the realty, or which is so constructed that it does not conform to generally accepted architectural specifications in the community for permanent-type buildings.

SEP 14 1995

7. ARCHITECTURAL CONTROL COMMITTEE. Architectural Control Committee is composed of Michael B. Devine, John M. McKain, and John J. Wolfe. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representative, shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then landowners of record of a majority in number and area shall have the power through a duly recorded written instrument to change the membership of the Committee or to withdraw from the Committee or restore to it any of its powers and duties.

8. PROCEDURE. The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

9. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by the majority of the then owners of the lands has been recorded, agreeing to change said covenants in whole or in part.

10. ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

11. SEVERABILITY. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

The foregoing restrictions were recorded March 9, 1965 in Book 28 of Miscellaneous, Page 5, records of Twin Falls County, Idaho. And Amended by Amendment recorded February 1, 1972, in Book 28 of Miscellaneous, Page 463, records of said County.

RECORDED
SEP 14 1995

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

[illegible]

T-95.R17E Sec 35

FD-238
9/82

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

AUG 31 1988 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. SUBMITTER INFORMATION Name <u>Gene Yamagata</u> Address <u>RT 3 Twin Falls</u> Owner's Permit No. <u>47-88-5-027</u>	7. WATER LEVEL Static water level <u>15</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ <i>Describe artesian or temperature zones below.</i>																																																				
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 ☒ Bailor ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																	
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6. LOCATION OF WELL Sketch map location must agree with written location: Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Twin Falls</u> <u>SE 1/4 SW 1/4 Sec. 35, T. 9 N/S, R. 17 E/W.</u>	7. LOCATION OF WELL SEP 14 1995																																																				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState 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 <u>Gene Yamagata</u> Address <u>Twin Falls, Idaho</u> Owner's Permit No. <u>47-90-S-097</u> <i>016</i>	7. WATER LEVEL Static water level <u>111</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ <i>Describe artesian or temperature zones below.</i>																																																																																																																																																																																																										
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USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

WR# 47-08156



P/D #1

($\frac{3}{4}$ hp pump
& motor to
supply 2 heat
pumps (heating
& cooling))



P/D #2

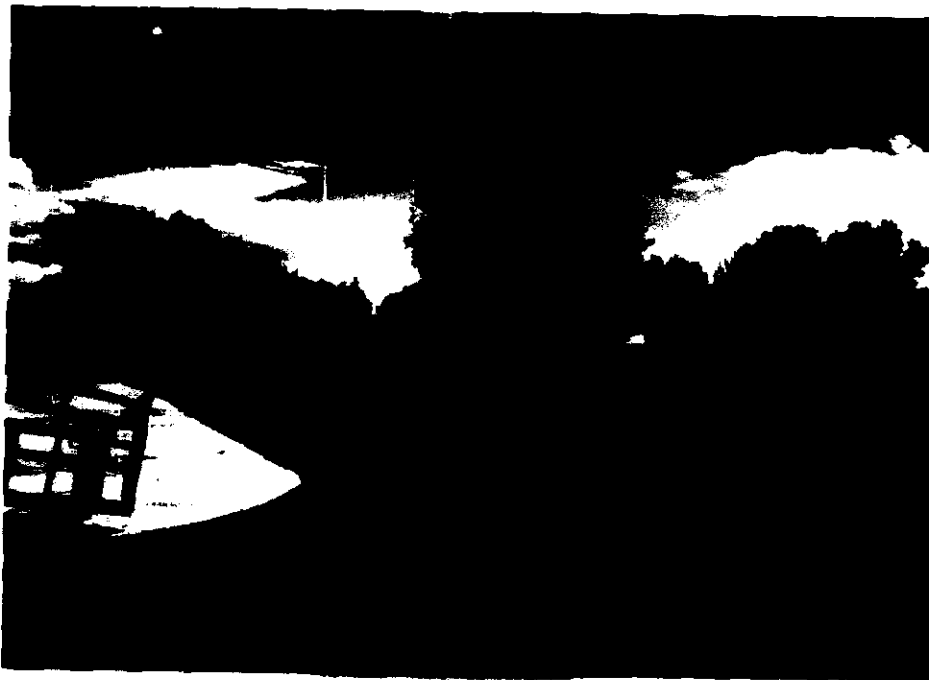
(2.0 hp
pump & motor
to supply &
divert water for
domestic &
irrigation
use)

SEP 14 1995

WR# 47-08156 -



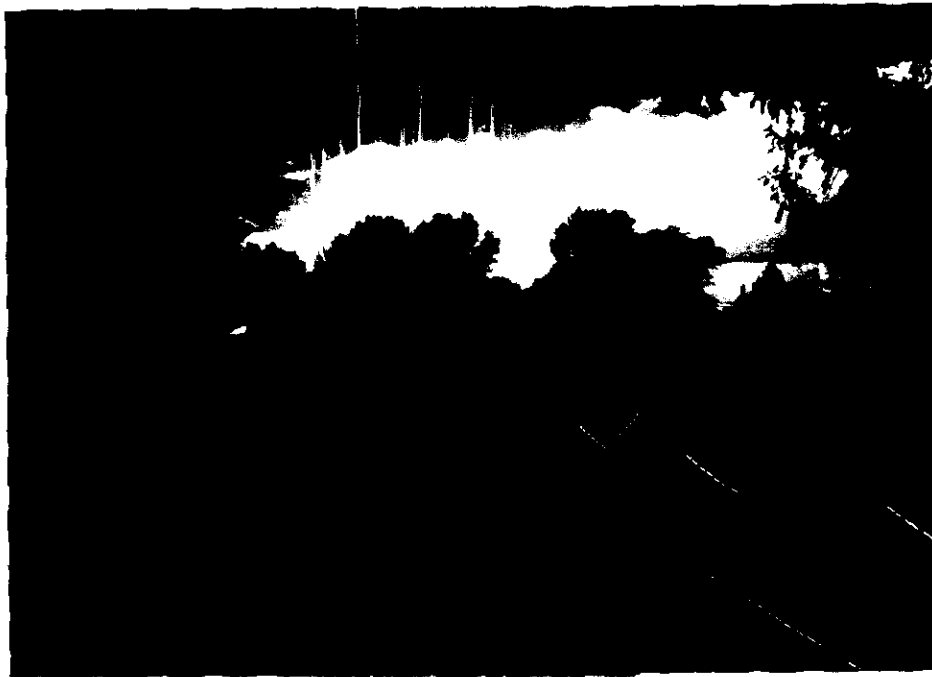
P/U
(Home)
garage &
parking area)



P/U
(central area
of lawn &
trees)

1995

- WR# 47-08156



P/U
(West side
of lawn &
trees)



P/U
(East side
of lawn &
trees)



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

47-8156

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M E M O R A N D U M

DATE: JULY 31, 1992 139388
TO: WATER RIGHT HOLDERS AND APPLICANTS IN TWIN FALLS
LOW-TEMPERATURE GEOTHERMAL MORATORIUM AREA
FROM: NORM YOUNG
RE: EXTENSION OF MORATORIUM

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.

RECEIVED

SEP 14 1995

May 1, 1992

GENE H. YAMAGATA
6708 OAKCREEK CIR
TWIN FALLS ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08156

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

MICROFILMED

MAY 18 1992

Form 235-1
4/88

Drilling Permit No. 47-88-S-027
Water Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED
JUN 20 1988

- Department of Water Resources
- Applicant Hutchinson Const Co. for GENE H. YAMAGATA
 - Address RT #6 BOX 9119 TWIN FALLS, IDAHO 83401
Telephone 734-9325
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
 - Proposed well location SE 1/4 SW 1/4, or Gov't lot No. 5 & 16,
Sec. 35, Twp. 9S, Rge. 17E, County Twin Falls,
Lot, block and subdivision _____
 - Proposed use of well: (Check all that apply)
☒ Domestic ☐ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
 - Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 6" Maximum depth 50
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)
 - Anticipated construction start date 6-14-88
 - Well Driller (if known) DAVE AUSTIN # 196
Address _____
 - Applicant's signature [Signature] **MICROFILMED**
Title CONTRACTOR
Date JUNE 14-1988 **MAY 18 1992**

* 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.

SPECIFIC CONDITIONS:

Dated this 17 day of June, 19 88.

Signed *Al J. Merritt* FOR LOREN HOLMES
Title SOUTHERN REGION MANAGER

Received by M. Baldwin Fee 10⁰⁰ Date 6/14/88

Receipt No. 5000431 Construction start extension to MAY 18 1992

Extension approved by _____

April 17, 1992

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Dear Sirs:

It has recently been brought to my attention that my Permit #47-08156 has expired because the proof of construction of works and application of water to beneficial use had not been submitted prior to July 1, 1990.

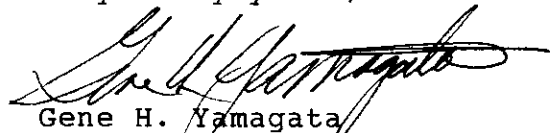
Therefore, I am requesting reinstatement of this permit, and I am submitting Proof of Beneficial Use. (Document enclosed).

I certainly do apologize for not completing this proof. I was traveling on business most of the year and had asked my agents to complete this and keep me informed on this important matter, but this was not done.

I would appreciate your consideration in allowing me to complete and reinstate the Proof of Beneficial Use.

Thank you.

Very truly yours,


Gene H. Yamagata
6708 Oakcreek Circle
Twin Falls, Idaho 83301

GY:aj

MICROFILMED

MAY 18 1992

TO: STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Gene H. Yamagata residence
2547 Park Ridge Road
Twin Falls, Idaho 83301

I hereby verify that the well for the home and irrigation
was in full use on and before July 1, 1990.

Frank Yamagata 4/17/92
Frank Yamagata Date

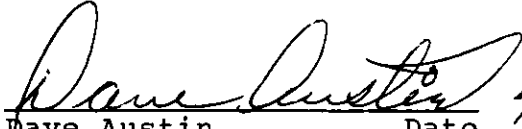
MICROFILMED

MAY 18 1992

TO: STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
222 Shoshone street East
Twin Falls, Idaho 83301

RE: Gene H. Yamagata residence
2547 Park Ridge Road
Twin Falls, Idaho 83301

I hereby verify that the well for the home and irrigation
was in full use on and before July 1, 1990.


Dave Austin Date 4/21/92
Pump and Well Drilling
Route 2
Kimberly, Idaho

MICROFILMED

MAY 18 1992

WELL DRILLER'S REPORT

AUG 3 1988 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. SUBMITTER Name <u>Gene Yamagata</u> Address <u>RT 3 Twin Falls</u> Owner's Permit No. <u>47-88-5-027</u>	7. WATER LEVEL Static water level <u>15</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ 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 ☒ Bailor ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																	
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WELL DRILLER'S REPORT

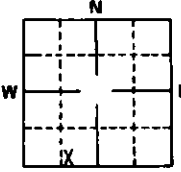
State law requires that this report be filed with the Director, Department of Water Resources
Department of Water Resources within 30 days after the completion or abandonment of the well.
Southern Region Office

1. WELL OWNER Name <u>Dave Yamagata</u> Address <u>Rt 3 Twin Falls</u> Owner's Permit No. <u>47-88-5-024</u> OK 7/64	7. WATER LEVEL Static water level <u>26</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature ____ °F. Quality _____ <i>Describe artesian or temperature zones below.</i>																																																
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	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Dave Austin Drilling</u> Firm No. <u>196</u> Address <u>Rt 2 Kimberly</u> Date <u>7/27/85</u> Signed by (Firm Official) <u>Dave Austin</u> and (Operator) _____																																																

T9S R17E Sec. 35

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 <u>Gene Yamagata</u> Address <u>Twin Falls, Idaho</u> Owner's Permit No. <u>47-90-S-097</u> <i>016</i>	7. WATER LEVEL Static water level <u>111</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ <i>Describe artesian or temperature zones below.</i>																																																																																																																																																																																																										
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA None ☐ Pump ☐ Bailer ☐ Air ☐ Other _____																																																																																																																																																																																																										
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6. LOCATION OF WELL Sketch map location must agree with written location  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Twin Falls</u> SE 1/4 SW 1/4 Sec. 35 T. 9S N 1/4 S 1/4 R. 17E 1/4 W 1/4	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were followed with at the time the rig was removed. Name <u>SMITH DRILLING & PUMP CO. INC.</u> Firm No. <u>11</u> Address <u>Jerome</u> Date <u>1/17/91</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>Melton H. Robbins</u>																																																																																																																																																																																																										

I certify that file No. 47-8156 has been
reviewed and is ready to be **MICROFILMED**
and **DESTROYED**.

Sam Skaggs
Signature

15 April 1991
Date

WR5808MP
(00-26)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/19/91 08:49:22
Page 1

Water Right Number - 47-08156

Prefix Translation: WATER RIGHT

Old (D) Number -

***** Last Name ***** + First Name + + Address *****

*** C - CURRENT OWNER ***
YAMAGATA

GENE H.

1 - 2547 PARK RIDGE RD.
2 -
3 -
City: TWIN FALLS
Phone - 208-733-4980

State- ID Zip- 83301

*** Priority Date *** + Region + + Stage + + Status +
11/25/1988 17 SOUTHERN P - PERMIT

*** Source *** + Tributary +
GROUNDWATER

***** Point of Diversion *****
Twn Rng Sec Tract Lot RFig County Stream Index (Blank if no Index Code)

09S 17E 35 SE SW (83) TWIN FALLS

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31	0.040	
22 - HEATING		01/01	12/31	0.040	
25 - COOLING		01/01	12/31	0.040	
01 - IRRIGATION		03/15	11/15	0.060	

*** Total Div. Rate *** + Total Div. Volume + + Total Div. Capacity + + Total Consumptive Use + + KW Usage +
0.140

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09S	17E	35	SE SW		2.0	01 IRRIGATION		(83) TWIN FALLS

Total Acres: 2.0

*** Diversion Means - WELL, PUMPS, SPRINKLERS

*** Non-Irrigation Use -

*** Other Rights for Same Use -

***** Remarks *****
3 POINTS OF DIVERSION WITHIN SE SW, S35, T9S, R17E.
PLACE OF USE ALSO KNOWN AS LOTS 2 & 3, PARK RIDGE SUBD.

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

WRS008WP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/19/91 08:49:22
Page 2

Water right number - 47-08156

Prefix Translation: WATER RIGHT

----- Conditions of Approval -----
046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.
041 - Irrigation use under this permit is authorized only in connection
- with a domestic use.

----- Decree Plaintiff ----- ----- Decree Defendant ----- ----- Decree Date -----
00/00/0000

----- Comments -----
No Comments Found

----- Audit Fields ----- 03/07/89 BALDWIN 04/10/89 BALDWIN 06/07/89 CURTIS 07/25/89 CURTIS 08/24/89 CURTIS

----- Water Rights Dates and Flag Area -----

Proof Due Date	- 07/01/1990	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 06/06/1989	Protested Date	- 00/00/0000	Swan Falls	- G
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- \$004006	Water District	-
Licensed Date	- 00/00/0000	Appl. Received	- 11/25/1988	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll No	-	Presumption Flag	-

July 11, 1990

GENE H. YAMAGATA
2547 PARK RIDGE RD.
TWIN FALLS, ID 83301

LAPSE NOTICE

RE: PERMIT NO. 47-08156

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

CERTIFICATION OF MAILING

I hereby certify that on 7-12-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

GENE H. YAMAGATA
2547 PARK RIDGE RD.
TWIN FALLS, ID 83301

138661
April 30, 1990

PROOF DUE NOTICE

RE: PERMIT NO. 47-08156

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 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.

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,

Rita Fleck
Secretary/Records Manager

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

GENE H. YAMAGATA
2547 PARK RIDGE RD.
TWIN FALLS, ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08156

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

08-Mar-1989

Gene H. Yamagata
2547 Park Ridge Rd.
Twin Falls, ID 83301

Re: Application for Permit No. 47-08155, 47-08156

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 3/16 & 3/23/89. 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

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

MARCH 7, 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 3, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08156

YAMAGATA, GENE H.
2547 PARK RIDGE RD.
TWIN FALLS, ID 83301

Source: GROUNDWATER

Diversion Pt: SESW Sec 35 T 09S R 17E

Use: DOMESTIC	(.040 CFS)
HEATING	(.040 CFS)
COOLING	(.040 CFS)
IRRIGATION	(.060 CFS)

Date Filed: 11/25/1988

In: T09S R17E S35 SESW

2.0 ACRES TOTAL

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 3, 1989.

R. KEITH HIGGINSON, Director

Published 3/16/1989 & 3/23/1989