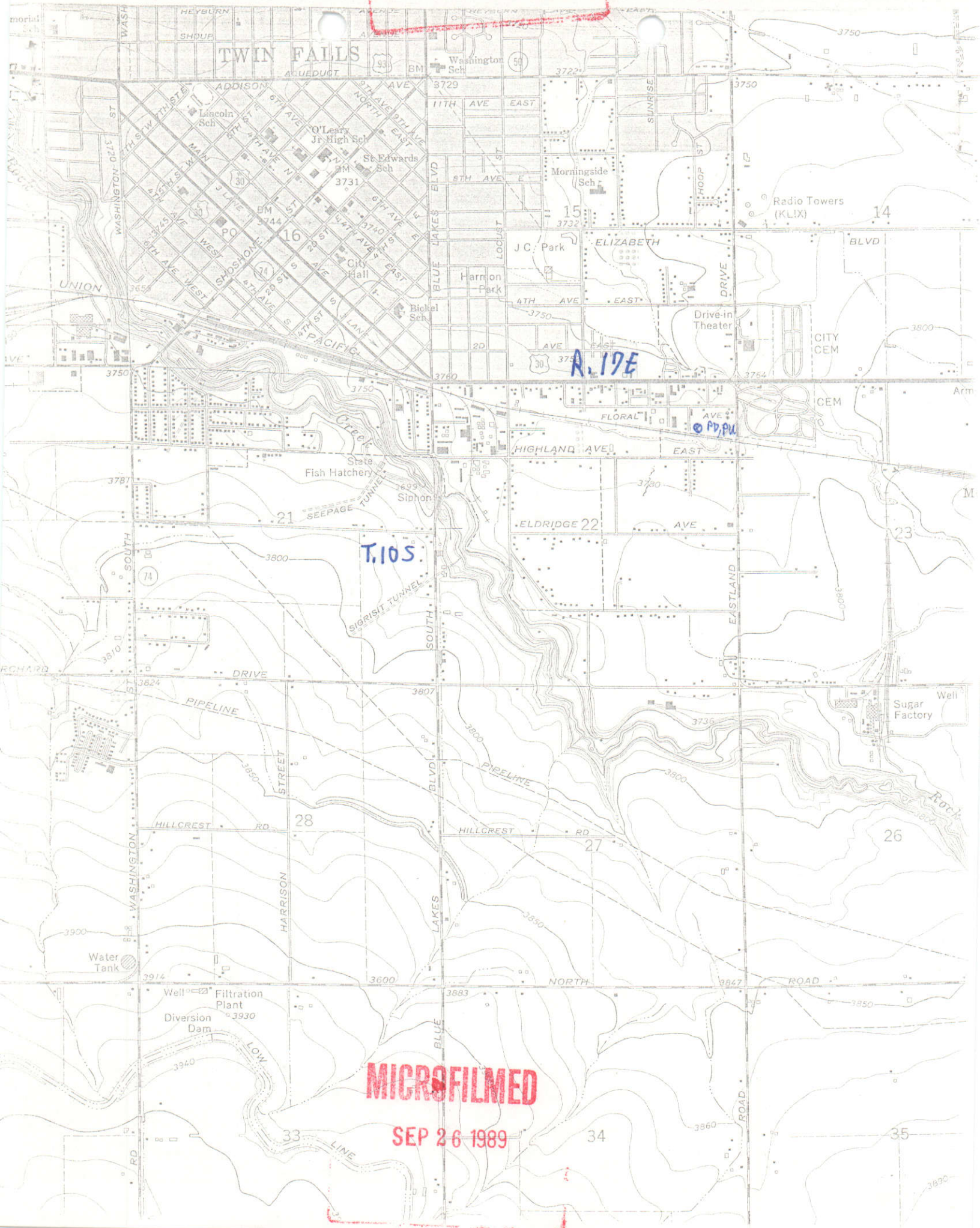
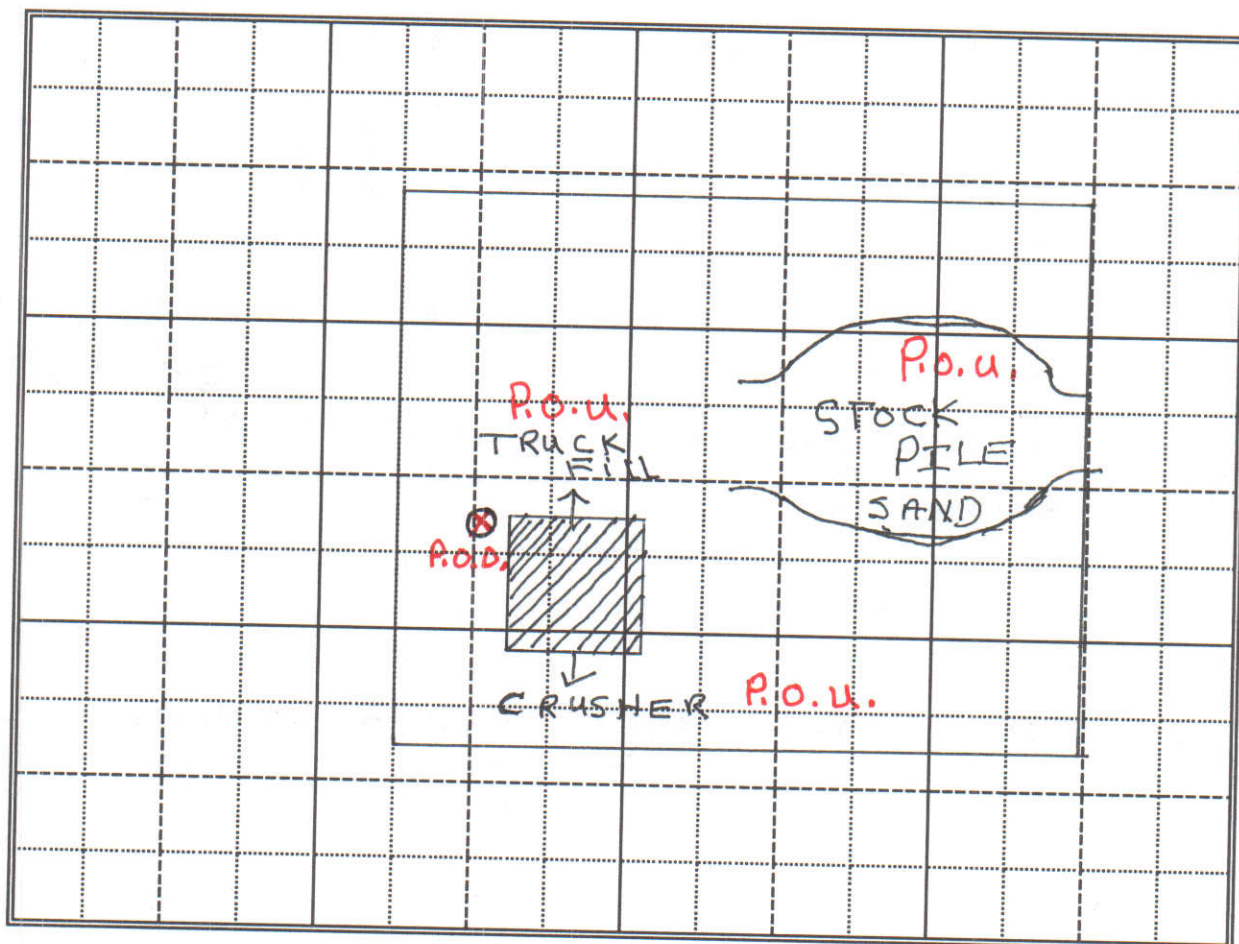




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SEP 26 1989

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	unk	15	unk	SUBMERSIBLE	

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

D. FLOW MEASUREMENTS

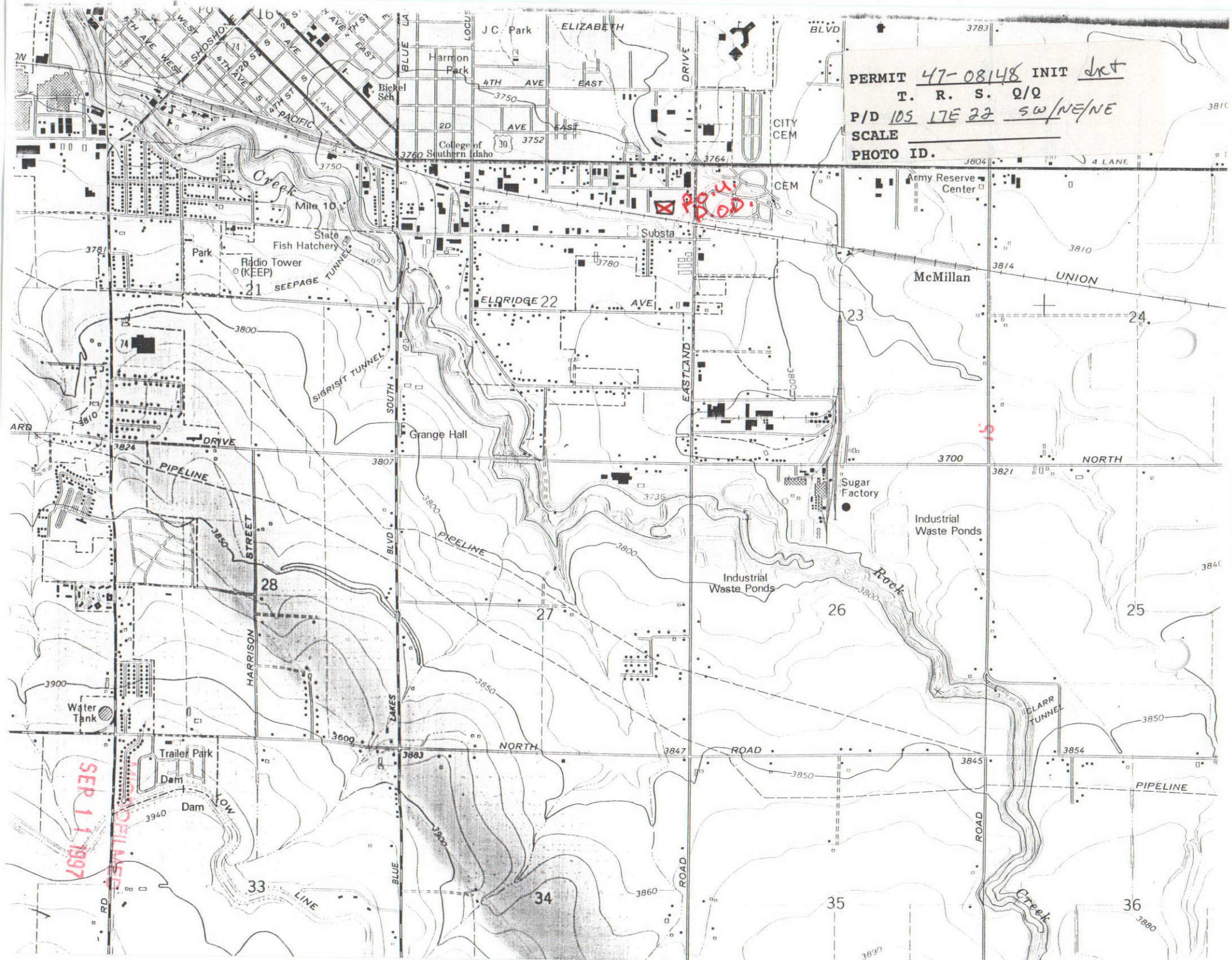
1.

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

2. Measurements:

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SEP 11 1997





→ P.O.D
at
(CRUSHER
SITE)

D.G. STOCKPILE
(WATER TRUCK)
(DUST CONTROL)



→ D.G.
STOCKPILE
+
EQUIPMENT YARD
P.O.U
(WATER TRUCK)
(DUST ABATEMENT)

SEP 11 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED

DEC 18 1998

RECEIVED
 DEC 16 1998
 Department of Water Resources
 Southern Region

1. Water Right Number(s) 47-08148

Adjudication Claim Number(s) _____

Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s)

X Twin Falls Construction Co. Duane L. Schrock president
90 Box 325, Twin Falls, ID 83303-0325

4. New Owner/Claimant(s)

Ken + Jill Stutzman

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address

4123 - Hidden Lakes Dr

City, State and ZIP Code

Kimberly ID 83341

New Telephone Number

(208) 734-7366

5. Date you acquired the property 12-15-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____

Number and type of stock _____

Diversion rate in CFS

0.310 CFS
cubic feet per second

Number of homes

N/A

Other uses

Commercial

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Ken + Jill Stutzman

MICROFILMED

Date 12-16-98

JAN 11 1999

Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

MICROFILMED

JAN 11 1999

Twin Falls County, Idaho
Recorded for:
TITLEFACT
10:50am Dec. 07, 1998
1998-021833
No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

REF: 39783 TB
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

RECEIVED

DEC 18 1998

Department of Water Resources

QUITCLAIM DEED

For Value Received RUTH E. STUTZMAN, an unmarried woman AND RUTH E. STUTZMAN, as Personal Representative of the Estate of CARL L. STUTZMAN, deceased does hereby convey, remise and forever quit claim unto KEN L. STUTZMAN and JILL STUTZMAN, husband and wife, whose address is: 4123 Hidden Lake Drive, Kimberly, Idaho 83341, the following described premises, to-wit:

Lots 1, 2, 3, 10, 11, and 12 in Block 4;

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, EXCEPT the East 10 feet of Lot 11, in Block 5, all in WALL SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 5 of Plats, page 28, records of Twin Falls County, Idaho.

AND Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 22: A parcel of land more particularly described as follows:

COMMENCING at the Section corner common to Sections 14, 15, 22 and 23, Township 10 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho;
THENCE South 0°23' West along the Section line common to Sections 22 and 23, 714.85 feet to a point;

THENCE North 89°31' West 40.00 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89°31' West 778.8 feet to a point;

THENCE North 0°23' East 25.00 feet to a point;

THENCE South 89°31' East 320.1 feet to a point;

THENCE North 0°23' East 225 feet to a point;

THENCE South 89°31' East 25 feet to a point;

THENCE South 0°23' West 200 feet to a point;

THENCE South 89°31' East 224.1 feet to a point;

THENCE South 0°23' West 25 feet to a point;

THENCE South 89°31' East 209.6 feet to a point;

THENCE South 0°23' West 25 feet to the POINT OF BEGINNING.

EXCEPT a parcel of land located in Lots 9, 10, and 11, Block 5, and a portion of vacated Industrial Avenue, all in WALL SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 5 of Plats, page 28 records of Twin Falls County, Idaho, and being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 9, Block 5, Wall Subdivision, and being the TRUE POINT OF BEGINNING;

THENCE North 00°23'44" West along the West boundary of said Lot 9 a distance of 296.06 feet to the center of Industrial Avenue;

THENCE South 89°32'37" East along the centerline of Industrial Avenue, 202.80 feet;

THENCE South 00°23'44" West 25.00 feet;

THENCE South 89°32'37" East along the North boundary of Lot 11, Block 5, Wall Subdivision, a distance of 5.00 feet;

THENCE South 00°23'44" West along a line 10.00 feet West of and parallel with the East boundary of said Lot 11, 301.72 feet to the South boundary thereof;

THENCE North 81°09'07" West 210.09 feet to the TRUE POINT OF BEGINNING. —

MICROFILMED

JAN 1 1999

together with their appurtenances.

Dated: December 3, 1998

Ruth E. Stutzman
RUTH E. STUTZMAN

Ruth E. Stutzman P.R. of Estate of Carl L. Stutzman
RUTH E. STUTZMAN, Personal Representative of the Estate of
CARL L. STUTZMAN, deceased

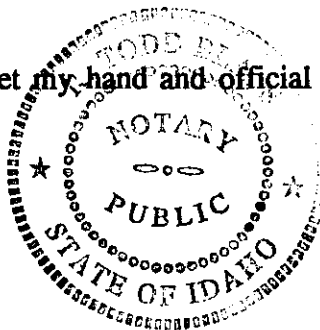
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 3rd day of December, 1998, before me, a Notary Public in and for said State, personally appeared RUTH E. STUTZMAN, known or identified to me to be the Personal Representative of the Estate of CARL L. STUTZMAN, and whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same both individually and as said Personal Representative.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Todd Blass
Notary Public for Idaho
Residing in Twin Falls
Commission Expires 8-20-99

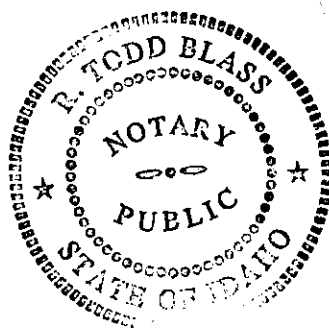


STATE OF IDAHO
County of Twin Falls

On this 3rd day of December, 1998, before me, a Notary Public in and for said State, personally appeared RUTH E. STUTZMAN, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Todd Blass
Notary Public for Idaho
Residing at: Twin Falls
Commission Expires: 8-20-99



MICROFILMED
JAN 11 1999

RECEIVED

DEC 18 1998

39783SM
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Department of Water Resources

TITLEFACT, Inc.

***** SPACE ABOVE FOR RECORDER *****

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED TWIN FALLS CONSTRUCTION CO. an Idaho Corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto KEN STUTZMAN AND JILL STUTZMAN, husband and wife and CARL L. STUTZMAN AND RUTH E. STUTZMAN, husband and wife, Grantee, whose address is: 4123 HIDDEN LAKE DRIVE, KIMBERLY ID 83341, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

Lots 1, 2, 3, 10, 11, and 12 in Block 4;
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, EXCEPT the East 10 feet of Lot 11, in Block 5, all in WALL SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 5 of Plats, page 28, records of Twin Falls County, Idaho.

AND Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 22: A parcel of land more particularly described as follows:
COMMENCING at the Section corner common to Sections 14, 15, 22 and 23, Township 10 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho;
THENCE South 0°23' West along the Section line common to Sections 22 and 23, 714.85 feet to a point;

THENCE North 89°31' West 40.00 feet to the TRUE POINT OF BEGINNING;
THENCE continuing North 89°31' West 778.8 feet to a point;
THENCE North 0°23' East 25.00 feet to a point;
THENCE South 89°31' East 320.1 feet to a point;
THENCE North 0°23' East 225 feet to a point;
THENCE South 89°31' East 25 feet to a point;
THENCE South 0°23' West 200 feet to a point;
THENCE South 89°31' East 224.1 feet to a point;
THENCE South 0°23' West 25 feet to a point;
THENCE South 89°31' East 209.6 feet to a point;
THENCE South 0°23' West 25 feet to the POINT OF BEGINNING.

EXCEPT a parcel of land located in Lots 9, 10, and 11, Block 5, and a portion of vacated Industrial Avenue, all in WALL SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 5 of Plats, page 28 records of Twin Falls County, Idaho, and being more particularly described as follows:

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THENCE South 00°23'44" West 25.00 feet;
THENCE South 89°32'37" East along the North boundary of Lot 11, Block 5, Wall Subdivision, a distance of 5.00 feet;
THENCE South 00°23'44" West along a line 10.00 feet West of and parallel with the East boundary of said Lot 11, 301.72 feet to the South boundary thereof;
THENCE North 81°09'07" West 210.09 feet to the TRUE POINT OF BEGINNING. -

SUBJECT TO: EASEMENTS AS RECORDED ON OFFICIAL PLAT

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

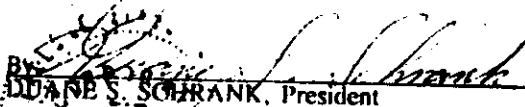
MODIFIED

JAN 11 1999

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President.

Dated: March 11, 1997

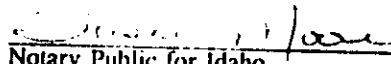
TWIN FALLS CONSTRUCTION CO.

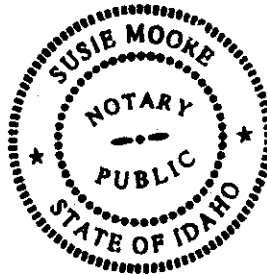

DUANE S. SCHIRANK, President

STATE OF IDAHO
County of TWIN FALLS

On this 11th day of MARCH, 1997, before me, the undersigned, Notary Public in and for said State, personally appeared DUANE S. SCHIRANK, known to me to be the President of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.


Notary Public for Idaho
Residing at: TWIN FALLS
My Commission expires: 11-28-2002



MICROFILMED

JAN 11 1999

RECEIVED

DEC 18 1998

Department of Water Resources

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08148

Priority: November 16, 1988

Maximum Diversion Rate:

0.31 CFS

Maximum Diversion Volume:

0.8 AF

This is to certify, that TWIN FALLS CONSTRUCTION CO INC

PO BOX 325

TWIN FALLS ID 83303

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 16, 1988; and has submitted Proof of Beneficial Use on July 14, 1989. An examination indicates that the works have a diversion capacity of 0.310 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>
COMMERCIAL	04/01 to 10/31	0.31 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 22, Township 10S, Range 17E
TWIN FALLS County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 17E 22

NENE

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. Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
6. Commercial use is for road construction and dust abatement.

RECORDED

JUL 11 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08148

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 27th
day of AUGUST, 1997.


Acting for KARL J. DREHER, Director

RECEIVED
SEP 1 1997

Form 211
03/86

RECEIVED

JUL 14 1989

Department of Water Resources
Southern Region Office

RECEIVED
JUL 17 1989

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \$100.

Date 7-14-89

Receipt # 5008549

Receipt by JF [signature]

Reviewed by JFS-9-11-89

Sent to Region 7-14-89

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 47-08148

Name(s) of Permit Holder: Twin Falls Construction Co.

Post Office Address: P. O. Box 325, Twin Falls, ID 83303

Telephone No. 733-8370

Source of Water: Groundwater

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation (acres) Other/Remark Commercial- construction company

Total rate and/or volume for which proof is submitted 0.31 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 1979 or earlier

Measuring Device: Required? Yes ☒ No ☒
Installed? Yes ☒ No ☒

Fee enclosed \$ 100.
(See License Examination Fee Schedule)

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

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

Duane S. Schrenk
(Name) (Telephone Number)

Same
(Address)

The above information is my true statement of the extent to which the above number of acres has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

NOT RECORDED

SEP 26 1989

July 14, 1989
Date

Duane S. Schrenk President
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Twin Falls Construction Co., Inc. Phone 733-8370
Post office address P. O. Box 325, Twin Falls, ID 83303

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

3. Location of point of diversion is _____ ¼ of NE ¼ of NE ¼, Govt. Lot _____
Sec. 22 Township 10S Range 17E B.M. Twin Falls County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.31 for Commercial purposes from Apr 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.31 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well, 15 hp pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. ~~Proposed~~ well diameter is 8 inches; ~~proposed~~ depth of well is 200 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).

MICROFILMED

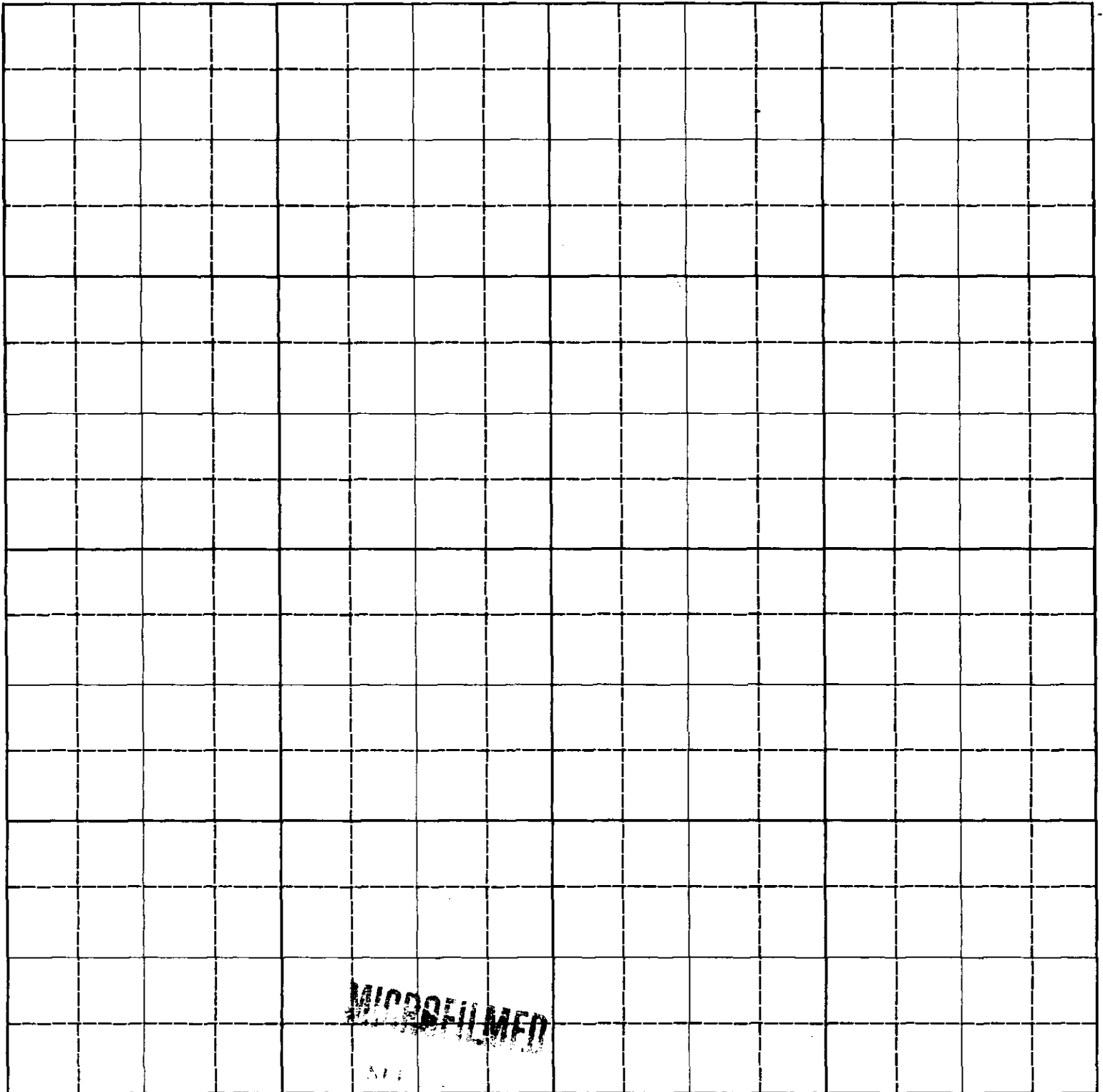
SEP 26 1989

100

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

SEP 26 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Twin Falls Construction Co. INC
Quane J. Schrank President
(Applicant)

Proposed Priority 11/16/88

Received by JP Date 11-16-88 Time 9:05 am Preliminary check by DBL
Fee \$ 45.00 Receipted by JP # 5003834 Date 11-16-88
Publication prepared by IC Date 2/8/89 Published in Times News
Publication approved M. Baldwin Date 3/14/89

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. 47-8148, 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 June 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.

Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 30th day of May, 1989.

A. Glen Saylor

MICROFILMED

SEP 16 1989



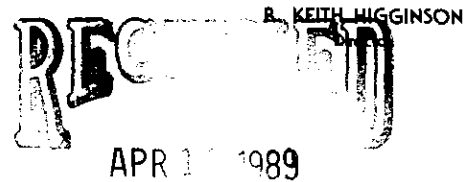
State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

07-Apr-1989



Twin Falls Construction Co. Inc.
P.O. Box 325
Twin Falls, ID 83301

Department of Water Resources

Re: Application for permit No. 47-08148

Gentlemen:

This office has completed advertising and processing of your application at the regional level.

Before a permit can be issued, you must submit a list of the directors and officers of the corporation pursuant to rule 3,3,2,1 of the department's Rules and Regulations for Water Appropriations.

The information must be submitted within 30 days of the date of this letter.

Please refer to the application number in correspondence.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

TWIN FALLS CONSTRUCTION CO.

04/13/1989

LIST OF DIRECTOR AND OFFICERS

Duane S. Schrank, President
A. W. Schrank, Vice-President
Ruby Schrank, Vice-President
Mary Robinson, Secretary

First three are directors and the shareholders.

FILED

SEP 26 1989

RECEIVED

APR 13 1989

Department of Water Resources
Southern Region Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08146
NEWLIN, MARIE
446 E. Spring Creek Dr.
Bountiful, UT 84010
Source: Waste Water
Tributary: Sinks
Diversion Pt: NESESW
Sec 12 T 10S R 14E
Use: Irrigation (.150 cfs)
Date Filed: 11/15/1988
In: T10S R14E S14 SE04
5.0 acres total

47-08147
TRIPLE O FARMS
Rt. 2 Box 5128
Twin Falls, ID 83301
Source: Groundwater
Diversion Pt: NWNWSE
Sec 2 T 11S R 17E
Use: Commercial (.670 cfs)
Date Filed: 11/15/1988
In: T11S R17E S02 NWSE

47-08148
TWIN FALLS CONSTRUCTION INC.
P.O. Box 325
Twin Falls, ID 83303
Source: Groundwater
Diversion Pt: NENE Sec
22 T 10S R 17E
Use: Commercial (.310 cfs)
Date Filed: 11/16/1988
In: T10S R17E S22 NENE

47-08149
HULL, GREG
HULL, DOUG
HULL, GENE
Rt. 2
Filer, ID 83328
Source: Groundwater
Diversion Pt: SESESE
Sec 10 T 10S R 16E
Use: Commercial (.040 cfs)
Date Filed: 11/17/1988
In: T10S R16E S10 SESE

47-08150
POOLER, RICHARD L.
POOLER, MARCELLA
Rt. 3 Box 6362
Twin Falls, ID 83301
Source: Groundwater
Diversion Pt: SESENE
Sec 1 T 10S R 17E
Use: Irrigation (.090 cfs)
Commercial (.100 cfs)
Date Filed: 11/16/1988
In: T10S R17E S01 SENE
3.0 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 March 20, 1989.
R. Keith Higginson
Director
PUBLISH: Thursday, March 2, and 9, 1989.

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

ss.

Nº 19581

I, Linda Capps McSwine being first duly sworn upon oath, depose and say that I am Public 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 March 2, 1989, and ending with the issue dated March 9, 1989.

STATE OF IDAHO

COUNTY OF

On this 9 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.

Ineva R. Feltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

effective February 16, Sunday, and the Twin Falls newspapers prior to county continuously and months, and said TIMES-NEWS paper except Saturday, publication under said name

Thursday of each week of any court of common law will be published; and in each issue thereof published.

9 day of

County of Twin Falls, Idaho

Department of Water Resources
Southern Region Office

RECEIVED

MAR 13 1989

MAR 26 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 21, 1998

KEN STUTZMAN
JILL STUTZMAN
4123 HIDDEN LAKES DR
KIMBERLY ID 83341

RE: WATER RIGHT 47-08148

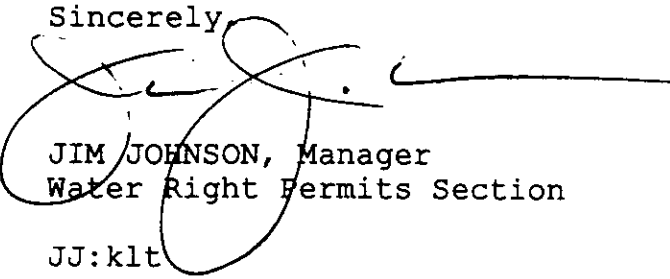
Dear Mr. & Mrs. Stutzman:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

JAN 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TWIN FALLS CONSTRUCTION CO INC
PO BOX 325
TWIN FALLS ID 83303

RE: WATER RIGHT NO. 47-08148

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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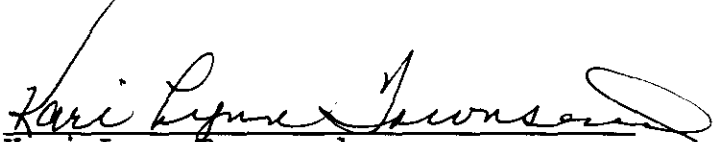
SEP 11 1987

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of August, 1997, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 47-08148

TWIN FALLS CONSTRUCTION CO INC
PO BOX 325
TWIN FALLS ID 83303


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 11 1997

MEMORANDUM

TO: File 47-08148

FROM: Sharla Curtis

DATE: August 25, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 47-08148 are based on the following:

H. RECOMMENDATIONS

Commercial	4/1 - 10/31	0.31 cfs	0.8 afa
------------	-------------	----------	---------

The well is capable of producing 0.31 cfs as requested; the remarks on the application stated that 0.31 cfs is the pumping rate when filling trucks. The license will be issued for 0.31 cfs. The volume is based on the season of use (214 days) for a total of 0.8 af.

Examiner: ?

Exam Date: July 26, 1995

47-08148

SEP 11 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 03 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08148

1. Owner: Twin Falls Construction Co Phone No. 733-8370

Current Address: P.O. Box 325

2. Accompanied by: Duane Schrank EXAM DATE: 07-26-95

Address: Same Phone No. Same

Relationship to Permit Holder: President of Company

3. Source: Groundwater tributary to _____

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	NE	22	10S	17E	TWIN FALLS	USGS QUAD MAP

2. Place(s) of Use:

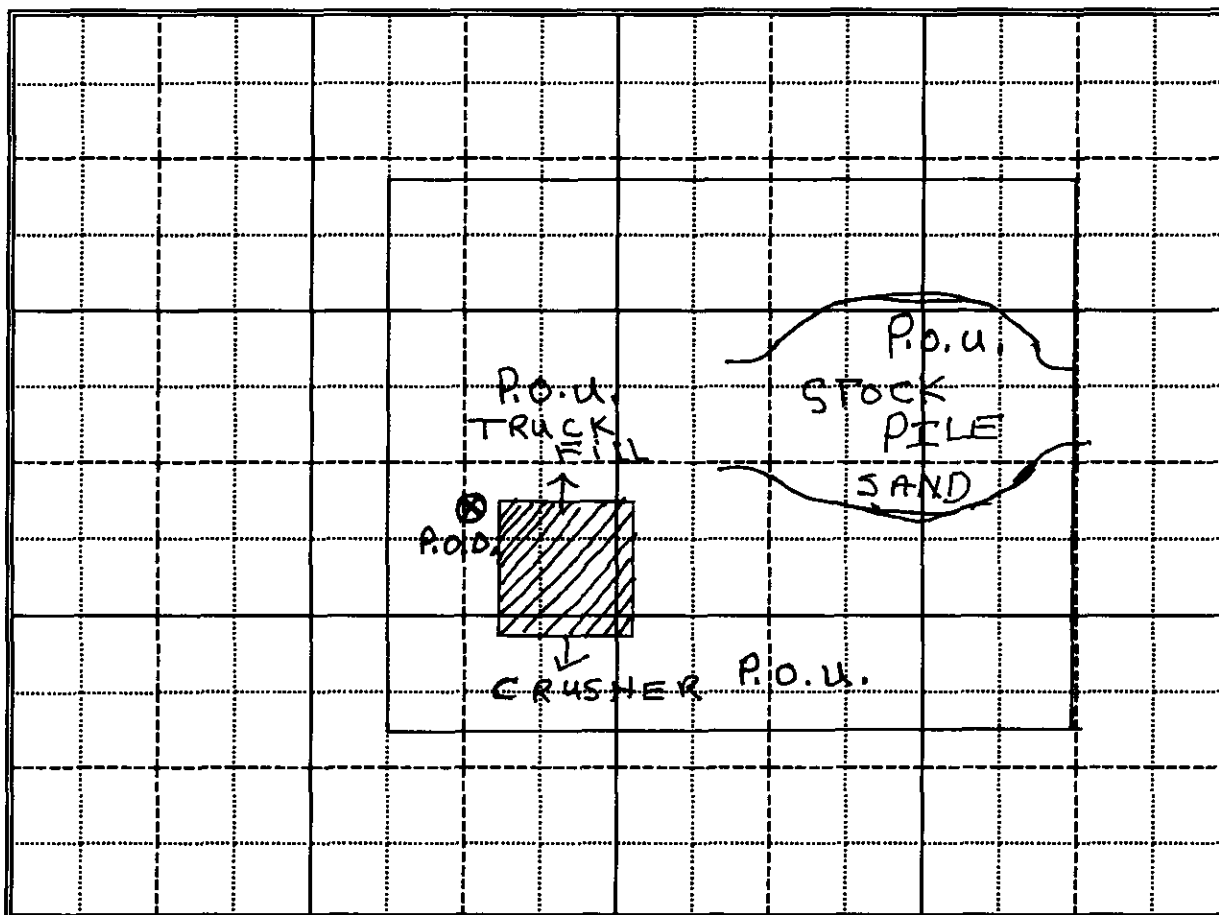
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	17E	22	SW																C

NOT FILMED

SEP 11 1997

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	unk	15	unk	54 AMERSIBLE	

*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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SEP 11 1997

E. NARRATIVE/REMARKS/COMMENTS

THE SYSTEM CONSISTS OF AN 8" WELL DRILLED APPROX 200 FT DEEP. (AVERAGE TAKEN FROM SURROUNDING WELL DEPTHS AS PER LOGS) H₂O IS DIVERTED TO A HOSE OPERATED TRUCK TANK FILL @ THE YARD CRUSHER SITE. Pressure System is a Low Pressure Pump w/an P.S.I. Adjustment. WHEN FIRST INSTALLED, THE OWNER CLAIMS PRESSURE WAS SO GREAT THAT IT SEPARATED FIBRE FIRE HOSES. A Pump Company (Payne) WAS CALLED IN TO ADJUST PRESSURE TO 40 LBS.

WATER USE IS VARIED BY LENGTH OF SEASON, WEATHER CONSIDERATIONS AND LENGTH OF CONTRACT. H₂O IS USED TO COMPACT DG. AT ROAD BUILDING SITES AND ALSO USED FOR DUST ABATEMENT IN YARD AS WELL AS ON JOB SITE

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

MICROFILMED

SEP 11 1997

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: THEORETICAL

$$\frac{8.8 \times 15 \times .70}{30 + (40 \times 2.31)} = \frac{92}{122} = .8 \text{ cfs SYSTEM capacity}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$600 \text{ gal per Load} \times 2 \text{ Loads} = 1200 \text{ gal} \times 260 = 312000 \text{ gal} = 1 \text{ afa}$$

PERMIT DIV RATE .3 cfs
 Proof of Beneficial use for 1 cfs
 Limiting factor
 THEORETICAL DIV RATE .8 cfs
 Basis for Recommendation

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Commercial</u>	<u>01-01</u>	<u>12-31</u>	<u>.3</u>	<u>1 afa</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.3 cfs</u>	<u>1 afa</u>

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

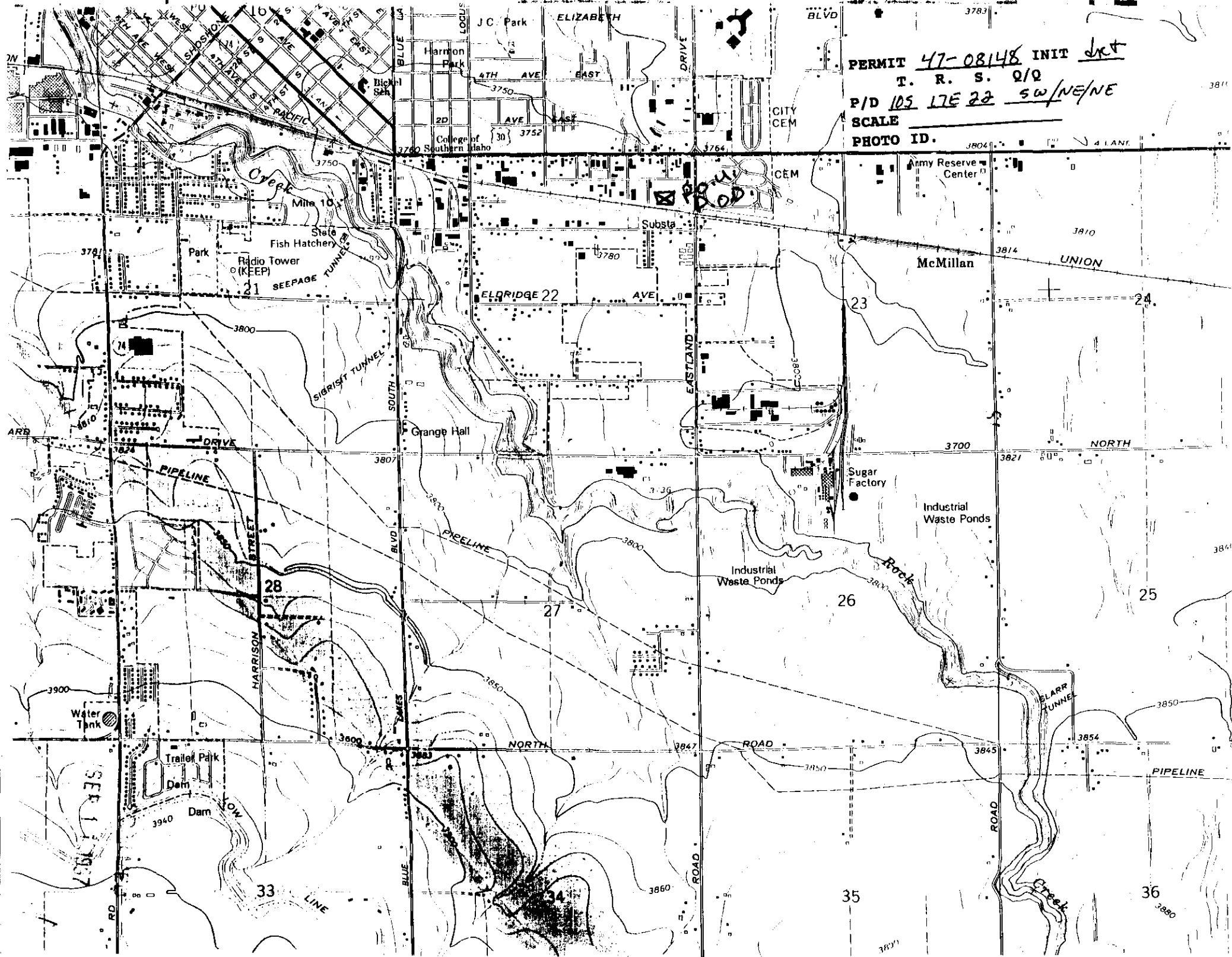
Field Examiner's Name DR Dyer Date 07-26-95

Reviewer _____ Date _____

SEAL

MICROFILMED

SEP 11 1997



PERMIT 47-08148 INIT *det*
T. R. S. Q/Q
P/D 105 17E 22 SW/NE/NE
SCALE
PHOTO ID.

SET 11 1937



→ P.O.D
at
(CRUSHER
SITE)



D.G. STOCKPILE
(WATER TRUCK)
(DUST CONTROL)



→ D.G.
STOCKPILE
+
EQUIPMENT YARD
P.O.U
(WATER TRUCK)
(DUST ABATEMENT)

SEP 11 1987

05-Oct-1989

Twin Falls Construction Co.
P.O. Box 325
Twin Falls, Idaho 83301

Permit No. 47-08148

Dear applicant,

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Very truly yours,

Lloyd R. Payne
Clerk

Encl:

RECORDED
SEP 11 1989

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
May 30, 1989

TWIN FALLS CONSTRUCTION INC.
P.O. BOX 325
TWIN FALLS, ID 83303

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

RE: PERMIT NO. 47-08148

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

SEP 26 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Apr-1989

Twin Falls Construction Co. Inc.
P.O. Box 325
Twin Falls, ID 83301

Re: Application for permit No. 47-08148

Gentlemen:

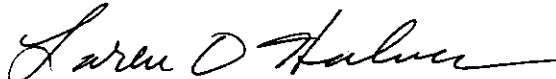
This office has completed advertising and processing of your application at the regional level.

Before a permit can be issued, you must submit a list of the directors and officers of the corporation pursuant to rule 3,3,2,1 of the department's Rules and Regulations for Water Appropriations.

The information must be submitted within 30 days of the date of this letter.

Please refer to the application number in correspondence.

Very Truly yours,


Loren O. Holmes, P. E.
Southern Region Manager

RECEIVED
SEP 26 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

24-Feb-1989

R. KEITH HIGGINSON
Director

Twin Falls Construction Co., Inc.
P.O. Box 325
Twin Falls, ID 83301

Re: Application for Permit No. 47-08148

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 3/2 & 3/9/89. 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

SEP 20 1989

SEP 20 1989

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

FEBRUARY 24, 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 MARCH 20, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

SEP 26 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

SEP 23 1934

47-08148

TWIN FALLS CONSTRUCTION INC.
P.O. BOX 325
TWIN FALLS, ID 83303

Source: GROUNDWATER

Diversion Pt: NENE Sec 22 T 10S R 17E

Use: COMMERCIAL (.310 CFS)

Date Filed: 11/16/1988

In: T10S R17E S22 NENE

SEP 26 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 MARCH 20, 1989.

R. KEITH HIGGINSON, Director

Published 3/02/1989 & 3/09/1989

6-11-89

SEP 2 1989