

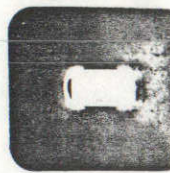


10S.

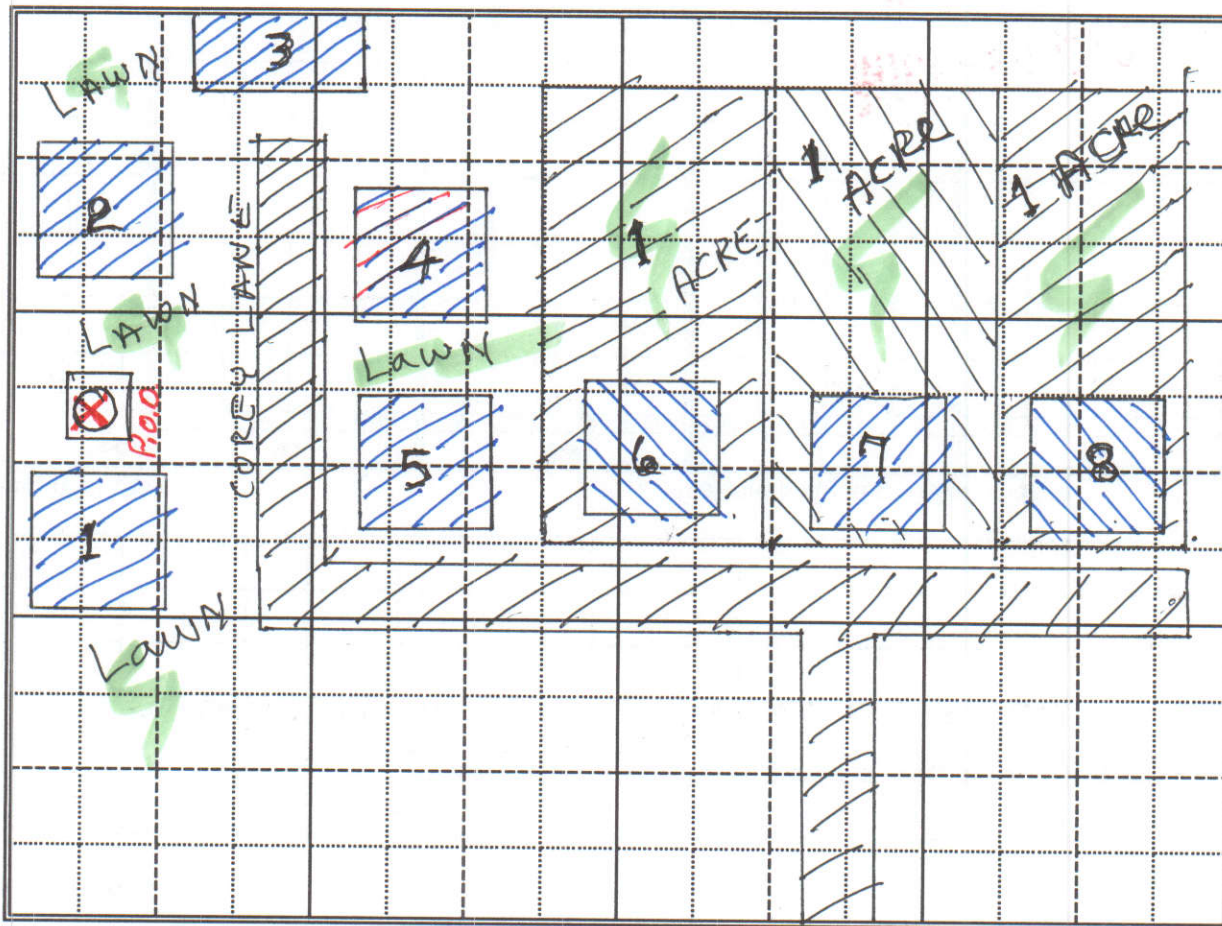
17E.

S. 19

SW NW SW



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



Scale: 1" = Not to Scale

☐ 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
	G.E.	5	unk	STA-RITE	

*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: FIELD EXAMINERS HANDBOOK TABLE 12 = .8 houses
SERVED = .13 cfs

Microfilm

NOV 08 1995

47-8133

TO. 105
R. 17 E
SEC 19
4 LANE

Curry

3719 Radio Tower (KTLC)

14

13

18

18

17

Radio Tower (KMTW)

Drive-in Theater

Twin Falls

MUNICIPAL

GOLF COURSE

BM 3741

SOUTH PARK

AVE

23

24

19

20

P.O. D
P.O. W.

Deadman

SOUTH

DRIVE

ORCHARD

SOUTH

DRIVE

26

25

30

30

29

Knoll

BM 3912

BM 3858

UNION

GRANDVIEW

WASHINGTON

ST

Water Tank

NOV 08 1905

MISSOURI

3974

3993

3900

3900

3900

3900

3900

3900

3900

3900

3900

3900

3900

3900

3900

3900

3900

3921

3842

3823

3824

3950

3950

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3850

3788

3788

3761

3740

3781

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3750

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700

3700



#1

P.O.U.

#2. + 3.

P.O.U



4. + 5

P.O.U.



MIDWESTERN
NOV 08 1995



#8

1 Acre Lot
P.O.U.

#7.

1 acre
Lot



#6.

1 acre
Lot



NOV 08 1995

47-08133

P.O.D.



Pump
Control
Panel
P.O.D.



500 GAL
PRESSURE TANK
P.O.D.

MICRO-LOGIC

NOV 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08133

Priority: October 27, 1988

Maximum Diversion Rate:

0.13 CFS

Maximum Diversion Volume:

20.8 AF

This is to certify, that NEWELL WATER USERS ASSN

C/O WILFRED FISCUS

2070 COREY LANE

TWIN FALLS ID 83301

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 27, 1988; and has submitted Proof of Beneficial Use on September 21, 1990. An examination indicates that the works have a diversion capacity of 0.180 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.12 CFS	16.0 AF
DOMESTIC	01/01 to 12/31	0.13 CFS	4.8 AF
	Totals	0.13 CFS	20.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWSW), Sec. 19, Township 10S, Range 17E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	17E	19	Lot 3(NWSW)	4		4

Total number of acres irrigated: 4

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

NOV 08 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

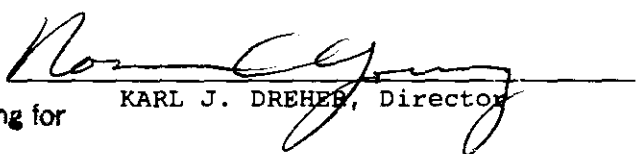
WATER RIGHT NO. 47-08133

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Irrigation use under this right is authorized only in connection with a domestic use.
7. Domestic use is for 8 homes.
8. 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 29TH day of SEPTEMBER, 1995.

Acting for


KARL J. DREHER, Director

For Office Use Only
Amt. of Fee \$ 50.00
Date 9/21/90
Receipt No. CO18393
Received by J. Anderson

RECEIVED
SEP 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 47-08133 Telephone No. 733-6766

Name(s) of Permit Holder(s): Turner Water Users Assn

Post Office Address: Box 7840 Rt 4

Source of Water: ground water

If ground water, well driller's name: _____ Date drilled: Apr 1972

Extent of Use:
Domestic 8 (No. of households) Irrigation 2 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.13 43 cfs cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1972

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

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

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Edward L. Kenney 733-6766
Name Telephone No.
Rt 4 Box 7840 Turn Falls Id. 83301
Address

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

9-12-90
Date

Edward L. Kenney
Signature (and title if on behalf of a company or organization)

RECEIVED
JAN 28 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08133

Proposed Priority: October 27, 1988 Maximum Diversion Rate: 0.13 CFS

This is to certify, that **NEWELL WATER USERS ASSN.**
RT. 4 BOX 7840
TWIN FALLS, ID 83301

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.12 CFS
DOMESTIC	01/01 to 12/31	0.13 CFS
	Totals	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 3(SWNWSW), Sec. 19, Township 10S, Range 17E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S 17E 19 LOT 3(NWSW) 4				4

Total number of acres irrigated: 4

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990.**
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Irrigation use under this permit is authorized only in connection with a domestic use.
7. The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.12 cfs.
8. Domestic use is for 8 homes.

MICROFILMED

OCT 19 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08133

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

5th day of October, 1989.

for *R. Keith Higginson*
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant NEWELL WATER USER'S ASSN. (208) 733-6766
Post office address Rt. 4 Box 7840, Twin Falls, ID 83301
2715 Frankie Lane
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 3
Sec. 19 Township 10S Range 17E B.M. Twin Falls County; additional
points of diversion if any: _____
4. Water will be used for the following purposes: * Added per telecon w/applicant 11-10-88 go
Amount 0.13 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) * Allow 0.12*
Amount 0.13 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .13 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. well & pump
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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 Existing years (minimum 1 year).
Allow 1 year go

MICROFILMED

OCT 19 1989

+kw 10/3/89

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 8 Houses
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	17E	19										D							4
												lots							

Total number of acres to be irrigated 4

10. Describe any other water rights used for the same purposes as described above. _____

NONE

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Newell water users Assoc.

manages water system

12. Remarks: _____

Adjudication Claim has been Filed. Also

use Began 6-12-1972

Irrigation is for lawns around homes.

Microfilm

OCT 19 1989



11E

S. 19

SW 1/4 Sec

474

473

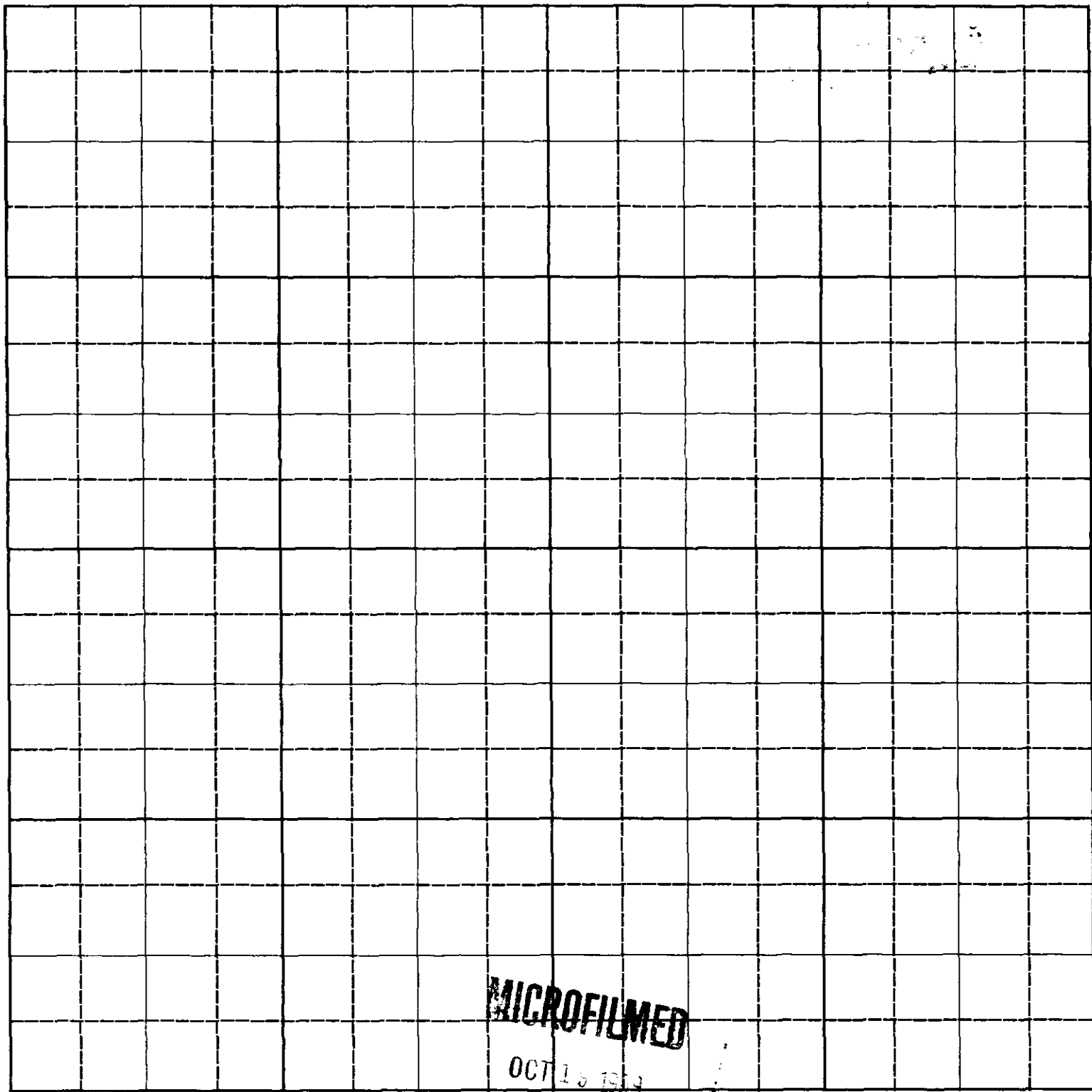
32' 30"

472

TWIN FALLS (U 30) 3.5 MI

470





MICROFILMED
OCT 18 1964

Edward L. Kinney
Treasurer (Applicant)
Newell Water Users Ass'n

Received by SCC Date 10/27/88 Time 4:30 Preliminary check by J. E. Clinton
Fee \$ 30.00 Receipted by SCC # 5003322 Date 10/27/88
Publication prepared by M. Baldwin Date 8/18/89 Published in Times News
Publication approved M. Baldwin Date 9/22/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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:

MICROFILMED

OCT 19 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**

October 2, 1995

NEWELL WATER USERS ASSN
C/O WILFRED FISCUS
2070 COREY LANE
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08133

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

RECEIVED

NOV 08 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 31 1995
Department of Water Resources
08133

A. GENERAL INFORMATION

Permit No. 47-08113

1. Owner: NEWELL WATER USERS ASSN % WILFRED FISCHUS Phone No. 734-6114

Current Address: 2070 COREY LANE TWIN FALLS ID 83301

2. Accompanied by: MRS FISCHUS EXAM DATE: 07-20-95

Address: Same Phone No. Same

Relationship to Permit Holder: _____

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	NW	SW	19	10S	17E	Twin Falls	USGS QUAD

2. Place(s) of Use:

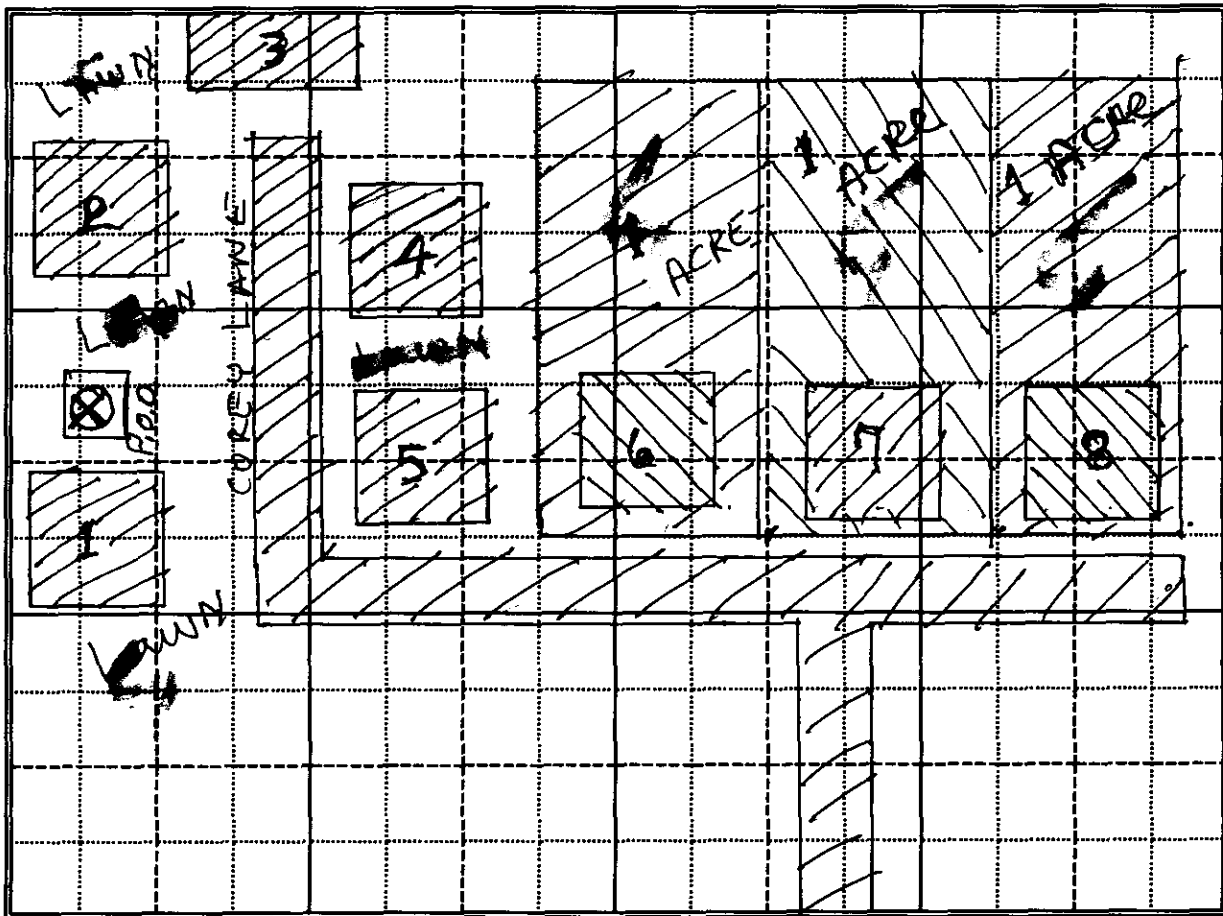
Indicate Method of Determination

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	19											SW D						

NOV 08 1995

* See adjust ment memo. B

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



Scale: 1" = Not to Scale

— 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)

X 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
	G.E.	5	unk	STA-RITE	

*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: FIELD EXAMINERS HANDBOOK TABLE 12 = .8 houses
SERVED = .13 cfs

NOV 08 1995

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM CONSISTS OF AN 8" WELL APPROX 100 FT DEEP
W/A DYNAMIC PUMPING LEVEL AT 23 FT. H₂O IS DIVERTED
TO A 500 GAL PRESSURIZED TANK. GAUGES INDICATE
AN OPERATING RANGE OF 65 PSI.

3 HOMES SET ON 1 ACRE EA. 5 HOMES SET ON
1.2 ACRES. IRRIGATION = APPROX 4 ACRES.

ACCORDING TO F.E. HANDBOOK TABLE 12 8 HOME SUBDIVISION
= 0.13 CFS - LIMITING FACTOR & BASIS FOR RECOMMENDATION

ADJ. CLAIM HAS BEEN FILED AGAINST THIS PERMIT.

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

MICROFILMED
NOV 08 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: THEORETICAL

$$\frac{8.8 \times 5. \times 170}{23 + (65 \times 2.31)} = \frac{31}{173} = .18 \text{ cfs system capacity}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* <u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>.13 cfs</u>	<u>4.8 afa</u>
<u>Irrigation</u>	<u>04-01</u>	<u>10-31</u>	<u>.12 cfs</u>	<u>4.8 afa</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.13</u>	<u>9.6 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. AUTHENTICATIONField Examiner's Name Dallas Taylor Date 07-

Reviewer _____ Date _____

SEAL

* See adjustment memo. B

NOV 08 1995

MEMORANDUM

TO: File 47-08133 / Newell Water Users Assn.
FROM: Brenda Chapman
DATE: September 20, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 47-08133 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: According to the exam maps, the point of diversion and place of use are both in Lot 3, NWSW of Section 19, which also coincides with the permit.

H. RECOMMENDATIONS

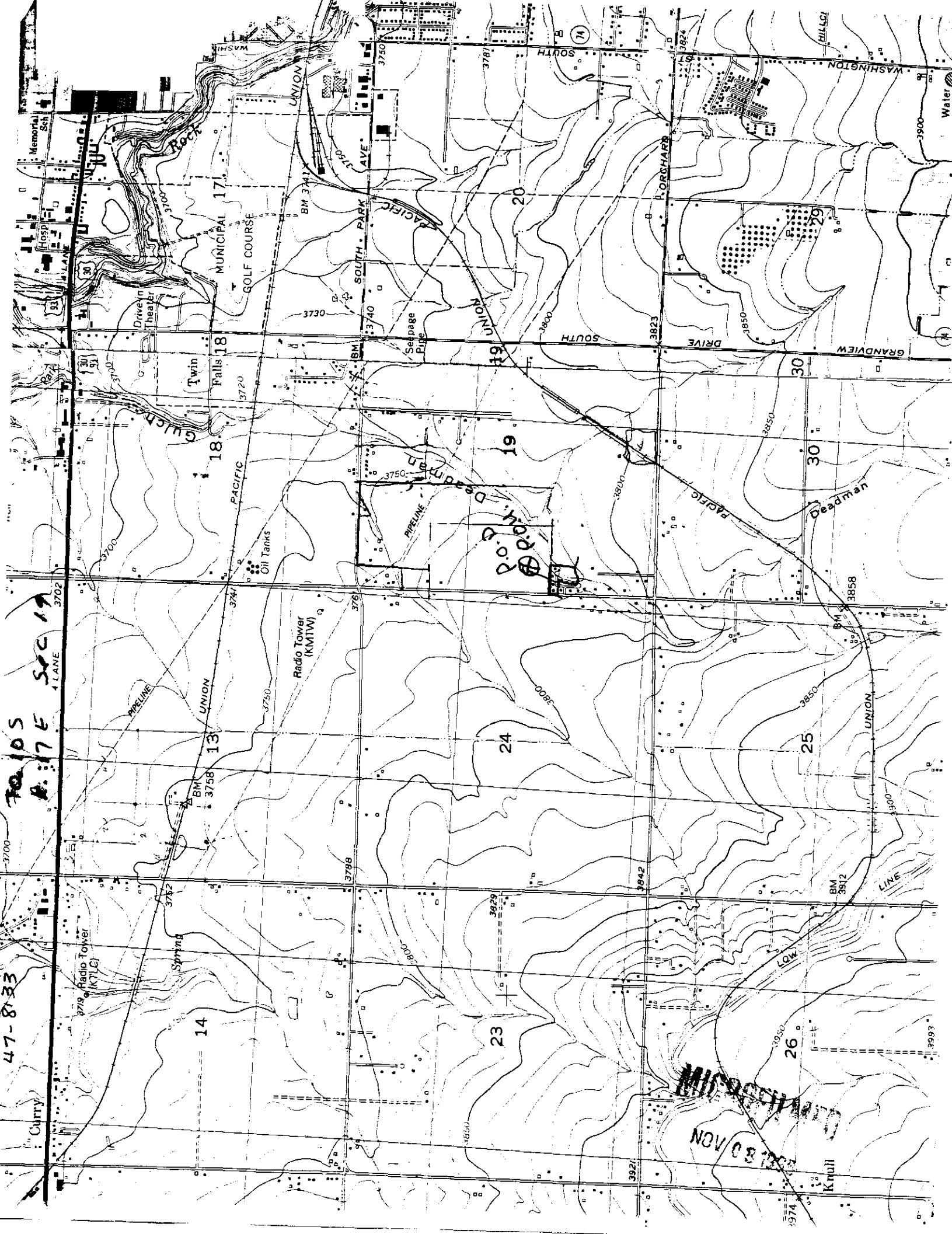
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	.12	16.0
Domestic	1-01 to 12-31	.13	4.8

The irrigation volume adjusted to the area requirement.

RECEIVED
NOV 08 1995

47-833
A: 17 E SEC 19



NOV 18 1953
MICROFILMED



#1

P.O.U.

#2 + 3.

P.O.U.



#4 + 5

P.O.U.



NOV 08 1995



#8-

1 Acre Lot
P.O.U.

#7.

1 acre
Lot



#6.

1 acre
Lot

NOV 08 1995

47-08133

P.O.D.

Pump
Control
Panel
P.O.D.



12095

500 GAL
PRESSURE TANK
P.O.D.

NOV 08 1995



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

47-8133

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M E M O R A N D U M

DATE: JULY 31, 1992 139378

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.

NOV 08 1995

December 21, 1990

NEWELL WATER USERS ASSN.
RT. 4 BOX 7840
TWIN FALLS, ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08133

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 28 1991

138395

August 31, 1990

NEWELL WATER USERS ASSN.
RT. 4 BOX 7840
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08133

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 November 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



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
October 6, 1989

NEWELL WATER USERS ASSN.
RT. 4 BOX 7840
TWIN FALLS, ID 83301

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

RE: PERMIT NO. P47-08133

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

OCT 19 1989

21-Aug-1989

Newell Waterusers Assn.
Rt. 4 Box 7840
Twin Falls, ID 83301

Re: Application for Permit No. 47-08133

Gentlemen:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published in the Times News on 9/7 & 9/14/89. A period of ten days following the second publication will be allowed for the submittal of protests.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Additional information required before final regional review of the application includes evidence of development prior to October 1, 1984 such as ASCS area photos predating 1984 with signed statement from ASCS agent or power bills predated October 1, 1984 for meter specifically servicing well.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Very truly yours,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

OCT 19 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08133

NEWELL WATER USERS ASSN.

R.T. 4 BOX 7840

2715 FRANKIE LN.

TWIN FALLS, ID 83301

Source: GROUNDWATER

Division Pt: Lot 3 (SWN-

WSW) Sec 19 T 10S R

17E

Use: DOMESTIC (.130

CFS)

IRRIGATION (.130

CFS)

Date Filed: 10/27/1988

Ir: T10S R17E S19 Lot 3

(NWSW)

4.0 ACRES TOTAL

The application (s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit(s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before September 25, 1989.

R. Keith Higginson, Director

PUBLISH: Thursday, September 7 and 14, 1989.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } ss.

I, Brenda Capps Department of Water Resources, being first duly sworn upon oath, depose

and say that I am Southern Region Office 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 three consecutive weeks,

commencing with the issue dated Sept 7, 19 89,

and ending with the issue dated Sept 14, 19 89.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 14th day of Sept in the year of 1989, before me,

a Notary Public, Brenda Capps

known or identified to me as 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.

Shirley R. Feltman

Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

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

AUGUST 18, 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 SEPTEMBER 25, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

OCT 19 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

OCT 19 1989

47-08133

NEWELL WATER USERS ASSN.
RT. 4 BOX 7840
2715 FRANKIE LN.
TWIN FALLS, ID 83301

Source: GROUNDWATER

Diversion Pt: Lot 3 (SWNWSW) Sec 19 T 10S R 17E

Use: DOMESTIC (.130 CFS)
IRRIGATION (.130 CFS)

Date Filed: 10/27/1988

In: T10S R17E S19 Lot 3 (NWSW)

4.0 ACRES TOTAL

MICROFILMED
OCT 19 1989

The application (s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit (s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before September 25, 1989.

R. Keith Higginson, Director

Published 9/7 & 9/14/89.

UNRECORDED

OCT 19 1989

ER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 8-17-89

TO File

SUBJECT Processing of Permit Application 47-08133, Newell Water Users' Assn.

Per my telecon with ~~Tim~~ Tim Luke today, this application does not conflict with the Swan Falls rules. This is a platted subdivision, and there is about 1/2 acre per lot that is irrigated. Although the total acreage is more than 3 acres, the irrigated acreage per lot is less than 3 acres.

RECEIVED
OCT 19 1989



SIGNATURE

February 8, 1989

Newell Waterusers Assoc.
Rt. 4 Box 7840
Twin Falls, ID 83301

Re: Application for permit No. 47-08133

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.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

OCT 19 1989