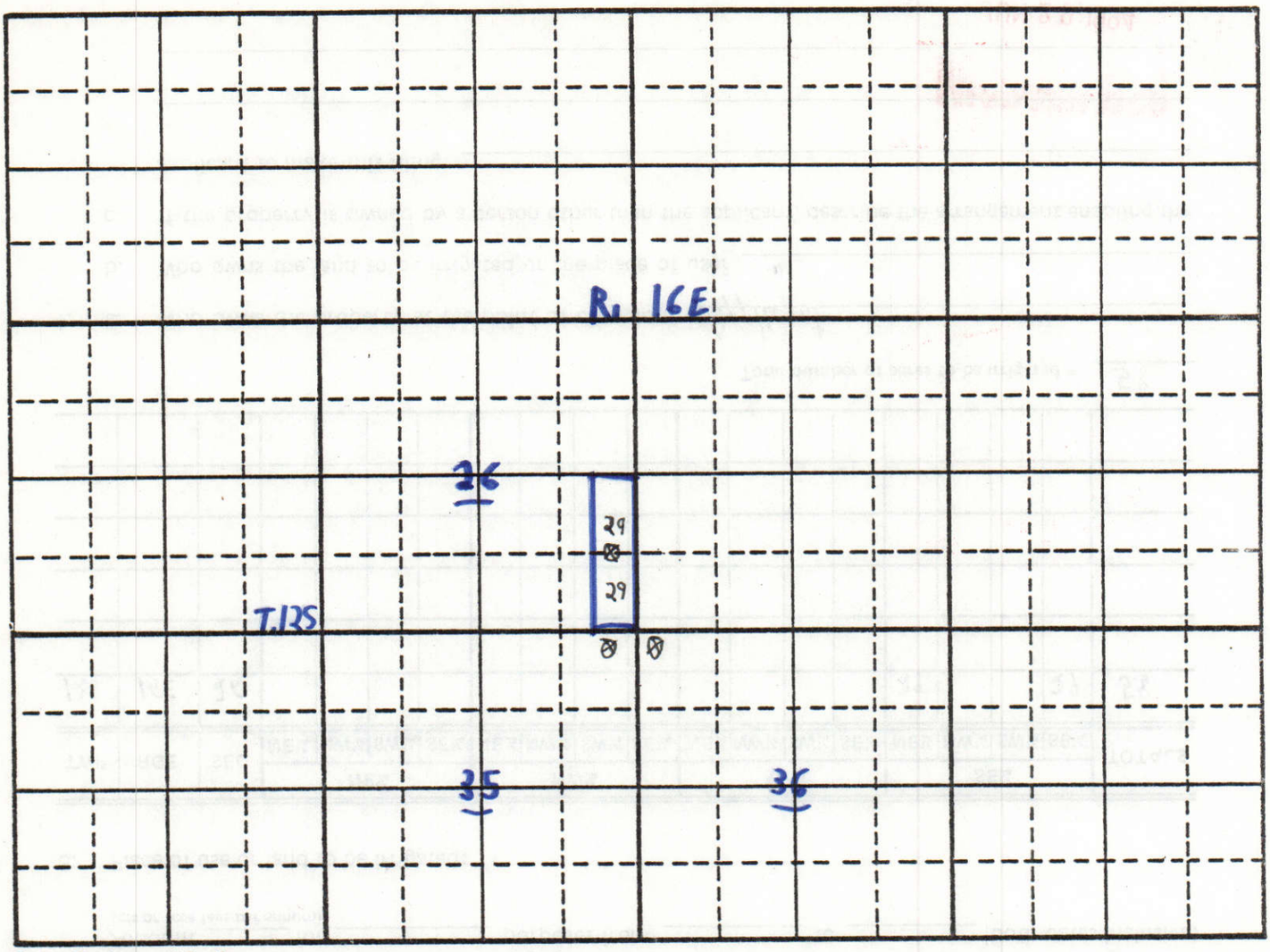
Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 15th day of September, 1993.

Mike Courtney
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by JJ Date 9-15-93 S016197

Publication prepared by MB Date 12/3/93 Published in Times News

Publication dates 12/9 & 12/16/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

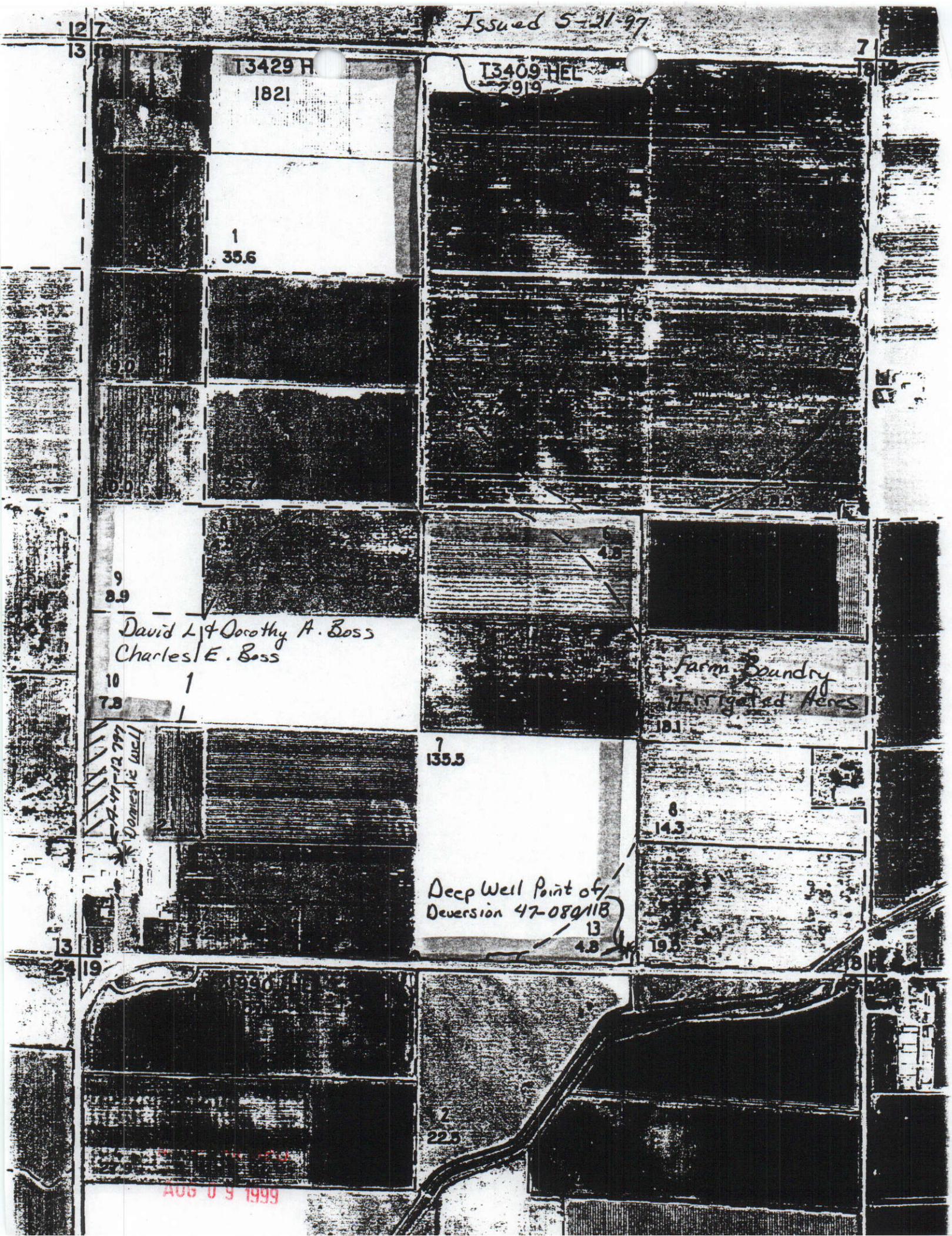
I, L. GLEN SAXTON, Director of the Department of Water Resources hereby APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 9th day of March, 19 94.

L. Glen Saxton
Director

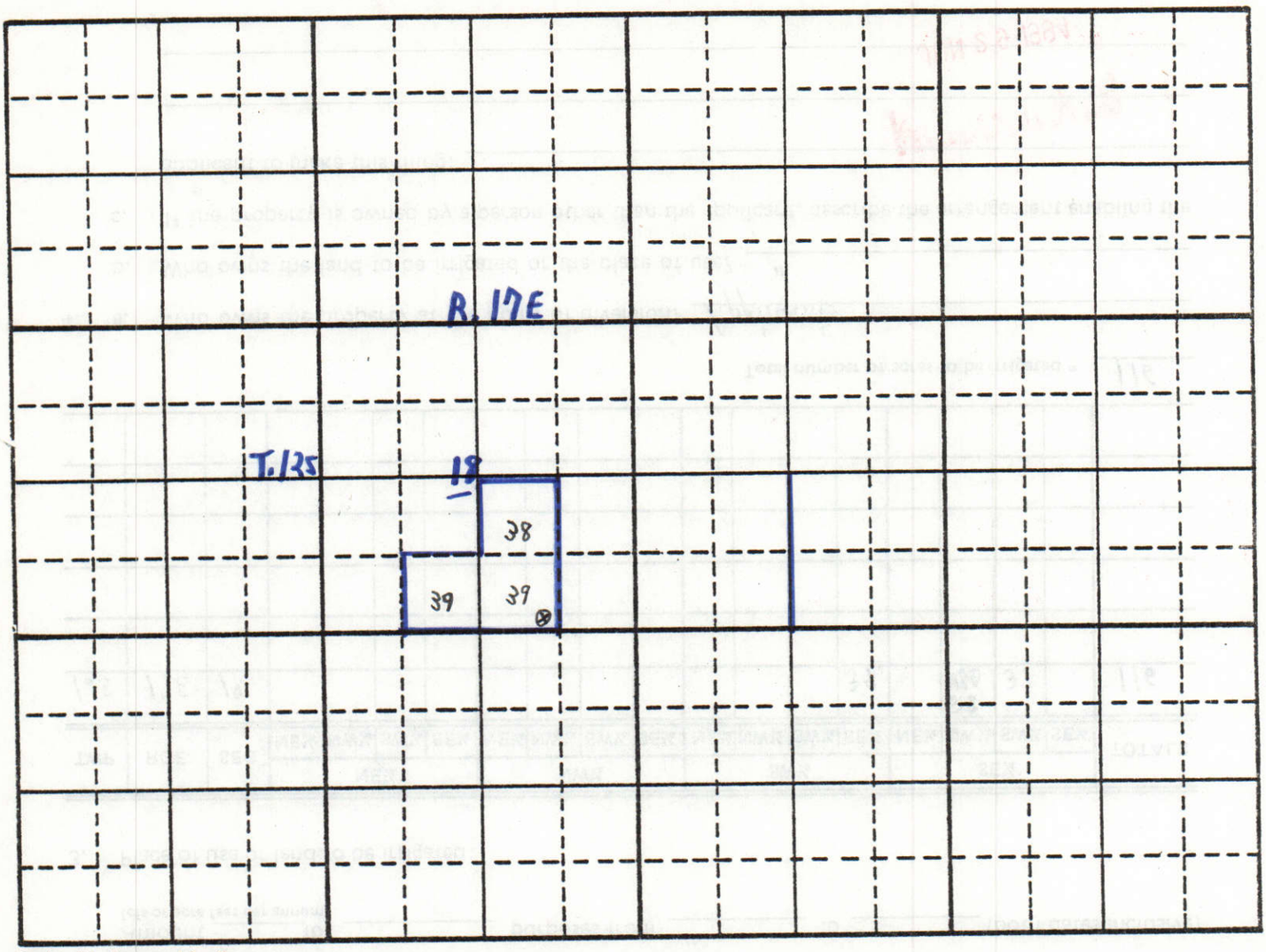
RECEIVED
JUN 29 1994

APPROVED


Issued 5-21-97
T3429 H
1821
T3409 HEL
2919
1
35.6
9.0
10.0
9
8.9
David L. & Dorothy A. Boss
Charles E. Boss
10
7.8
1
Farm Boundry
Irrigated Acres
18.1
7
135.5
8
14.3
Deep Well Point of
Deversion 47-0801B
13
4.8
19.5
2
22.5
AUG 0 9 1999

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 15th day of September, 19 93.

David L. Bass
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by JA Date 9-15-93 S016198

Publication prepared by MB Date 12/3/93 Published in Times News

Publication dates 12/9 & 12/16/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 9th day of March, 19 94.

L. Glen Saxton
Director

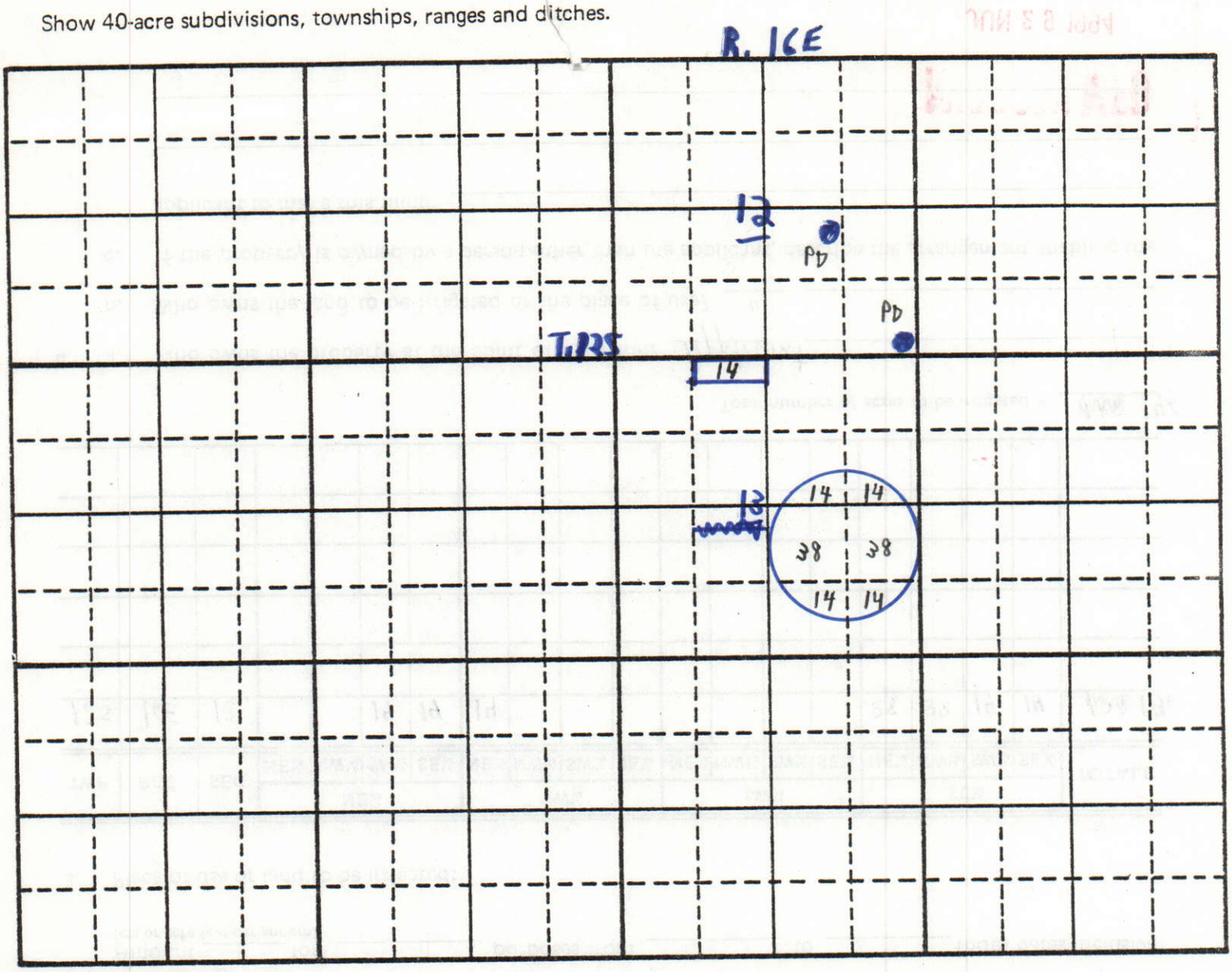
MICROFILMED

APPROVED

JUN 29 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 15th day of September, 1993.

William Loughlin
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by [illegible] Date 9-15-93 S016199

Publication prepared by mb Date 12/1/93 Published in Times News

Publication dates 12/9 & 12/16/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 9th day of March, 19 94.

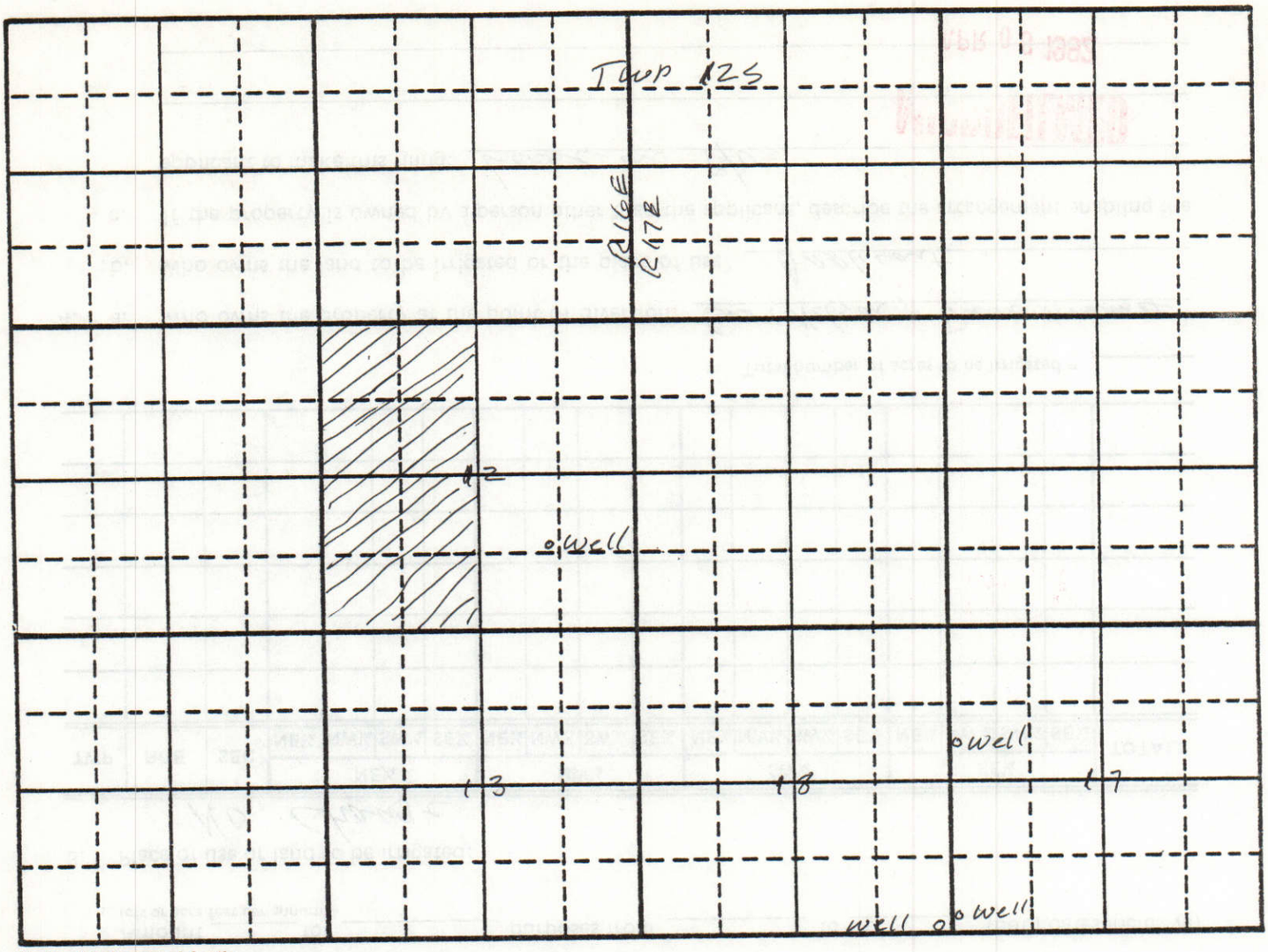
L. Glen Saxton
Director

APPROVED

JUN 29 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 12 day of April, 1991.

W. Glen Loughlin pro
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by DRJ S013230 Fee = $20.00 Receipted by MB Date 4-12-91

Publication prepared by MB Date 5-29-91 Published in Times News

Publication dates 6/6 & 6/13/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby approve the above referenced application for amendment of Permit No. 47-08011.

See attached sheet for conditions of approval.

MICROFILMED

Witness my hand this 2nd day of January, 19 92.

APR 08 1992

L. Glen Saxton
Chief, Water Allocation Bureau

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-08011

Notice is hereby given that Loughmiller Farms Inc. of Twin Falls, ID is the holder of Approved Permit No. 47-08011 authorizing the diversion of 5.50 cubic feet per second of water from groundwater in the NW¼SE¼, S12, T12S, R16E, County of Twin Falls, to be used for irrigation on 320 acres within W½, S12, T12S, R16E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No changes

Period of Use: 3/15 to 11/15

Point of Diversion: SE¼ NW¼ SE¼, S12, T12S, R16E; NW¼ SW¼ NW¼, S17, T12S, R17E;SW¼ SW¼ SW¼, S17, T12S, R17E; SE¼-SE¼ SE¼, S18, T12S, R17E; Twin Falls County.

Place of Use: No changes

Any protest against approval of the amending of Permit No. 47-08011 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before June 24, 1991.

R. Keith Higginson, Director

PUBLISH: Thursday, June 6 and 13, 1991

Affidavit of Publication

No 224611

RECEIVED

JUN 25 1991

Department of Water Resources
Southern Region Office

STATE IDAHO
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated June 6, 1991, and ending with the issue dated June 13, 1991.

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.

RECEIVED

APR 08 1992

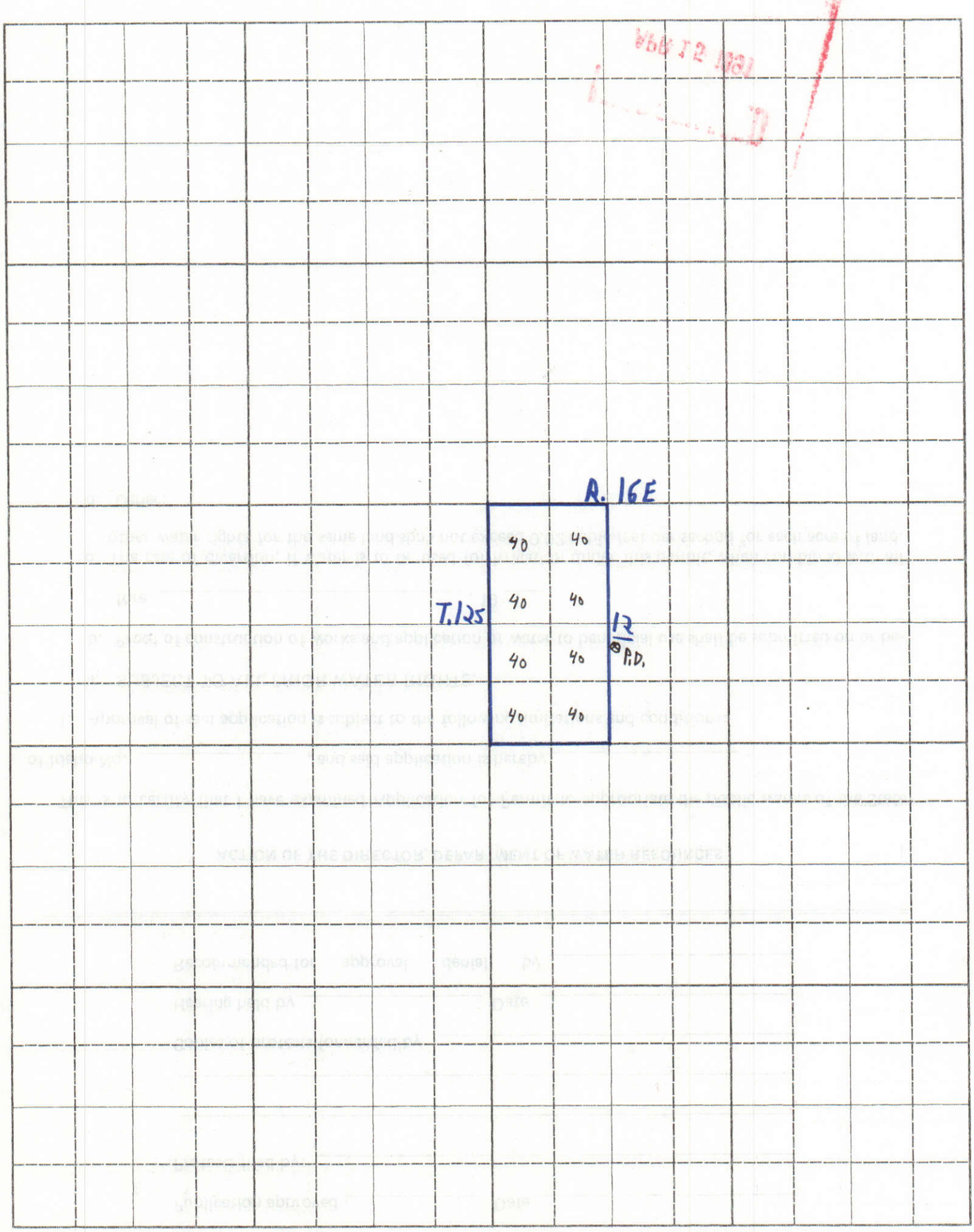
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 20 day of June in the year of 1991, before me, a Notary Public, personally appeared Linda Capps McGuire, 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.

Martha J Drake
Notary Public for Idaho
Residing at Twin Falls Id
My commission expires: 8-8-96

OK MB 7-3-91

11. 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.

MICROFILMED
APR 15 1991

William J. Loughlin pres.
(Applicant)

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 47-08011
LOUGHMILLER FARMS INC.
RT. 1 BOX 4421
TWIN FALLS, ID 83301
Source: GROUNDWATER
Diversion Pt: NWSE Sec 12 T 12S R 16E
Use: IRRIGATION (5.500 CFS)
Total Diversion: (5.500 CFS)
Date Filed: 7/1/1985
In: T12S R16E S12 NENW NWNW SWNW SENW NESW NWSW SWSW SESW
320.0 ACRES TOTAL
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before DECEMBER 3, 1990.
R. KEITH HIGGINSON, Director
PUBLISH: Thursday, November 15 & 22, 1990.

RECEIVED
DEC 04 1990

№ 21802

Affidavit of Publication

STATE OF IDAHO } ss.
COUNTY OF TWIN FALLS }

I, Linda Copps McGuire being first duly sworn upon oath, depose and say that I am Guire 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 November 15, 1990, and ending with the issue dated November 22, 1990.

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.

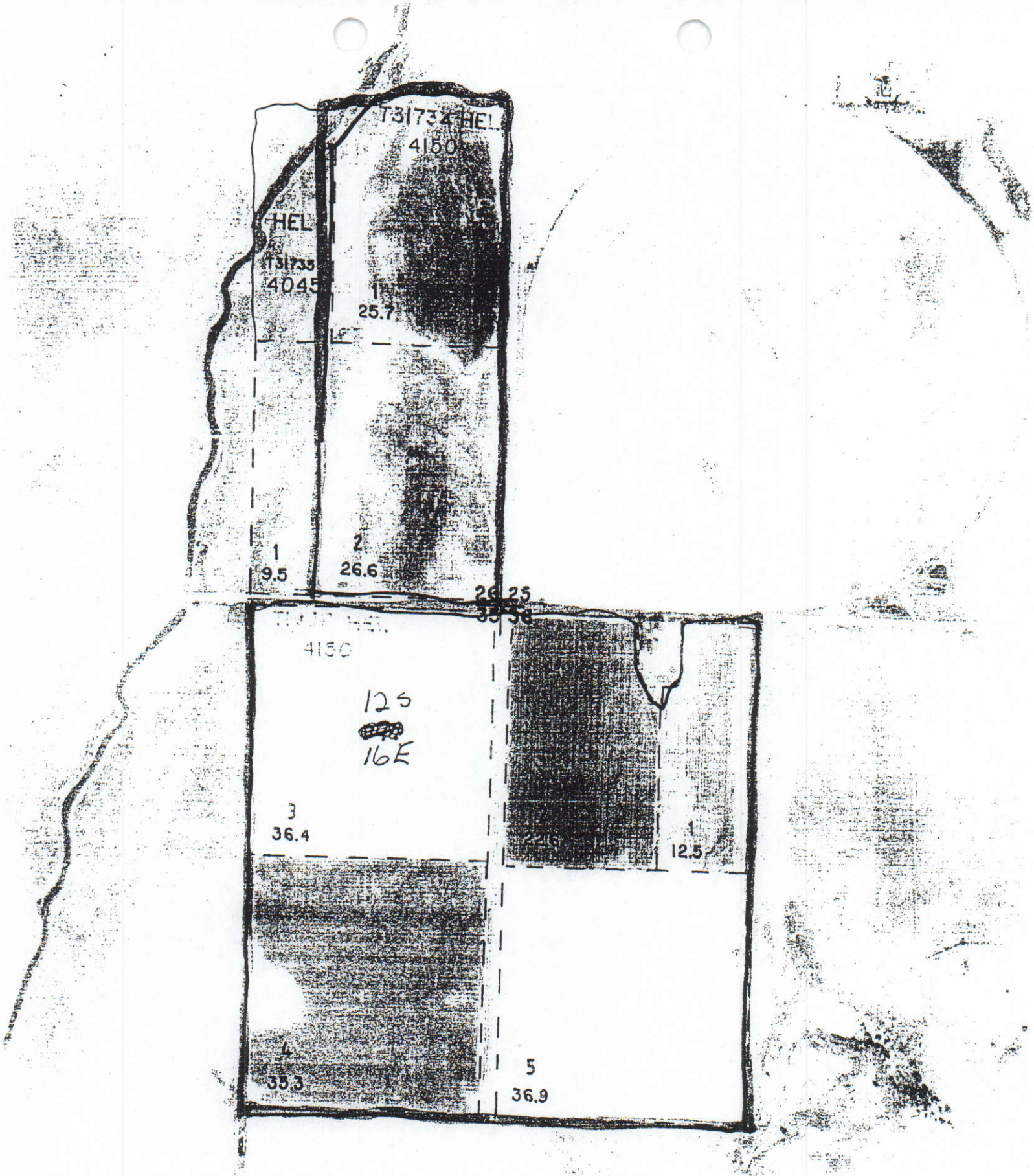
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 28 day of November in the year of 1990, before me, a Notary Public, personally appeared Linda Copps McGuire, 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.

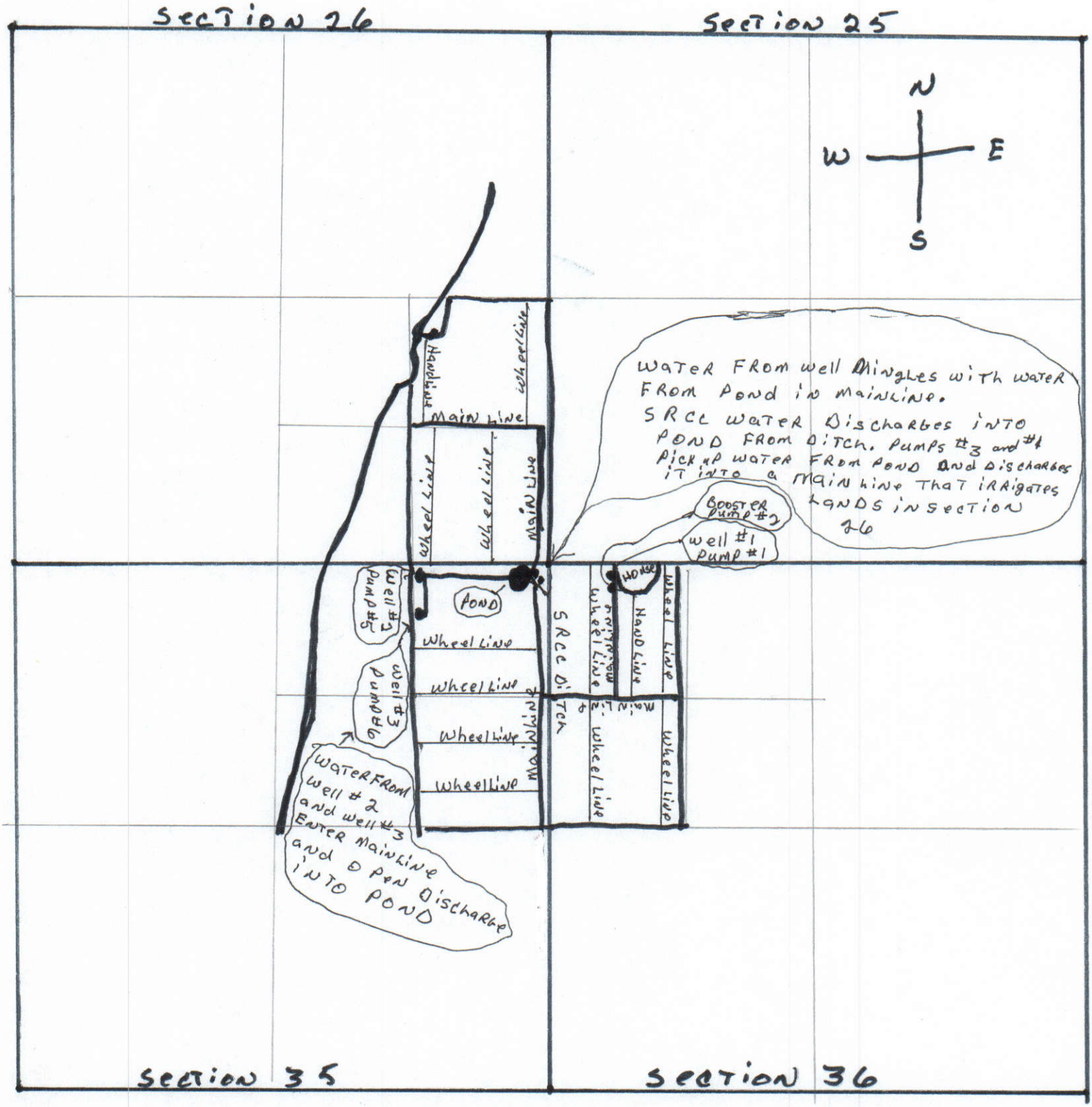
Notary Public for Idaho Freva R. Feltman
Residing at Twin Falls County
My commission expires: 5/19/94

APR 15 1991

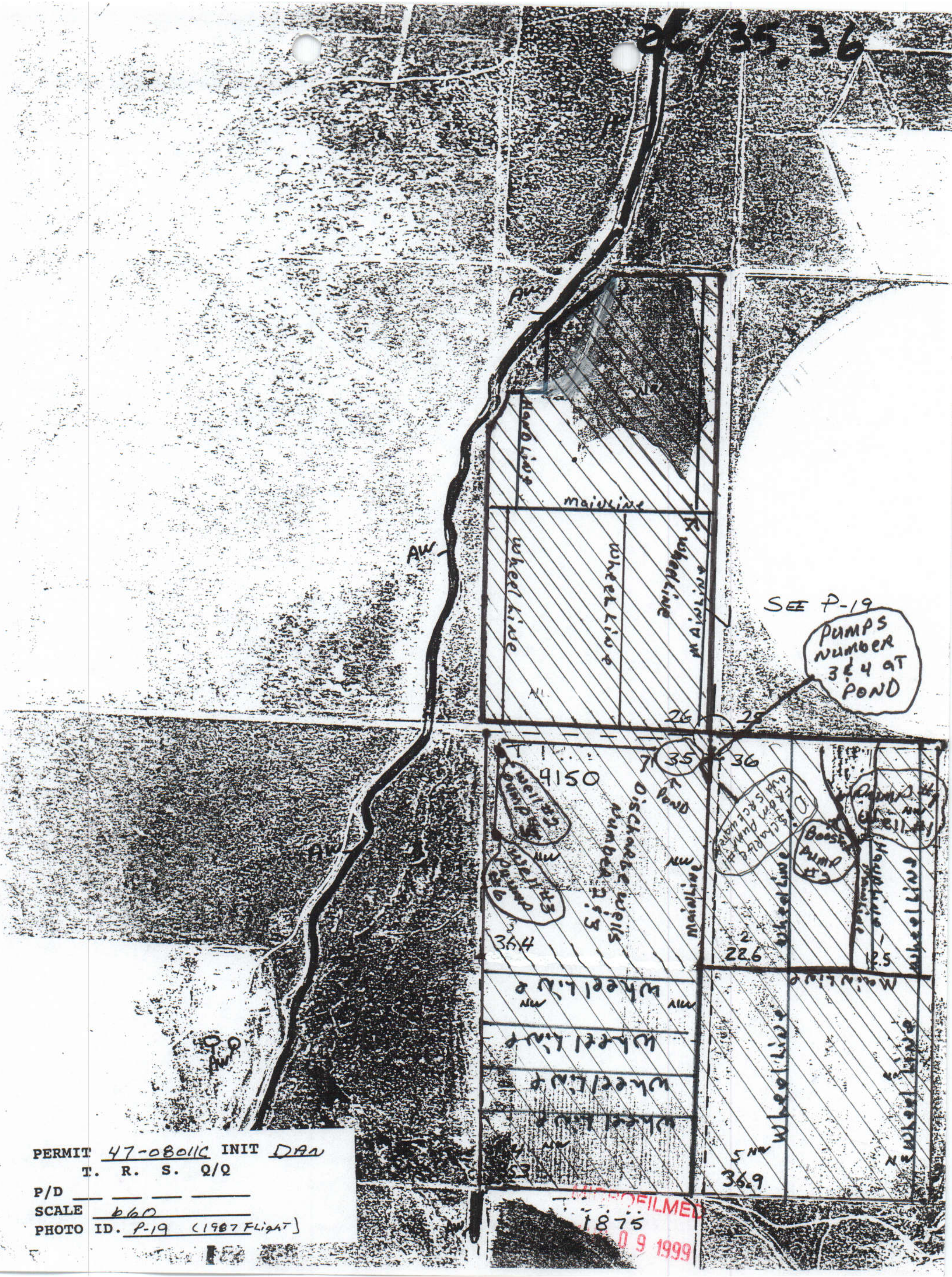
OK TJL 12-4-90



MICROFILMED
FEB 2 5 2002

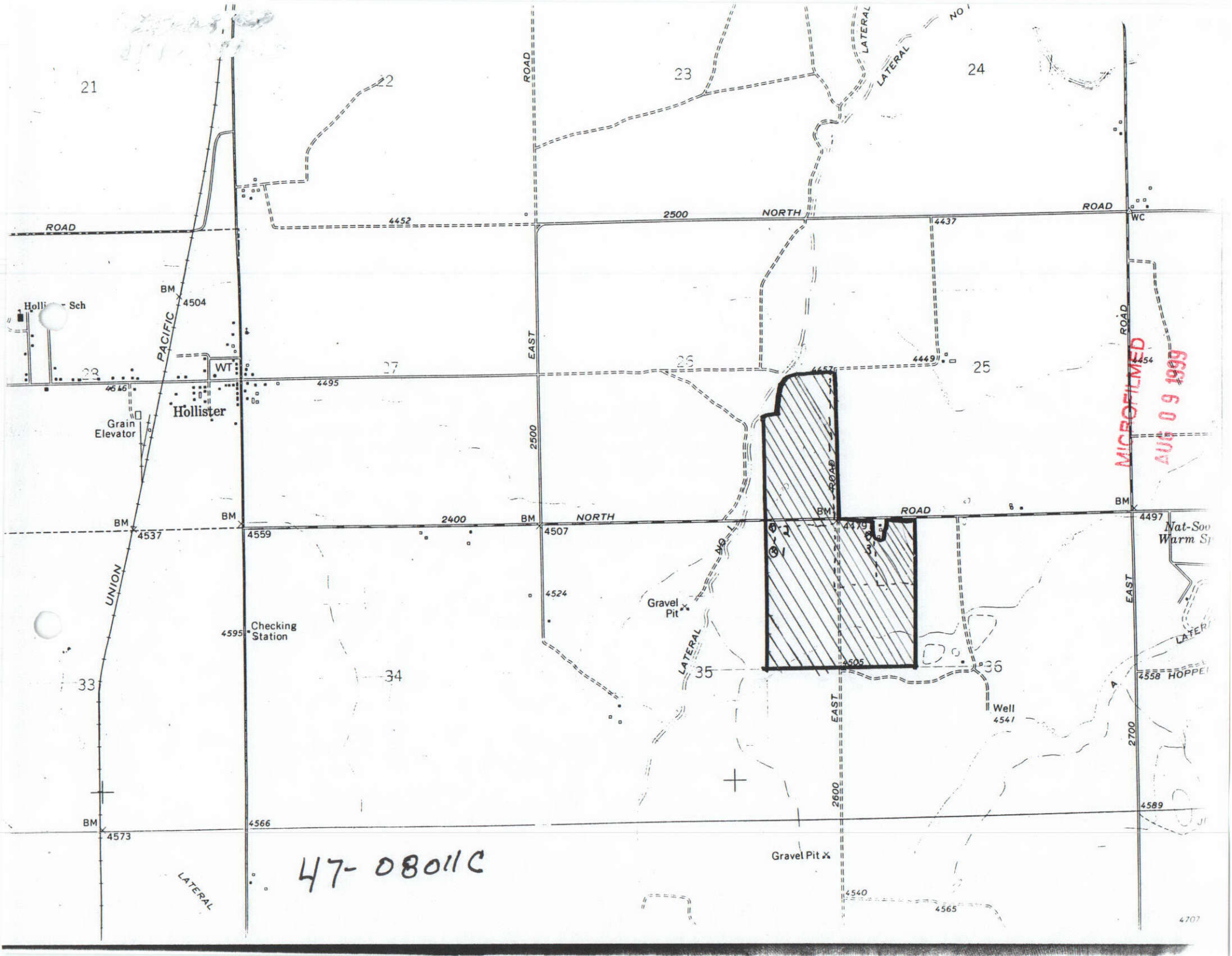


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AUG 0 9 1999

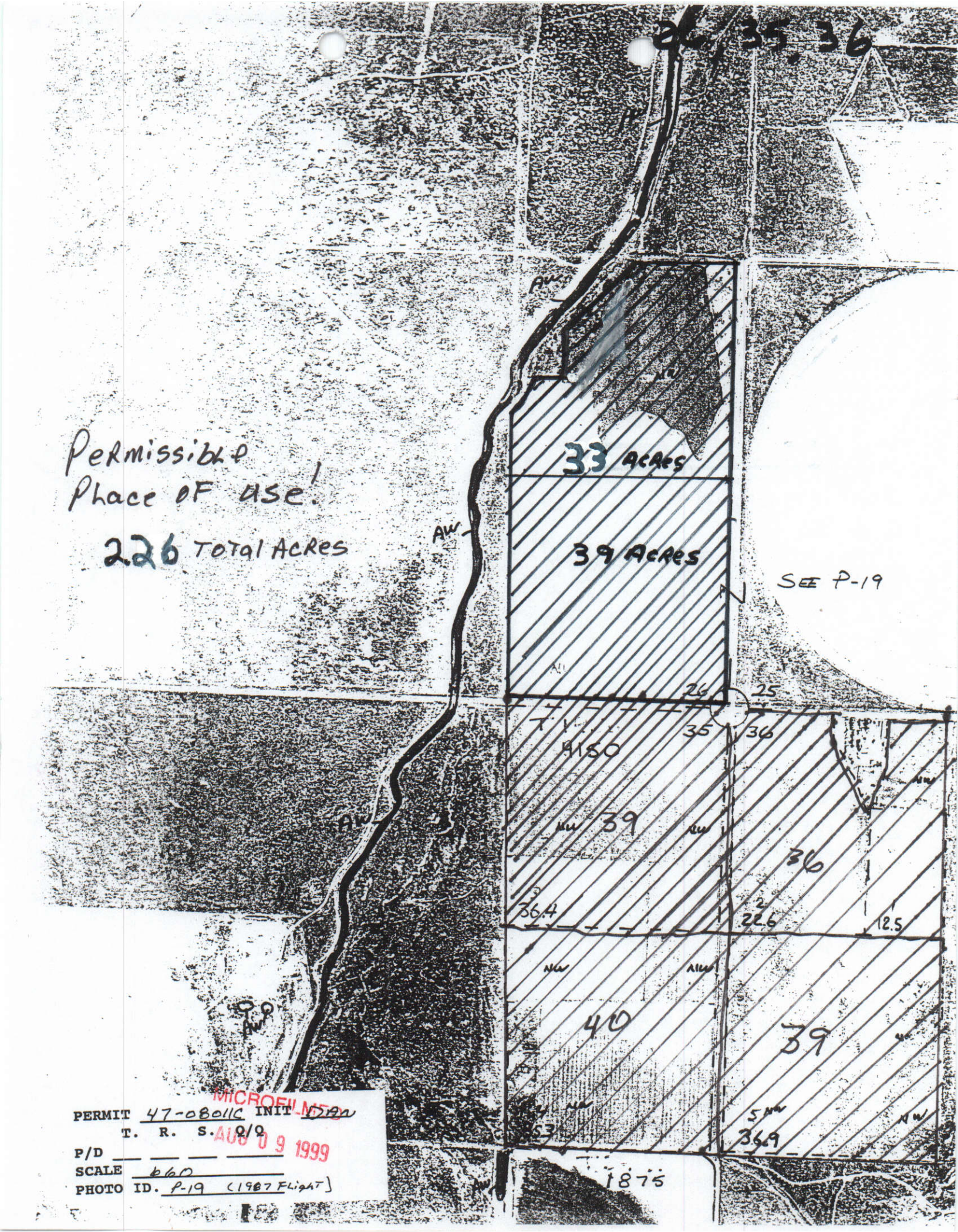


PERMIT 47-08011C INIT DAN
T. R. S. Q/Q
P/D __ __ __ ____
SCALE 660
PHOTO ID. P-19 (1987 Flight)

MICROFILMED 1875 0 9 1999


21
22
23
24
ROAD
LATERAL NO 1
2500 NORTH
ROAD
4452
4437
WC
BM 4504
Holli Sch
PACIFIC
WT
EAST
ROAD
4454
4449
25
26
27
28
4495
Grain Elevator
Hollister
2500
4457
ROAD
MICROFILMED
AUG 09 1999
BM 4537
BM 4559
2400
BM NORTH 4507
BM 4479
ROAD
BM 4497
Nat-Soo
Warm Sp
UNION
4524
Gravel Pit
LATERAL NO 1
EAST
LATERAL
4595 Checking Station
33
34
35
36
4505
4558 HOPPE
Well 4541
2700
2600
BM 4573
4566
4589
LATERAL
Gravel Pit
4540
4565
4707

47-0801C



MICROFILMED
AUG 09 1999

PERMIT 47-0801IC INIT MSA
T. R. S. 0/0
P/D
SCALE 660
PHOTO ID. P-19 (1987 Flight)



S
E W
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well #2 (Pump #5) well #3 (Pump #6) is to the South Both wells meet under ground and Travel East to Pond.

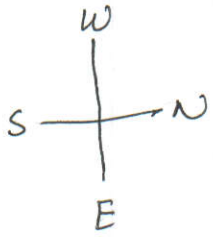


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AUG 0 9 1999

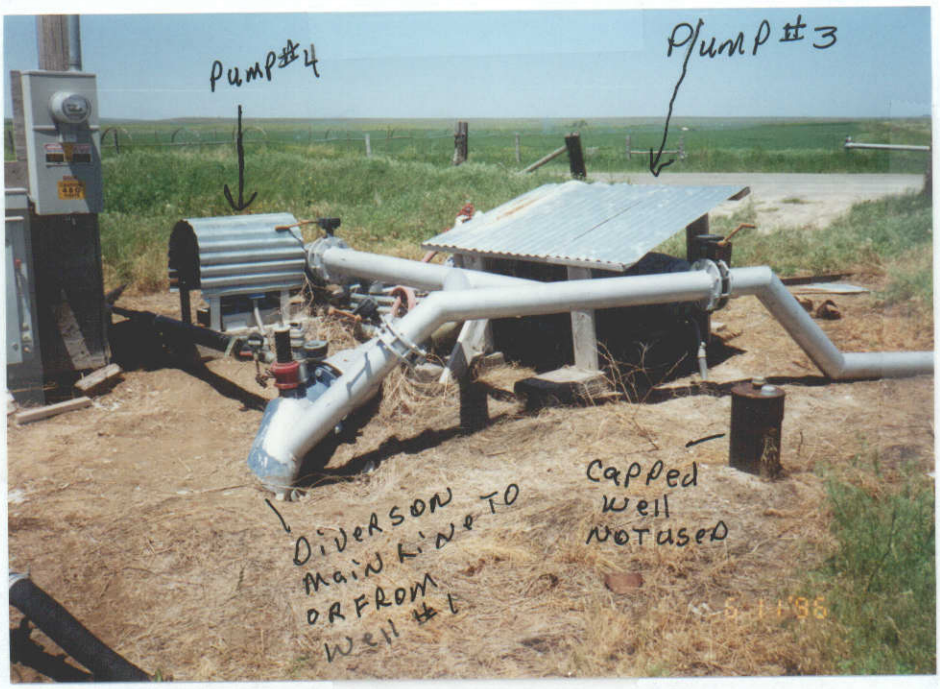
well #3 (Pump #6)

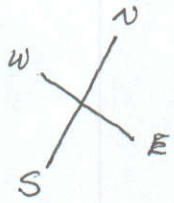




This is The HOLDING POND FOR Pumps 3 & 4. SRCC WATER ENTERS FROM The SOUTH EAST CORNER. The WATER FROM Well # 2 (Pump # 5) and well #3 (Pump #6) ThROugh ~~open~~ OPEN Discharge OUT OF PIPE ON WEST END OF POND.

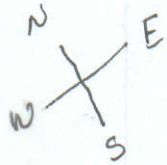
MICROFILMED
AUG 0 9 1999





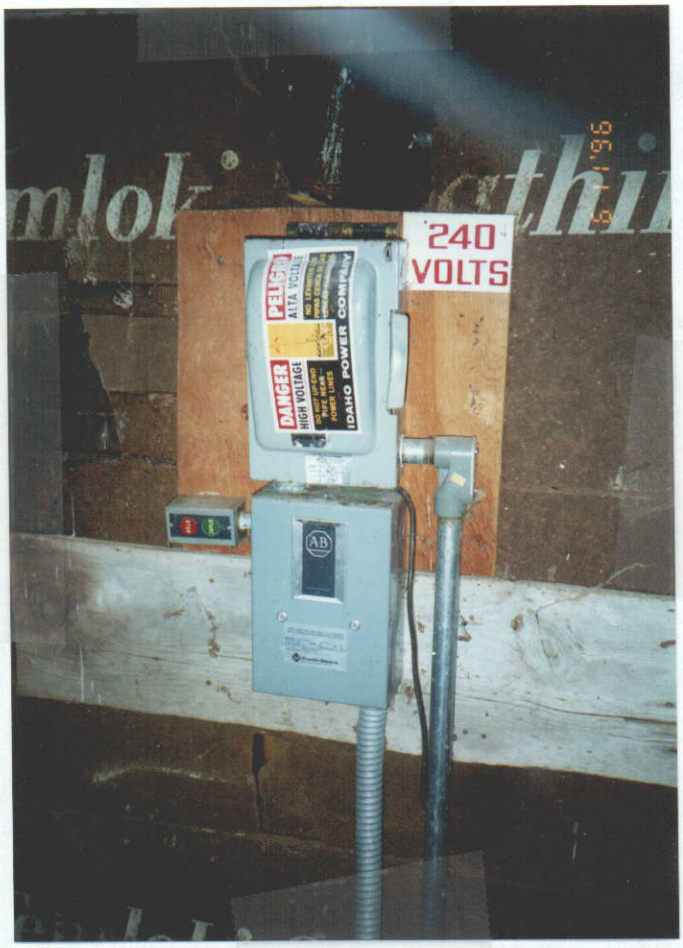
Pump #3 & Pump #4 pumps water from the pond and from the mainline from well #1, water can be pumped across the road to the north and and into the main line to the fields in sec. 35, Section 36 and to well #1.





Diverson across the road through the Ditch culvert via 6" main line TO Section 26.

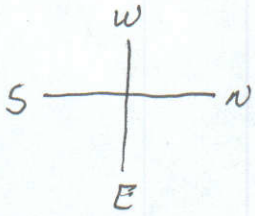
MICROFILMED
AUG 09 1999



INSIDE ELECTRICAL WORKS FOR PUMP #1
Well #1

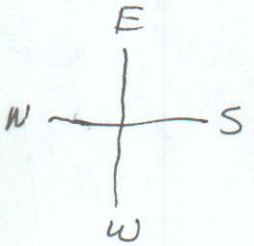
MICROFILMED
AUG 09 1999





Well House FOR Pump # 1 well #1. The BOOSTER (Pump #2) is located TO The south OF well #1

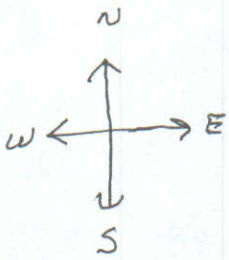




IN-LINE BOOSTER AT well #1. (Pump # 2)
4" mainline into and out of well #1

MICROFILMED
AUG 0 9 1999





Pump #1

Water is pumped from a well by a 125 Horse power motor and delivered by pipe to the cement ditch. water from Salmon River Canal Co. goes under Road and Empties into this cement Ditch. Water can be sent north down Earthen ditch and west down cement ditch to pond #1

Note:

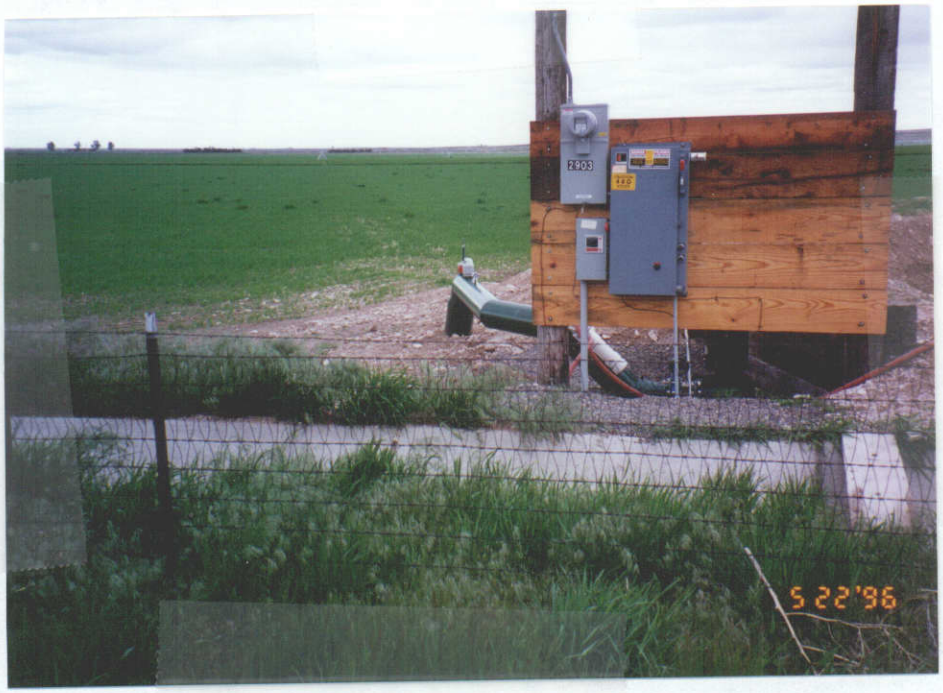
Orifice meter is on end of pipe.

MICROFILMED
JAN 07 1998



(6 RAINLAND METER ON PUMP # 1 (The well Pump)

MICROFILMED
JAN 0 7 1998

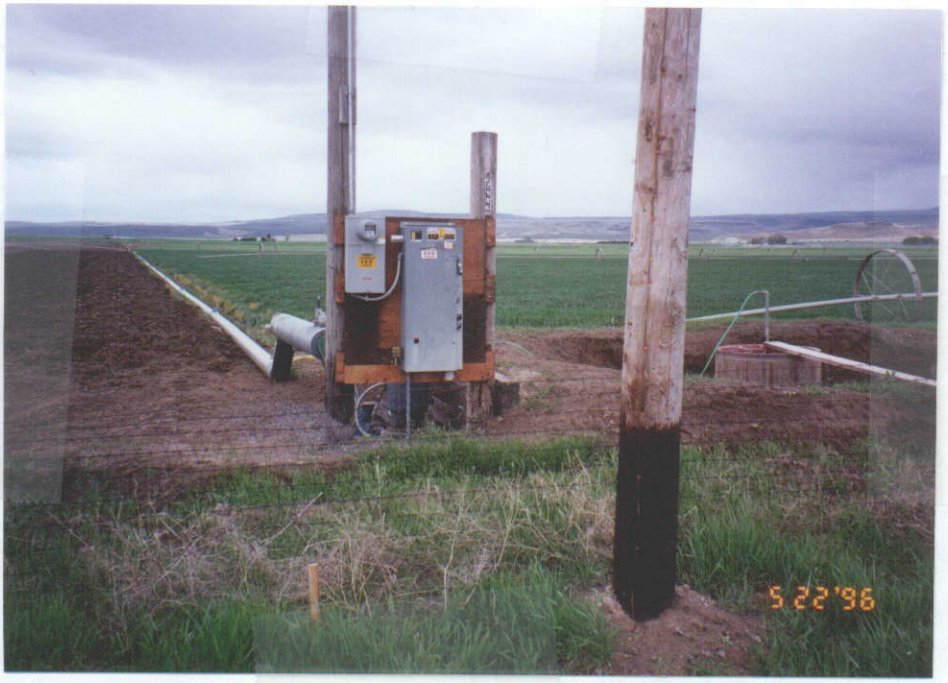


N
E W
S

Pump #2

Rediverts water from Pond #1 and delivers it to center pivot

30 hp pump



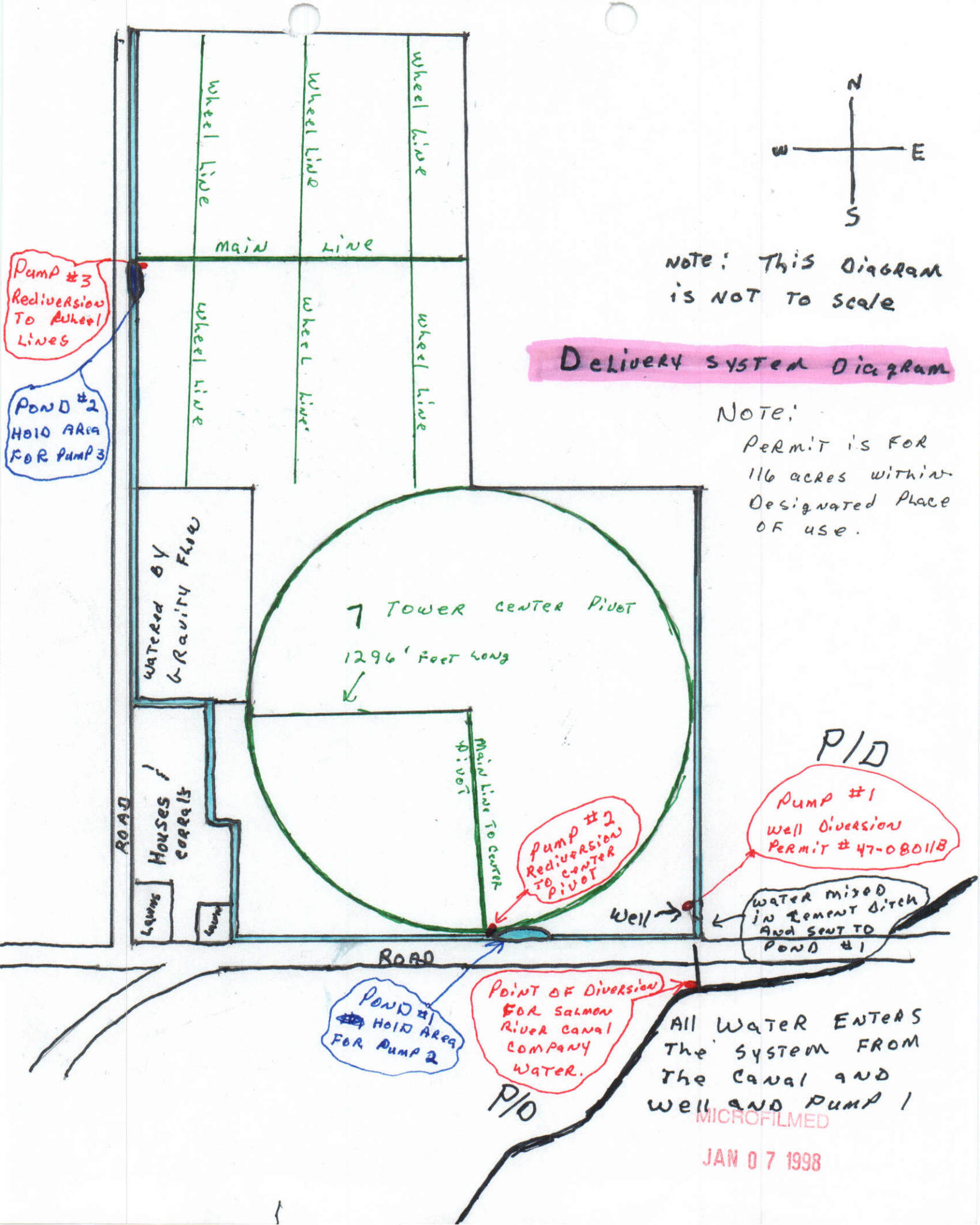
W
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Pump #3

Rediverts water from Pond #2 and delivers it to the six wheel lines

50hp pump

MICROFILMED
JAN 0 7 1998



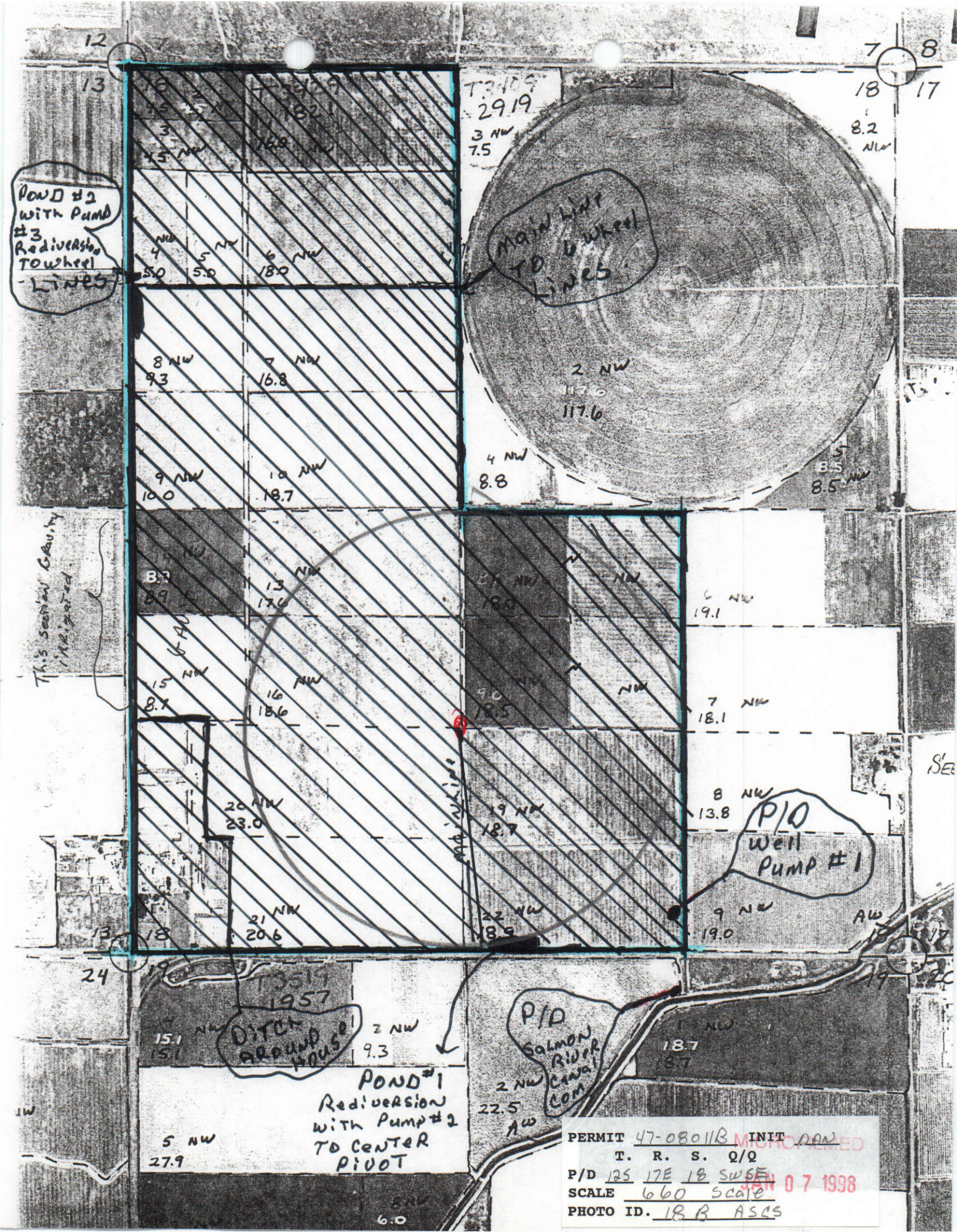
NOTE: This Diagram is NOT To Scale

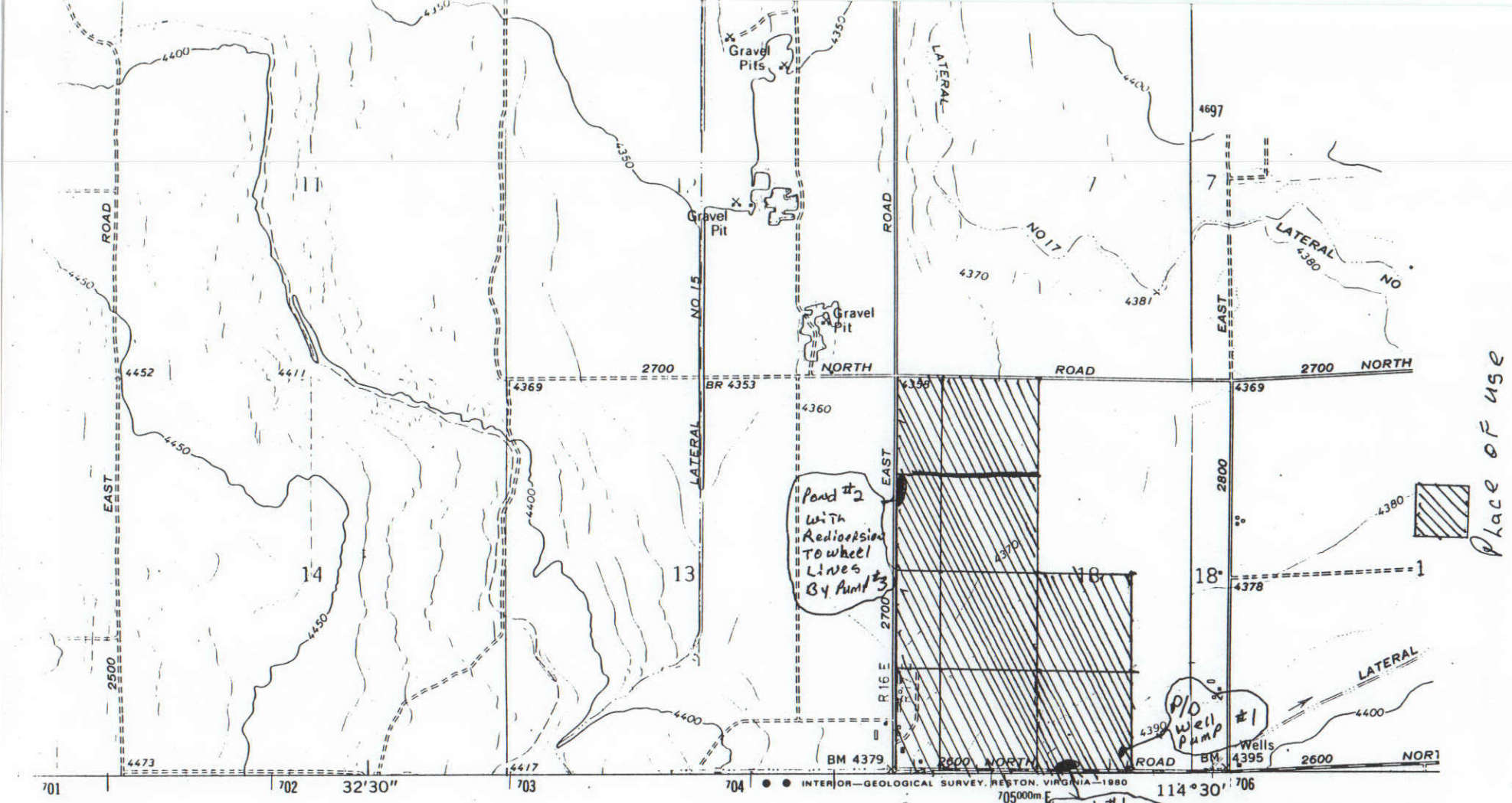
Delivery System Diagram

NOTE:
Permit is for 116 acres within Designated Place of use.

All Water Enters The System From The Canal and well and Pump 1

MICROFILMED
JAN 07 1998


POND #2 with Pump #3 Rediversion TO wheel LINES
MAIN LINE TO WHEEL LINES
T3S R2E 29 19
T3S R2E 1957
DITCH AROUND HOUSE
POND #1 Rediversion with Pump #2 TO CENTER PIVOT
P/D SALMON RIVER CANAL CO.
P/D well Pump #1
This seeding Gravity Irrigated
PERMIT 47-08011B INIT DAN
T. R. S. Q/Q
P/D 18S 17E 18 SWSE
SCALE 660 Scale
PHOTO ID. 18 B ASCS
MICROFILMED
JAN 07 1998



00

1 MILE

4000 5000 6000 7000 FEET

1 KILOMETER

10 FEET
FOOT CONTOURS
DATUM OF 1929

MAP ACCURACY STANDARDS
ORADO 80225, OR RESTON, VIRGINIA 22092
SYMBOLS IS AVAILABLE ON REQUEST

MICROFILMED
MAR 1998

IDAHO

QUADRANGLE LOCATION

ROAD CLASSIFICATION

Primary highway, hard surface

Secondary highway, hard surface

Light-duty road, hard or improved surface

Unimproved road

( ) Interstate Route ( ) U. S. Route ( ) State Route

Mapped, edited, and publis

Control by USGS and NOS/NOAA

Topography by photogrammetric m photographs taken 1960. Field ch Revised from aerial photographs ta Limited field check 1979. Map edi

Polyconic projection. 1927 North A 10,000-foot grid based on Idaho coo central zone

1000-meter Universal Transverse Me zone 11, shown in blue

To place on the predicted North Amer move the projection lines 13 meters n 72 meters east as shown by dashed c

There may be private inholdings within the National or State reservations show

BERGER, IDAHO

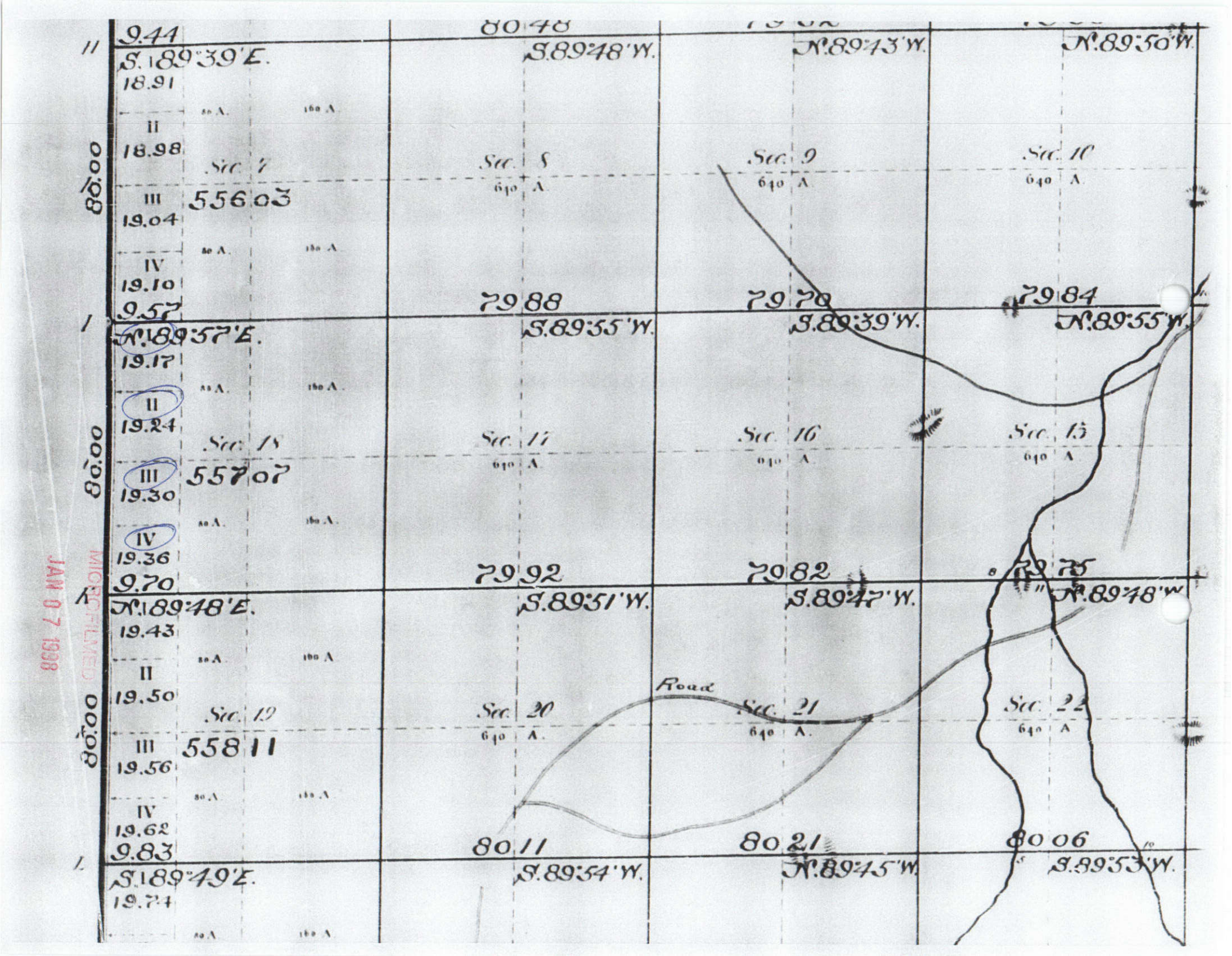
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1979

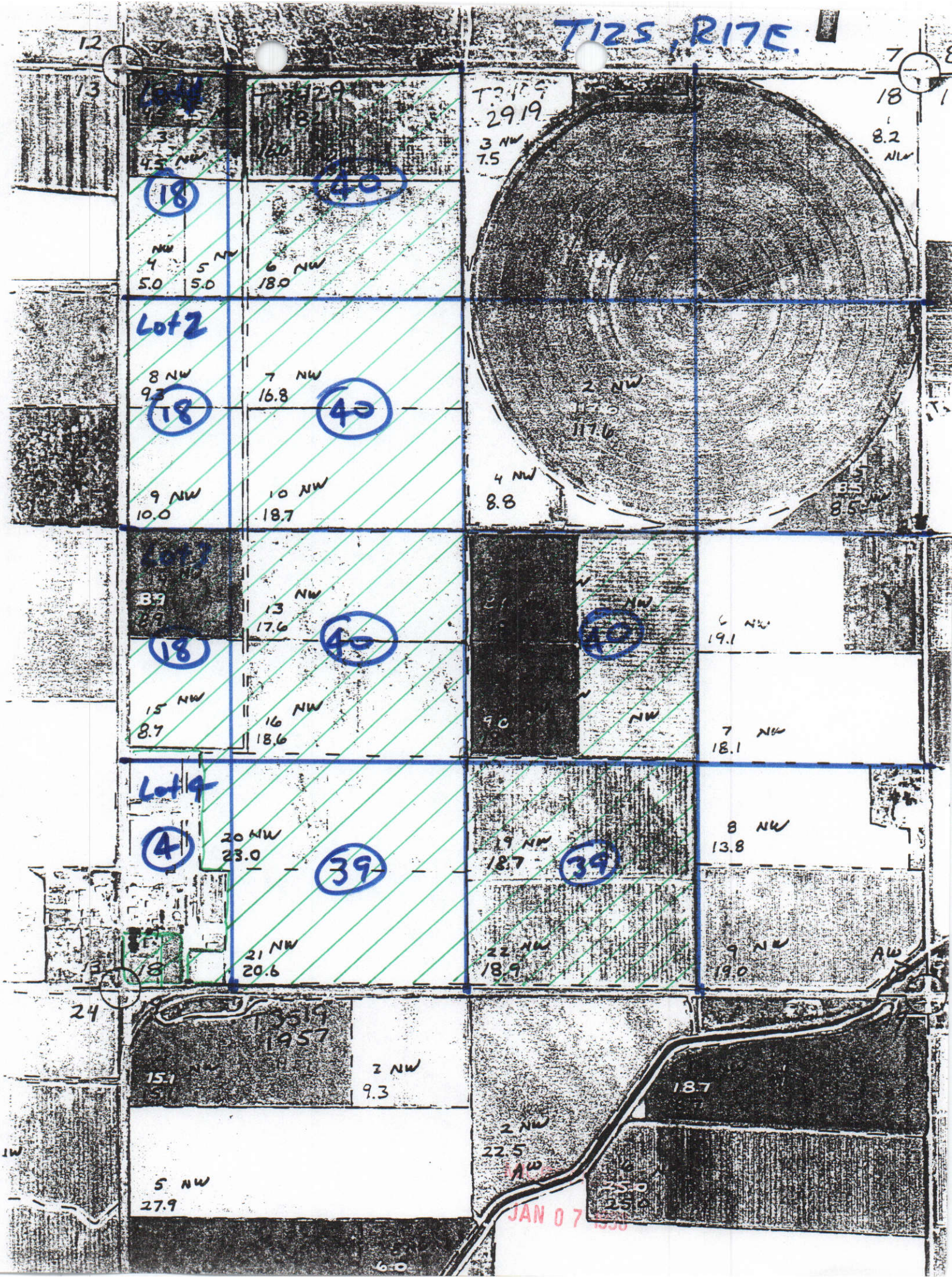
DMA 3068 I NE—SERIES

CC 22 & CC 23

Combined



MICROFILMED JAN 07 1998

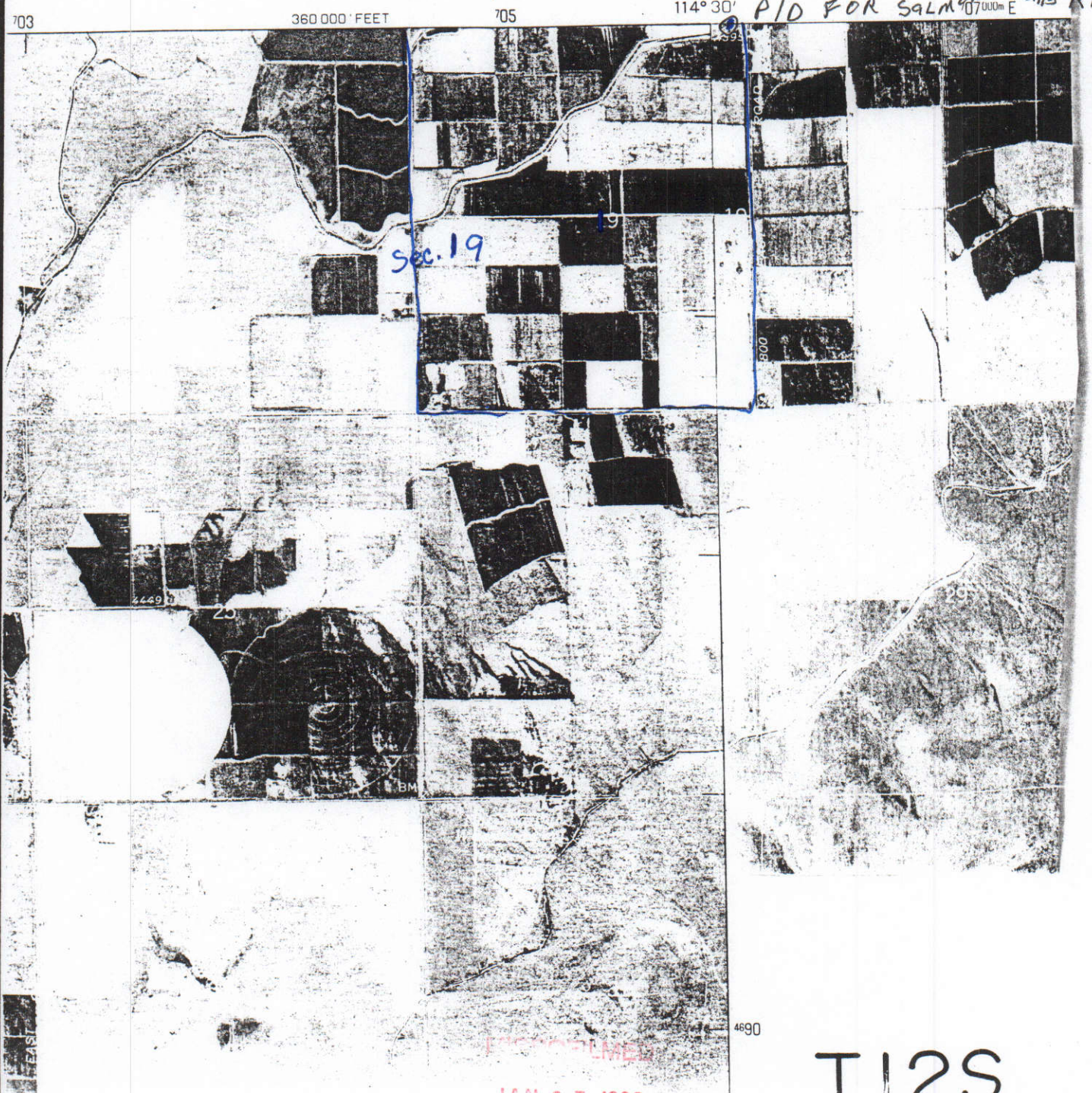

T12S, R17E.
12
13
18
7
18
Lot 2
Lot 3
Lot 4
18
40
39
4
18
24
JAN 07

R16E R17E CC72

HOLLISTER QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

UNITED STATES
DEPARTMENT OF THE INTE
GEOLOGICAL SURVEY

P/D FOR Salmon Falls River canal co. Diversion



T12S

JAN 07 1998

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? [ ] Yes [X] No

If yes, is there a check-valve present? [ ] Yes [ ] No — N/A

Is there a possible source of contamination nearby? [X] Yes [ ] No

If yes, what Type? Canal from SRCC approx 200' South

How far away from the well is this source? 200' SOUTH

9. REMARKS: The well and pump looked to be in Excellent condition. The only concern was with an installed air line to calculate the depth of the water. It did not seem to be functioning properly. May need to be calibrated.

Daniel A. Nelson Field agent — 5-22-96

Signature of Dept. Representative & Title — Inspection Date

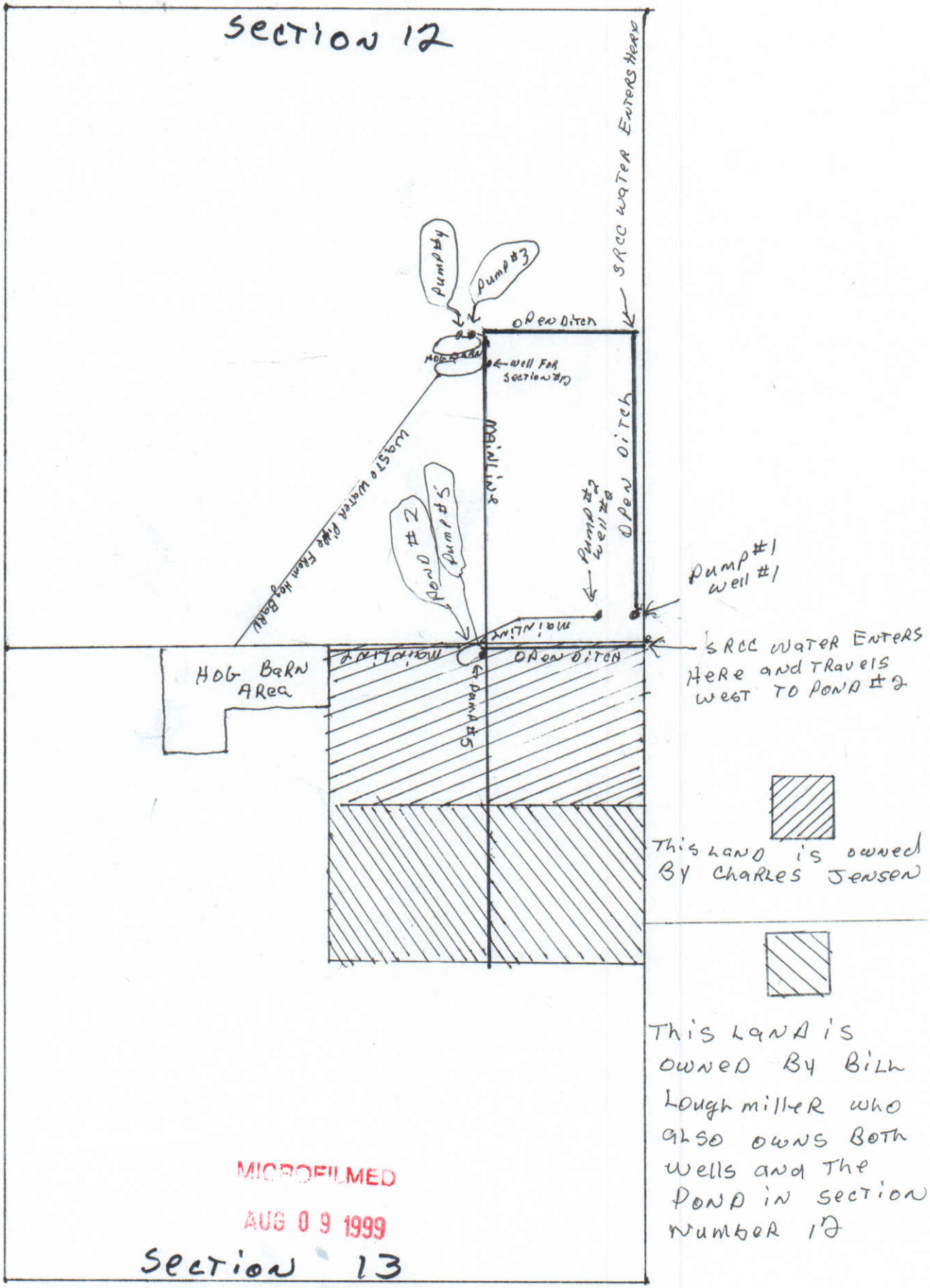
PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



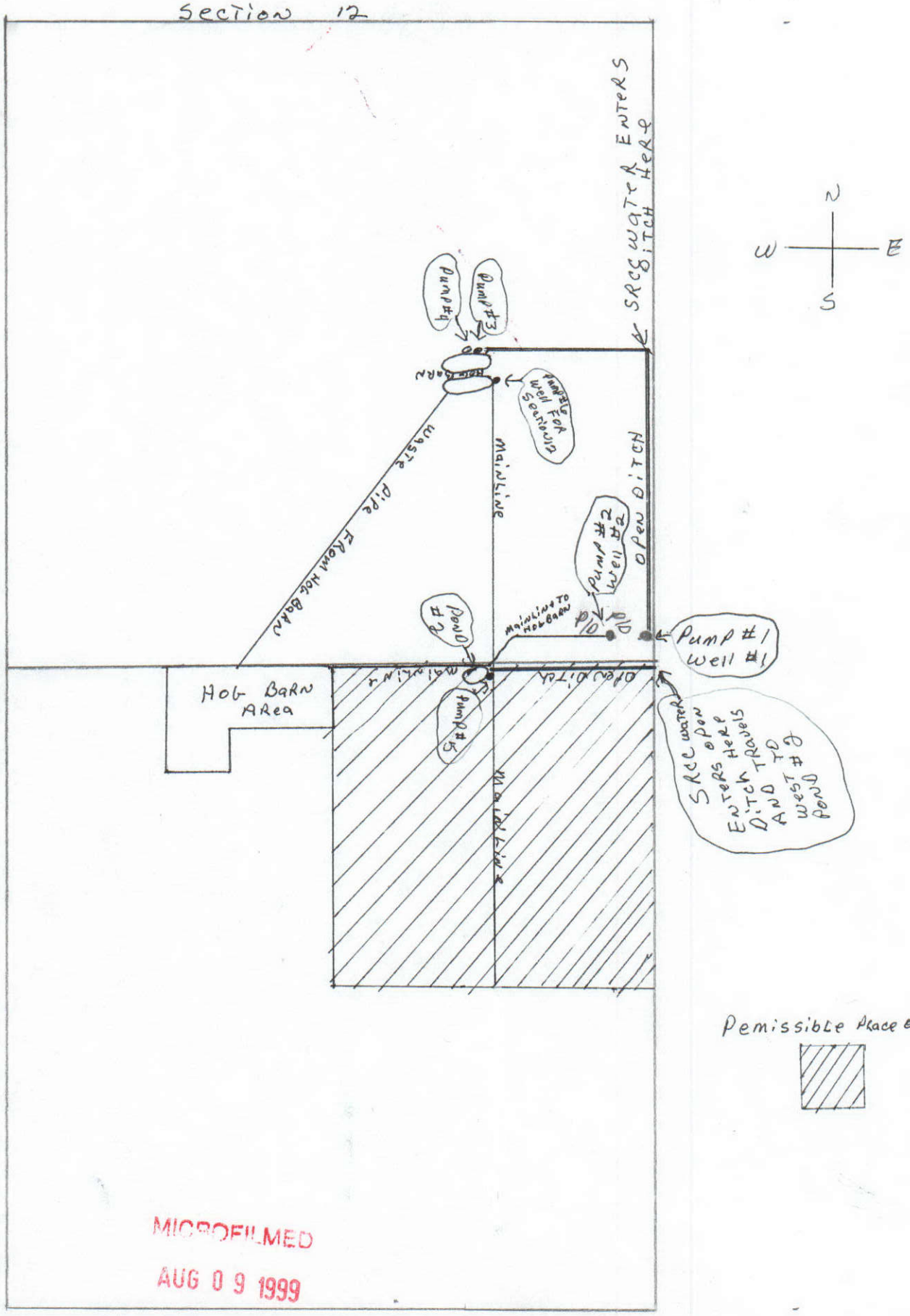
WATER is pumped from well by a 125HP motor and delivered by pipe to a cement ditch

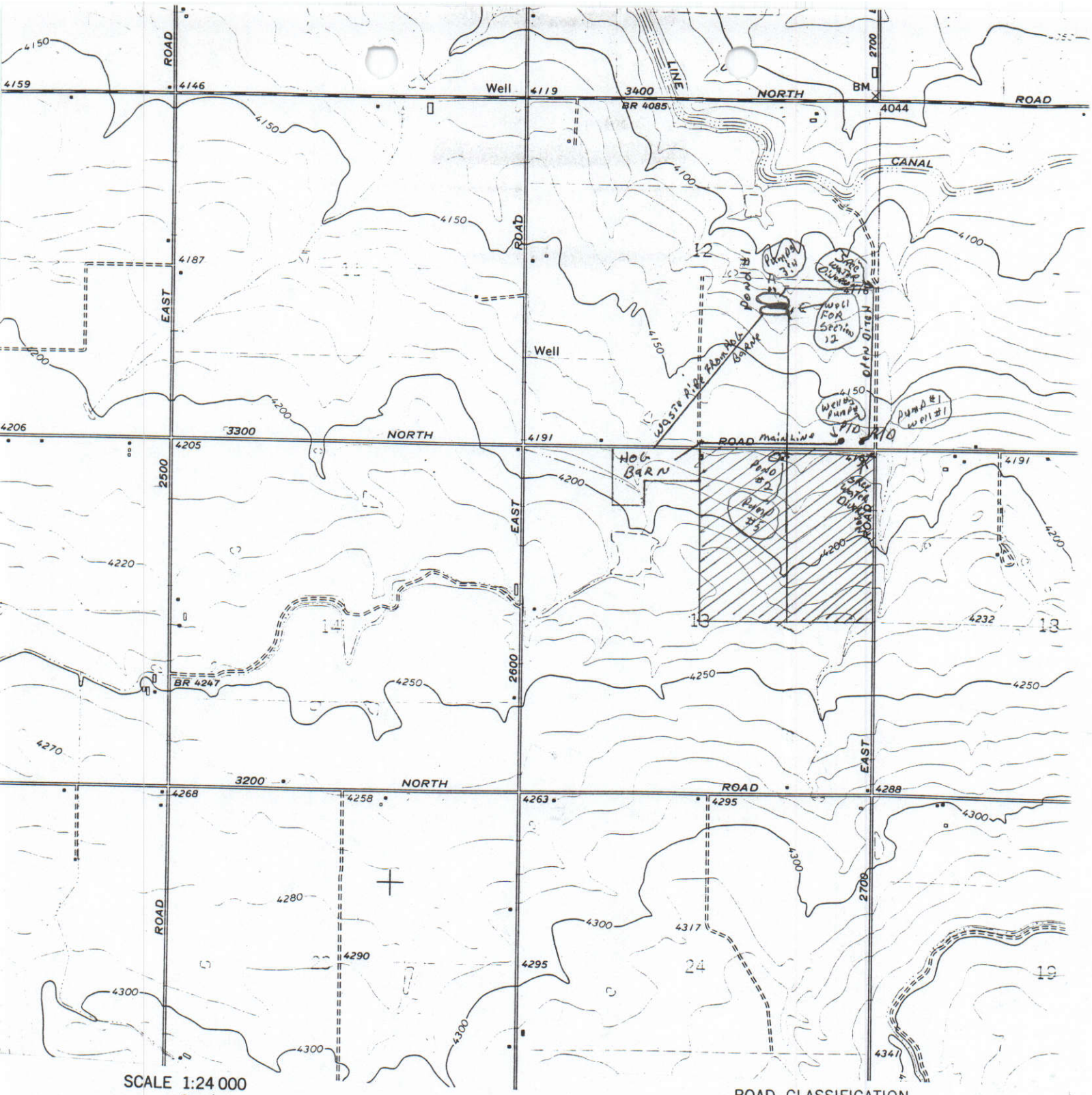
NOTE:
ORIFICE METER IS ON END OF PIPE

MICROFILMED
JAN 07 1998



MAP OF OWNERSHIP OF LAND


Section 12
SRCS WATER ENTERS DITCH HERE
N
W
E
S
Pump #4
Pump #3
Hole #2
Pump #2 Well #2
Waste pipe From Hob Barn
Mainline
Open Ditch
Pond #2
Mainline to Hob Barn
P10
P10
Pump #1 Well #1
Hob Barn Area
Mainline
Open Ditch
Pump #5
Mainline
SRCS water open Ditch Travels and to West #2 Pond
Permissible Place of Use
MICROFILMED
AUG 0 9 1999
Section 13
SYSTEM Diagram



SCALE 1:24 000

0 — 1 MILE

1000 2000 3000 4000 5000 6000 7000 FEET

.5 0 — 1 KILOMETER

CONTOUR INTERVAL 10 FEET

...OTTED LINES REPRESENT 5-FOOT CONTOURS

...ATIONAL GEODETIC VERTICAL DATUM OF 1929

ROAD CLASSIFICATION

Primary highway, hard surface

Secondary highway, hard surface

Light-duty road, hard or improved surface

Unimproved road

Interstate Route U. S. Route State Route

IDAHO

QUADRANGLE LOCATION

BERGER, IDAHO

N4222.5—W11430/7.5

1979

DMA 3068 I NE—SERIES V893

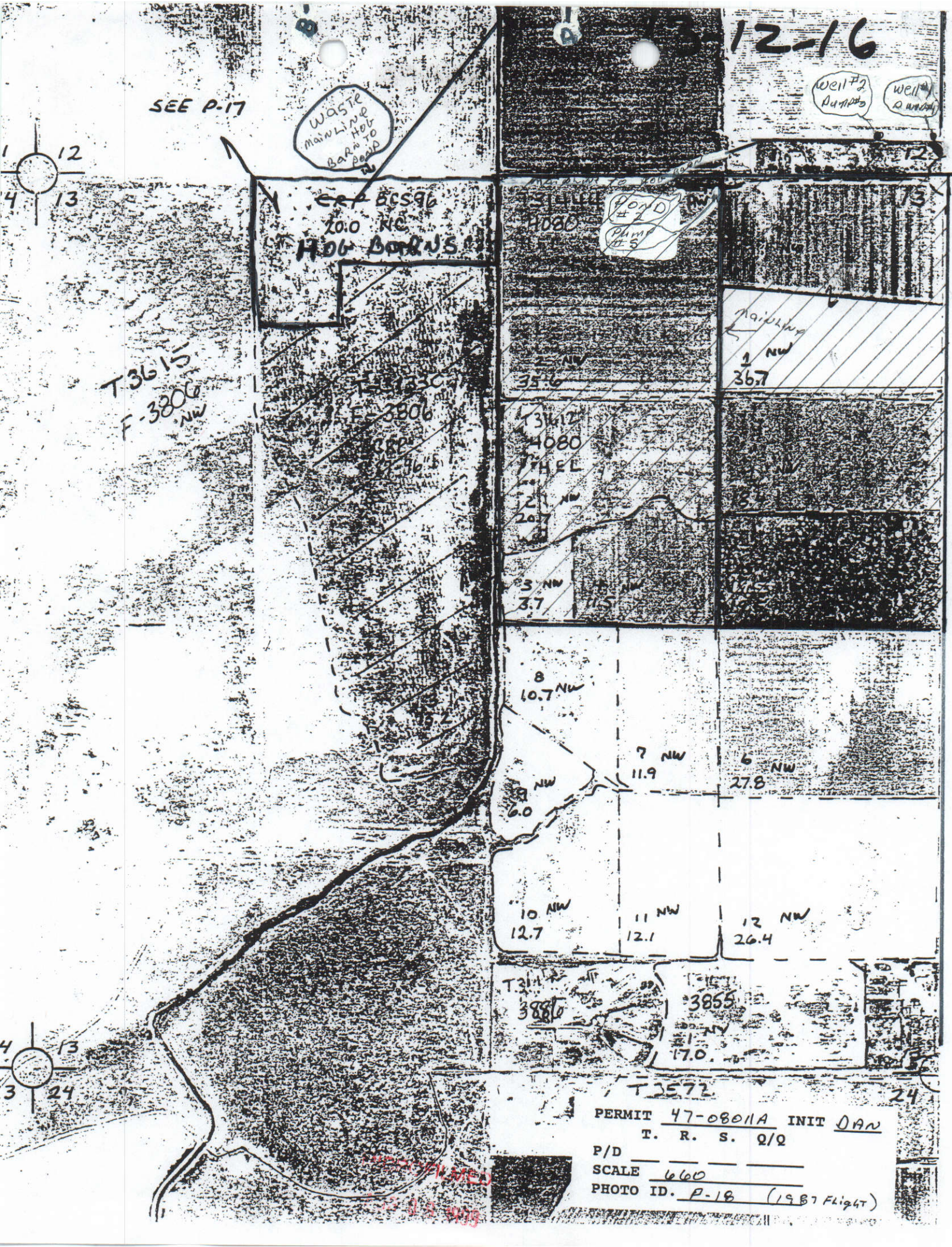
...P COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

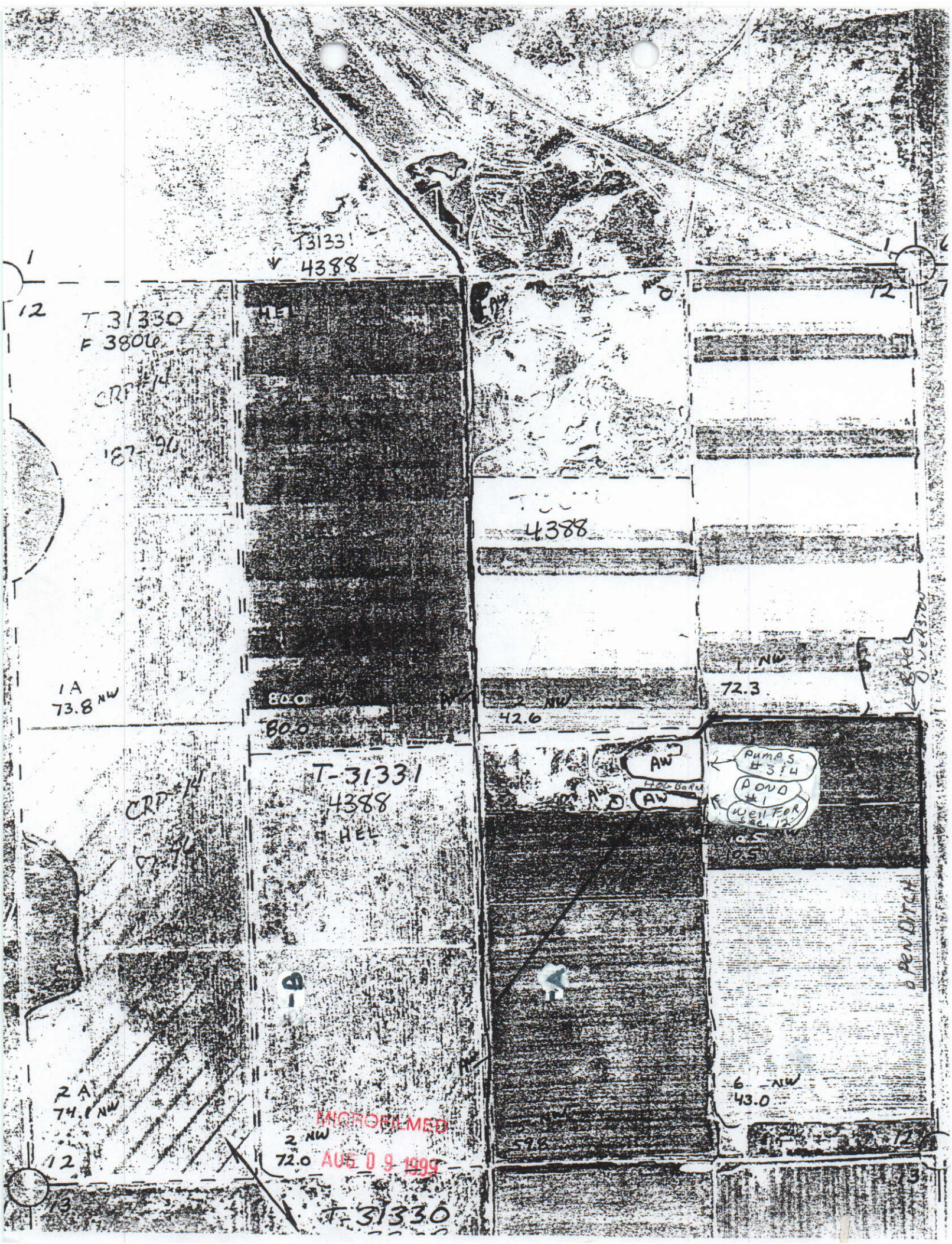
...ICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092

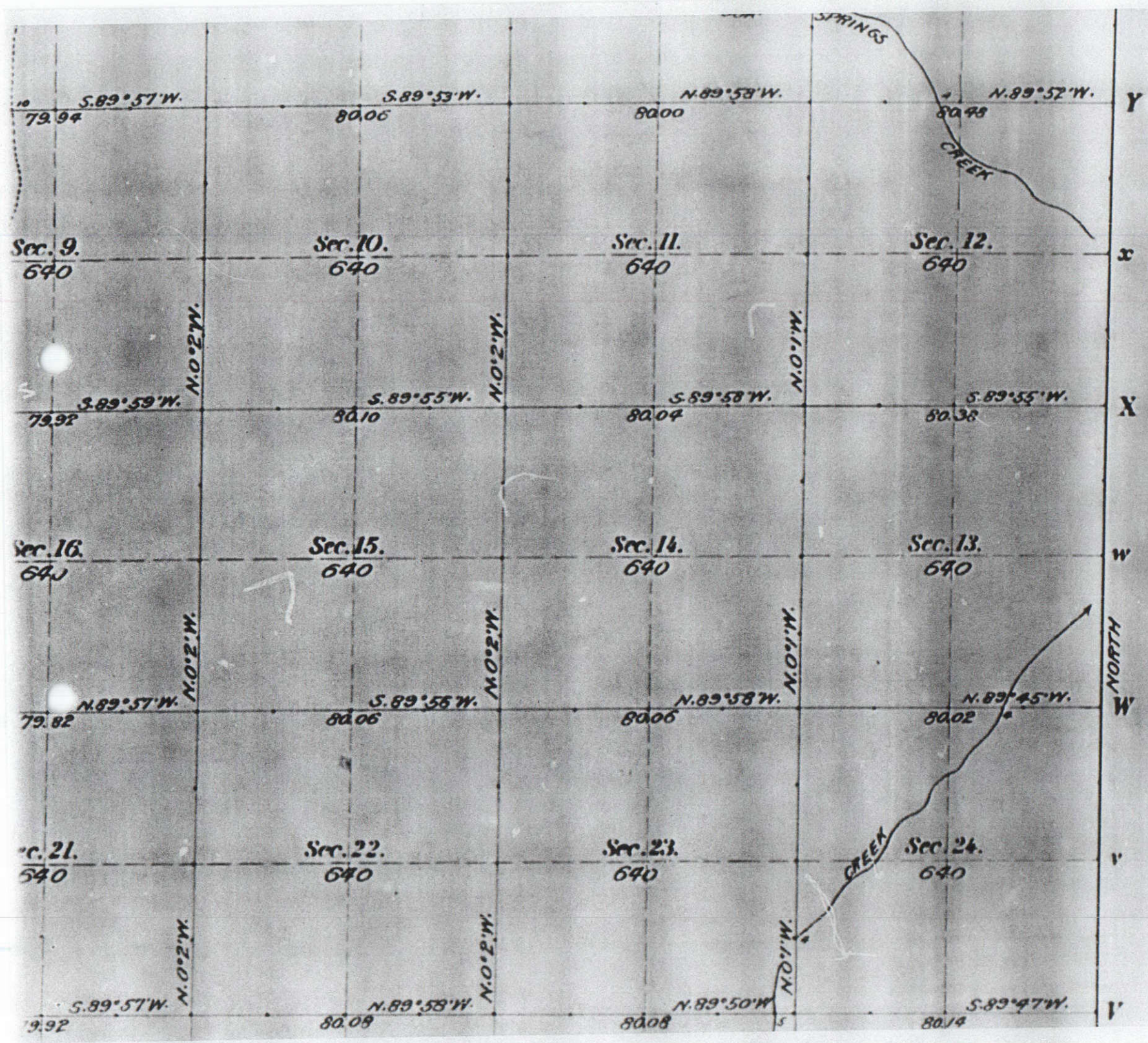
...NG TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

MICROFILMED

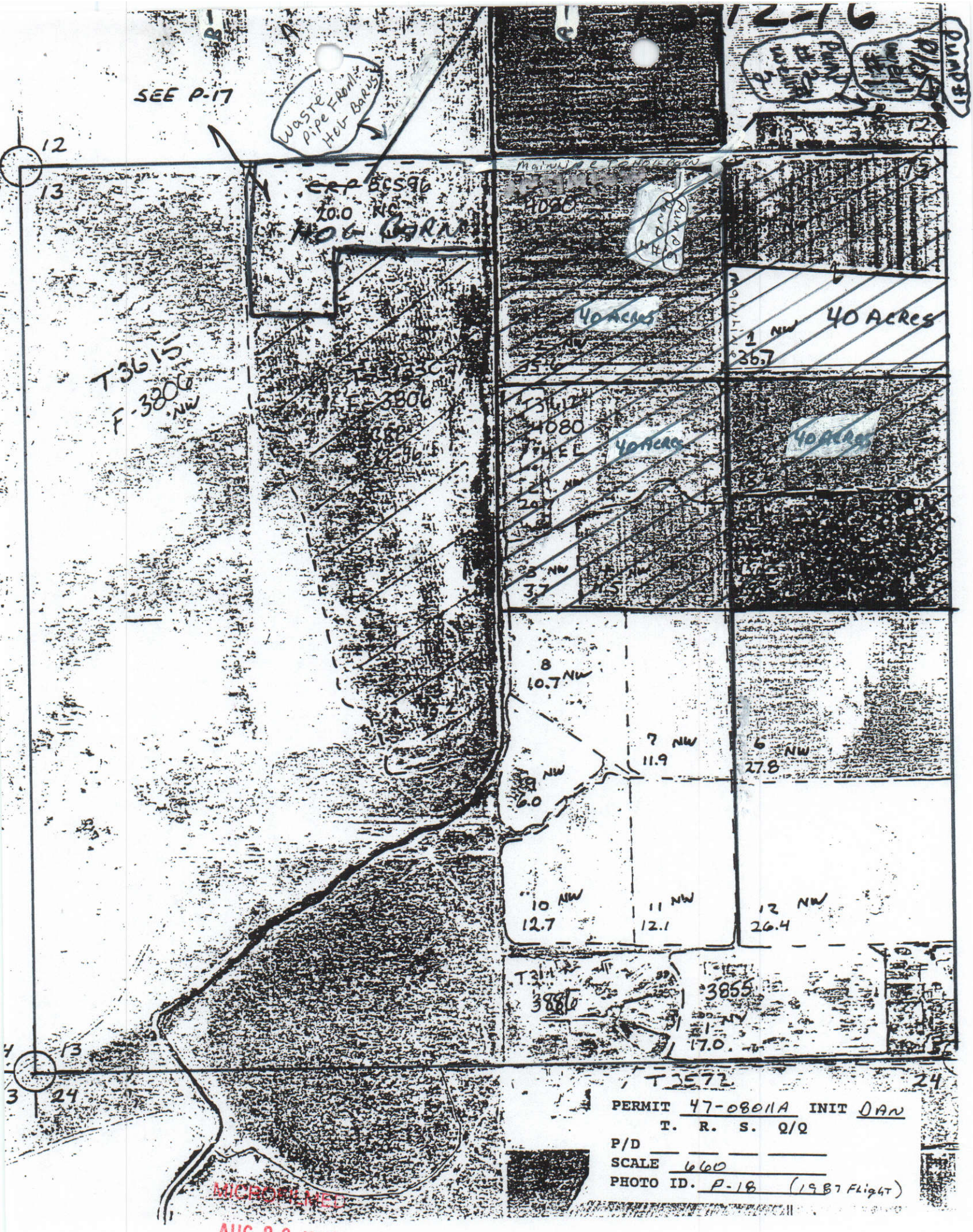
AUG 0 9 1999


12-16
SEE P-17
Waste Main Line Hor Bar to Pond
Well #2 Pump
Well #1 Pump
ERP BCS96
20.0 NC
HDD Bores
Pond #1
Pump #5
T3615
F-3806
T-3830
F-3806
ERP BCS96
T3612
4080
T3572
3855
3880
PERMIT 47-0801A INIT DAN
T. R. S. Q/Q
P/D
SCALE 660
PHOTO ID. P-18 (1987 Flight)

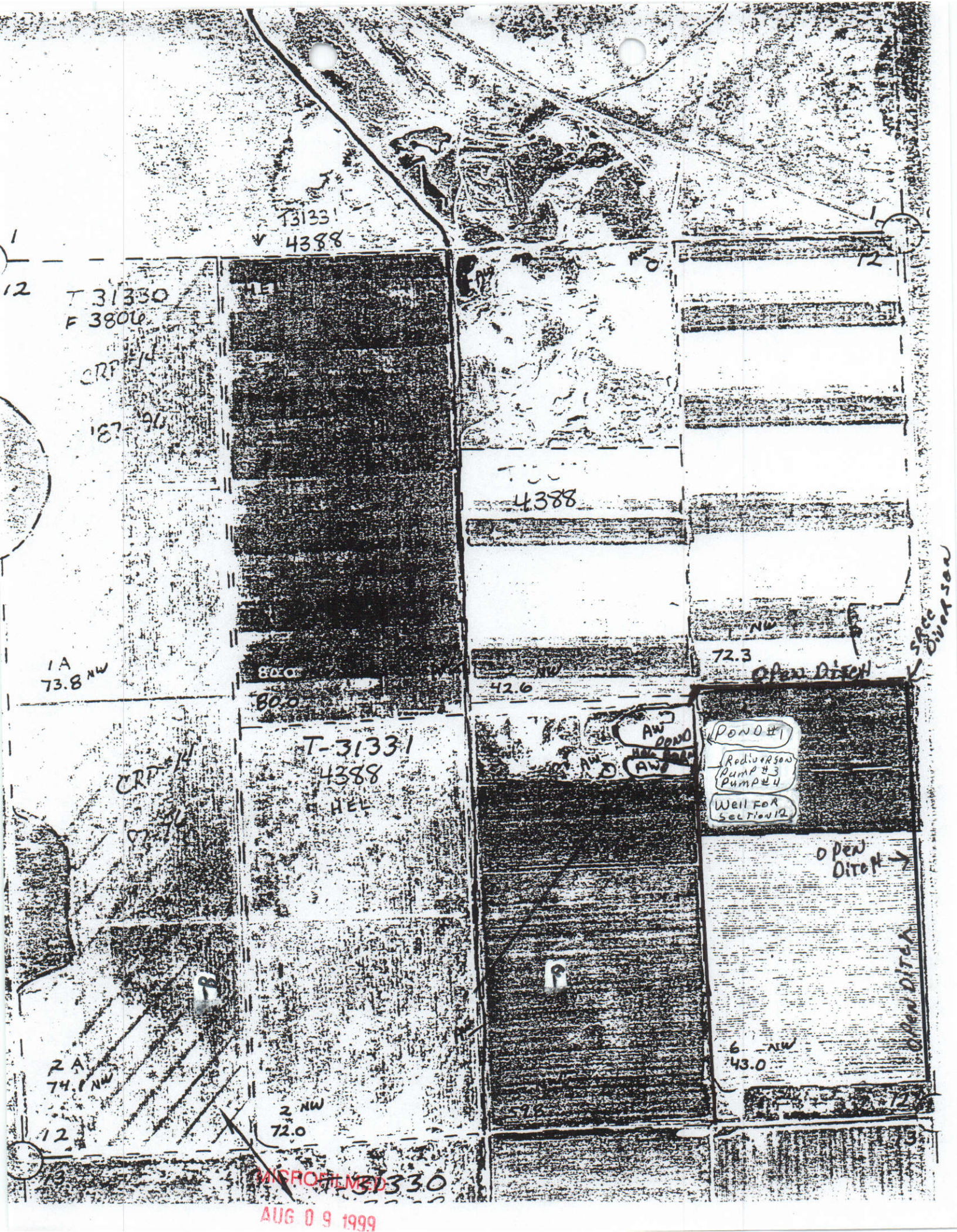

T3133!
4388
1
12
T 31330
F 3806
CRP-14
187-96
HEL
4388
1A
73.8 NW
80.0
80.0
42.6 NW
72.3
NW
T-31331
4388
HEL
CRP-14
96
AW
AW
AW
Hel Barn
Pump #3!4
POND #1
Well For Sec. 12
0.5
Open Ditch
2A
74.1 NW
2 NW
72.0
6 NW
43.0
59.8
12
13
T-31330
MICROFILMED
AUG 0 9 1999



MICROFILMED
AUG 0 9 1999

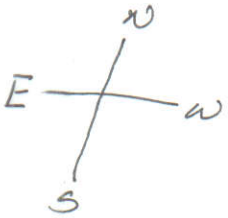


MICROFILMED
AUG 0 9 1999



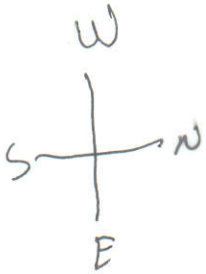
MICROFILMED
AUG 0 9 1999





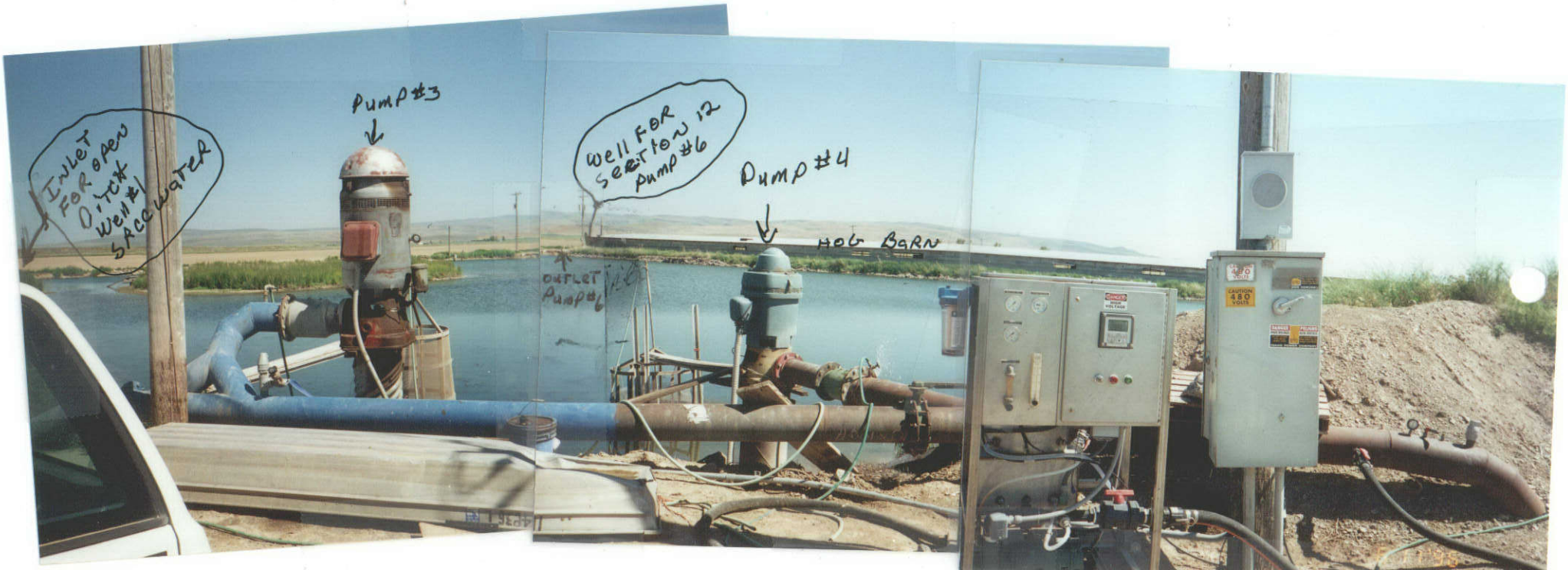
This is well #1 Pump #1. Pump #1 Discharges into the Open Ditch which runs approx. ½ mile then turns left and Discharges into POND #1.

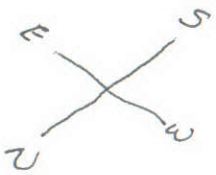




This is Pump #2 Well #2. The main line follows Fence west to the end then turns south across road then north again to Hay Barn.

MICROFILMED
AUG 0 9 1999





MICROFILMED
AUG 0 9 1999

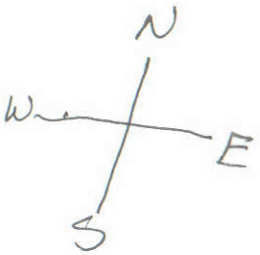
This is the ~~one~~ North side of Pond #1. A Hog Barn sits on an island straddling the Pond. The water enters the Pond in 3 places. 1st place is in the North East corner of Pond. This is where SRCC water and water from well #1 enters the Pond. 2nd point is directly East of the Northeast corner of the Hog Barn. The third place is on other side of Hog Barn



MICROFILMED
AUG 0 9 1999

This is the southside of Pond #1. The Discharge from the Hog Barn located in section 13 Discharges in the Southwest corner of Pond #1. This picture also shows Pump #6 that pumps water to irrigat lands in section 12.





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AUG 0 9 1999

This Pond #2. The main line from Pond #2 crosses the road under ground and Pump #5 draws water from the pond and recharges the mainline. The Pond is filled with SRCC water which empties into the Pond in the northeast corner.

Form 238-
1/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

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 BILL LOUGHMILLER

Address HOLLISTER, ID

Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☒ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	8 inches +	1 feet	20 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

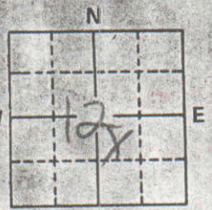
Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 18' Material used in seal: ☒ Cement grout ☒ Well cuttings ☐ Puddling clay
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County TWIN FALLS

NW ¼ SE ¼ Sec. 12, T. 12 N/S, R 17 E/W.

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APR 15 1991

7. WATER LEVEL

Static water level 70 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 _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	8	TOPSOIL		
	8	18	DECOMPOSED LAVA		
	18	60	SOLID GRAY LAVA		
	60	65	RED SANDSTONE		
	65	75	GRAY LAVA		
	75	78	CINDERS		
	78	90	GRAY LAVA		
	90	97	LARGE RED CINDERS		
	97	135	GRAY LAVA		
	135	165	REDISH BROWN LAVA + TALC		
	165	170	HARD GRAY LAVA		
	170	190	RED LAVA + SLIGHT AMT CLAY		
	190	240	SOFT TAN LAVA - LAVA ASH		
	240	250	BROKEN + WATER TALC		
	250	260	LAVA ASH + TALC		
	260	285	MED. HARD LAVA		
	285	330	SANDSTONE		
	330	340	ROCK		

10.

Work started 10-13-79 finished 10-20-79

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name ELSING DRILLING Firm No. 31
Address P.O. BOX 919 T.F. Date Jan 6/80
Signed by (Firm Official) Harold Elsing
and
(Operator) Gar Gillespie

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	47-08011	Loughmiller Farms Inc.	5.50
SPLIT INTO PARTS A, B & C BY ASSIGNMENT			
~~Partial Assignment~~	~~47-08011A~~	~~Loughmiller Farms Inc.~~	~~2.50~~
Partial Assignment	47-08011B	Charles Boss C.J. Boss David L. Boss Norma [redacted] J. Elsing	2.00
Partial Assignment	47-08011C	Mike Courtnay Debra Courtnay	1.00
Partial Assignment	47-08011A	Loughmiller Inc.	2.50

[redacted]

JUN 29 1994

Part C

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 47-08011C

Priority: July 01,1985 Maximum Diversion Rate: 0.97 CFS

It is hereby certified that MIKE COURTNAY And/Or DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301 have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 1, 1985; and have submitted Proof of Beneficial Use on March 31, 1994. An examination indicates that the works have a diversion capacity of 1.47 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	03/15 to 11/15	0.97 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼NE¼ Sec. 35, Twp 12S, Rge 16E, B.M., TWIN FALLS County
GROUND WATER NW¼NE¼NE¼ Sec. 35, Twp 12S, Rge 16E, B.M., TWIN FALLS County
GROUND WATER NE¼NW¼NW¼ Sec. 36, Twp 12S, Rge 16E, B.M., TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 16E 26													26.0			29.0	55.0
12S 16E 35	39.0			40.0													79.0
12S 16E 36						36.0		39.0									75.0

Total Acres: 209

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.

2. Rights 47-07803B and 47-08269 are also diverted through the points of diversion described above.

3. Rights 47-07803B, 47-08269 and 47-08011C when combined shall not exceed the irrigation of 209 acres.

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 232 af at the field headgate for the 58 acres authorized to be irrigated under this right.

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FEB 2 5 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 47-08011C

5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. Some of the water use authorized by this right is claimed with an earlier priority date on Snake River Basin Adjudication Claim No. 47-04308. If Claim 47-04308 is decreed as it is claimed, this right shall be diminished by the amount necessary to avoid any redundancy of water rights.

7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 19TH day of DECEMBER, 2001.

Acting for KARL J. DREHER
Director

MICROFILMED
FEB 25 2002

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-08011C

Date of Priority: July 01,1985

Maximum Diversion Rate: 0.97 CFS
Maximum Diversion Volume: 232.0 AF

Comes now MIKE COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

And/Or

DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-08011C, and requests that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.97 CFS	232.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER TWIN FALLS County	NW1/4NE1/4NE1/4	Sec. 35, Twp 12S, Rge 16E, B.M.
GROUND WATER TWIN FALLS County	NW1/4NE1/4NE1/4	Sec. 35, Twp 12S, Rge 16E, B.M.
GROUND WATER TWIN FALLS County	NE1/4NW1/4NW1/4	Sec. 36, Twp 12S, Rge 16E, B.M.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 16E 26													26.0			29.0	55.0
12S 16E 35	39.0			40.0													79.0
12S 16E 36						36.0	39.0										75.0

Total Acres: 209

MICROFILMED

FEB 25 2002

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 11 day of December, 2001

Mike Courtney

(Signature)

MICROFILMED

FEB 25 2002

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-08011C

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = 50.00 Receipted by JS # 502448I Date 12-11-01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 47-08011C with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.
2. Rights 47-07803B and 47-08269 are also diverted through the points of diversion described above.
3. Rights 47-07803B, 47-08269 and 47-08011C when combined shall not exceed the irrigation of 209 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 232 af at the field headgate for the 58 acres authorized to be irrigated under this right.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Some of the water use authorized by this right is claimed with an earlier priority date on Snake River Basin Adjudication Claim No. 47-04308. If Claim 47-04308 is decreed as it is claimed, this right shall be diminished by the amount necessary to avoid any redundancy of water rights.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Witness my hand this 19TH day of DECEMBER, 2001.

Acting for KARL J. DREHER
Director

MICROFILMED
FEB 25 2002

Form 217
07/90

For Office Use Only
Amt. of Fee $ 100 00
Date 03-31-94
Receipt No. 5016718
Received by dat

RECEIVED
MAR 31 1994
Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
APR 04 1994
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.

1. Permit No. 47-08011C Telephone No (208) 655-4206
2. Name(s) of Permit Holder(s): Mike and/or Debra Courtney
3. Post Office Address: 2615E 2400N Twin Falls, Id 83301
4. Source of Water: ground water
   a. If ground water, well driller's name: John K. Courtney Date drilled: 10/92
   b. Pump horsepower: 40 Pressure (psi): _____ Dynamic pumping level (ft.): 60
5. Extent of Use:
   Domestic _____ (No. of households) Irrigation 58 (No. of acres)
   Stockwater _____ (No. and type of stock) Other _____
6. Total rate and/or volume for which proof is submitted 1.0 cfs 420 acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
   Measuring device: Required? __Yes ✓No Installed? __Yes ✓No
   OR
   Flow Measurement Port: Required? ✓Yes __No Installed? ✓Yes __No
8. Fee Enclosed: $ 100 00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:
   Mike Courtney (208) 655-4206
   Name Telephone No.
   2615E 2400N Twin Falls, Id. 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.

3-25-94 Mike Courtney
Date Signature (and title if on behalf of a company or organization)

JUN 29 1994

Form 211

RECEIVED
JAN 24 1994
Department of Water Resources

APPROVED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 47-08011C

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Mike Courtney &/or Debra Courtney

of (address) 2615 E. 2400 N., Twin Falls, ID 83301, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-8011(C) Part, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ SE ¼, Section 26, Township 12S, Range 16E, B.M., County of Twin Falls. Other points of diversion: SE/SE Sec. 26, NE/NE Sec. 35, NW/NW Sec. 36 T. 12S R. 16E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.0 (cfs or acre feet per annum) for Irrig. purposes from 4-1 to 10-31 (both dates inclusive)

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

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

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	16E	26													29			29	58

Total number of acres to be irrigated = 58

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

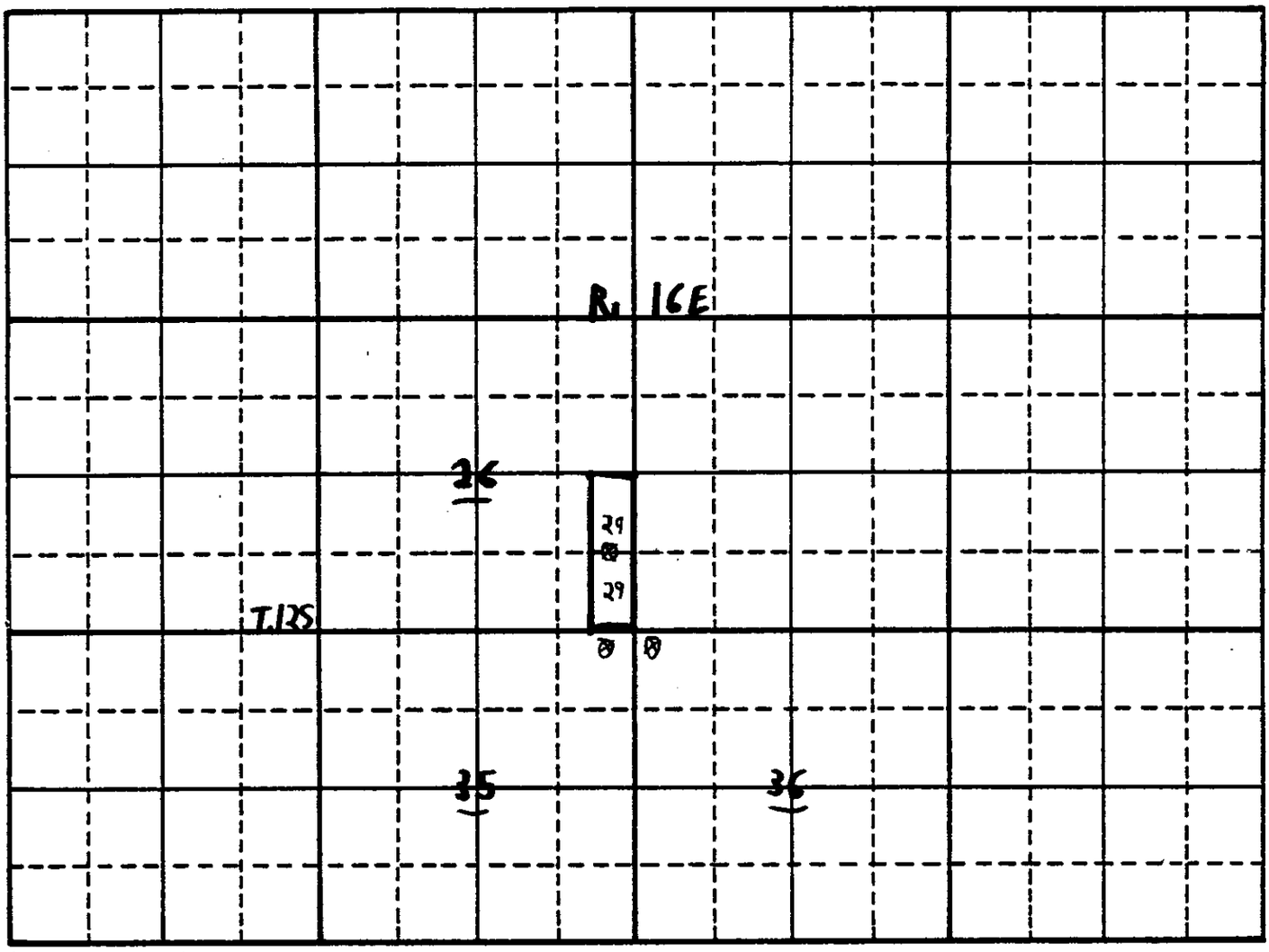
b. Who owns the land to be irrigated or the place of use? "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

JUN 29 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 15th day of September, 1993.

Mike Courtney
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by JJ Date 9-15-93 S016197

Publication prepared by MB Date 12/3/93 Published in Times News

Publication dates 12/9 & 12/16/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 9th day of March, 19 94.

L. Glen Saxton
Director

JUN 29 1994

CONDITIONS OF APPROVAL

Amendment of Permit No. 47-08011C

1. The previous conditions as set forth in Permit No. 47-08011 must be met.

2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

5. Construction of the well must comply with Idaho well construction standards.

Dated this 9th day of March, 1994.

L. GLEN SAXTON
Chief, Water Allocation Bureau

JUN 29 1994

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Form 204
11-91

FEB 15 1994

Department of Water Resources
Southern Region Office

RECEIVED
FEB 17 1994
Department of Water Resources

For Office Use Only
$15 Fee Receipted by MTS
Date 2-15-94
Receipt No. 5016560

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-08011C

Name(s) of Permit Holder: Mike Courtnay

Mailing Address: Rt#1 2615E 2400N Twin Falls, Id 83301

Date Proof is Due April 1, 1994 Telephone No. (208) 655-4206

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

two wells have been drilled on the property.

Costing $ 7,500

The permit holder(s) has been unable to complete the remainder of the work for the following reasons: ~~transfer~~ assigned

this permit is in the process of being ~~transferred~~

the application for ~~transfer~~ assignment was filed in September 93

Permit holder(s) request an extension to April 1, 19 95.

FEE: $15.00

Mike Courtnay
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED since the Department is not authorized to grant an additional extension of time.

JUN 29 1994

Signed this 24TH day February, 19 94

R. KEITH HIGGINSON, Director

oc/93

RECEIVED
SEP 15 1993
Department of Water Resources
Southern Region Office

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 06 1993
Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, Loughmiller Farms Inc., hereby assign to Mike &/or Debra Courtney
(Permit Holder)
of NW 26/5 E. 2400 N, Twin Falls, ID 83301 655-4206
(Full Address)

All my right, title, and interest in and to Permit No. _____ 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. 47-08011 & Part 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.

1.0 cfs for 58 acres, P/D & P/U to be amended.
Original P/U is NE/NW (40 ac) & NW/NW (18 acres), Sec. 12
T. 12S R. 16E.

Made this 15 day of Sept, 1993.

Loughmiller Farms Inc
by William J. Loughmiller pres.
Permit Holder(s)

State of Idaho)
ss
County of Twin Falls)

On this 15th day of September, 1993, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Judy Givens
Notary Public

SEAL

Twin Falls, Idaho
Signature

My commission expires: July 18, 1995

JUN 28

47-08011C date in update 4/29/93 CJ

Part B

Form 42-248/42-1409(6) 8/1/96

RECEIVED

APR 0 8 1998

Department of Water Resources

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

DEC 29 1997

Department of Water Resources
Southern Region

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

1. Water Right Number(s) 47-08011B

   Adjudication Claim Number(s) _____

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) Charles Bass, David L. Bass, Norma J. Elsing, C. J. Bass

   2604 N. 2700 E Twin Falls, ID 83301

4. New Owner/Claimant(s) David L. or Dorothy A. Bass and Charles E. Bass

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

   New Mailing Address 2604 N. 2700 E.

   City, State and ZIP Code Twin Falls, ID 83301

   New Telephone Number (208) 655 - 4246

5. Date you acquired the property Dec 3, 1997

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. David L. or Dorothy A. Bass — Undivided 2/3 interest
   Charles E. Bass — Undivided 1/3 interest

   Number of acres actually irrigated 296 Number and type of stock _____

   Diversion rate in CFS 2.0 (cubic feet per second) Number of homes _____ Other uses _____

   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) David L. Bass or Dorothy A. Bass Date 12-26-97

   Charles E. Bass Date _____

   (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. 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.

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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
IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

#40856FC

COPY

Recorded at the request of
Benoit, Alexander, Sinclair,
Harwood & High, L.L.P.
126 2nd Avenue North, P.O. Box 366
Twin Falls, Idaho 83303-0366

Mail original to Benoit, Alexander,
Sinclair, Harwood & High, L.L.P.

Mail tax notices to:

David L. and Dorothy A. Boss
2604 N. 2700 East
Twin Falls, ID 83301

1997020058

SPACE ABOVE THIS LINE FOR RECORDER'S USE

6.00 LF

WARRANTY DEED

FOR VALUE RECEIVED, NORMA JEAN ELSING, a married woman, dealing with her sole and separate property, hereinafter called "Grantor," hereby grants, bargains, sells and conveys unto DAVID L. BOSS and DOROTHY A. BOSS, husband and wife, whose mailing address is 2604 N. 2700 East, Twin Falls, Idaho 83301, hereinafter called "Grantee," all of her interest in and to the following described premises, in Twin Falls County, Idaho, to wit:

Township 12 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.

Section 18: E½NW¼, Lots 1 and 2, E½SW¼, Lots 3 and 4, W½SE¼

SUBJECT TO: Twin Falls County Highway Right-Of-Way

Containing 317.07 acres, more or less, excluding all water rights which are being transferred by separate Quitclaim Deed.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple

MICROFILMED
AUG 0 9 1999

of said premises; that they are free from encumbrances except as described above and the standard exceptions to a title insurance policy, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

It is the parties' belief (without warranty) that with this transfer, David L. Boss and Dorothy A. Boss will own a two-thirds interest in and to the property described herein resulting from this transfer and what the Bosses' previously owned on their own.

DATED this 2nd day of December, 1997.

Norma Jean Elsing
NORMA JEAN ELSING

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 2nd day of December, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared NORMA JEAN ELSING, known 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 WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Frances E. Clifton
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 1-20-98

WARRANTY DEED\2
F:\FILE\E-42\WARRDEED

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AUG 0 9 1999

#40856FC

COPY

Recorded at the request of
Benoit, Alexander, Sinclair,
Harwood & High
126 2nd Avenue North, P.O. Box 366
Twin Falls, Idaho 83303-0366

Mail original to Benoit, Alexander,
Sinclair, Harwood & High

David L. and Dorothy A. Boss
2604 N. 2700 E.
Twin Falls, ID 83301

1997020059

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

FOR VALUE RECEIVED NORMA JEAN ELSING, a married woman, dealing with her sole and separate property, hereby conveys, releases, remises and forever quit claims unto DAVID L. BOSS and DOROTHY A. BOSS, husband and wife, whose address is: 2604 N. 2700 East, Twin Falls, Idaho, all of her interest in and to 521.1 shares of stock from Salmon River Canal Company, Ltd. (SRCC), Stock Certificate No. 3885; and deep well water permit referred to as IDWR No. 47-08011B, together with all other water rights appurtenant to that certain real property, legally described as:

Township 12 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.

Section 18: E½NW¼, Lots 1 and 2, E½SW¼, Lots 3 and 4, W½SE¼

SUBJECT TO: Twin Falls County Highway Right-Of-Way

Containing 317.07 acres, more or less

DATED this 21 day of December, 1997.

Norma Jean Elsing
NORMA JEAN ELSING

QUITCLAIM DEED\1
F:\FILE\E-42\QUITDEED

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AUG 09 1999

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 3rd day of December, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared NORMA JEAN ELSING, known 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 WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Frances E Clayton
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 1-26-98

QUITCLAIM DEED\2
F:\FILE\E-42\QUITDEED

MICROFILMED
AUG 09 1999

COUNTY, IDAHO
Stephan et al
1997 NOV 25 P 4:16 1997019600
RECORDER
COPY

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by **CHARLES EDWARD BOSS, NORMA JEAN ELSING**, and **DAVID LEWIS BOSS**, as co-personal representatives of the Estate of C. J. "Charlie" Boss, deceased, Grantors, to **CHARLES EDWARD BOSS**, whose address is 2341 Hwy 93, Twin Falls, ID 83301, **NORMA JEAN ELSING**, whose address is P. O. Box N, Twin Falls, ID 83303-0059, and **DAVID LEWIS BOSS**, whose address is 2708 East 2600 North, Twin Falls, ID 83301, Grantees, in equal shares.

WHEREAS, Grantors is the qualified co-personal representatives of said estate, filed as Probate No. SP 97-00019, in Twin Falls County, Idaho;

THEREFORE, for valuable consideration received, Grantors sell and convey to Grantees the following described real property in Twin Falls County, Idaho:

> Township 12 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.
>
> Section 18: East Half of the Northwest Quarter (E½NW¼), Lots 1 and 2, East Half of the Southwest Quarter (E½SW¼), Lots 3 and 4, West Half of the Southeast Quarter (W½SE¼) containing 317.07 acres, more or less.
>
> Together with 521.10 shares of the capital stock of the Salmon River Canal Company, Ltd.

with all appurtenances

MICROFILMED
AUG 09 1999

EXECUTED this 25th day of November, 1997.

Charles E. Boss
CHARLES EDWARD BOSS

Norma Jean Elsing
NORMA JEAN ELSING

David L. Boss
DAVID LEWIS BOSS

STATE OF IDAHO)
: ss.
COUNTY OF TWIN FALLS)

On this 25th day of November, 1997, before me the undersigned, a Notary Public for Idaho, personally appeared CHARLES EDWARD BOSS, NORMA JEAN ELSING, AND DAVID LEWIS BOSS, known or identified to me to be the persons whose names are subscribed to the within instrument, as co-personal representatives of the estate of C. J. "Charlie" Boss, and acknowledged to me that they executed the same as such co-personal representatives.

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

MARLINDA R. HEIDEMANN
NOTARY PUBLIC
IDAHO

Marlinda R. Heidemann
Notary Public for Idaho
Residing at Twin Falls
Commission Expires: 7-16-2001

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AUG 09 1993


Issued 5-31-97
T3429 H
1821
T3409 HEL
2919
1
35.6
9
8.9
David L & Dorothy A. Boss
Charles E. Boss
10
1
Farm Boundry
181
7
135.5
8
143
Deep Well Point of Diversion 47-0801118
13
4.8
19
Domestic Well

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08011B

Priority: July 1, 1985 Maximum Diversion Rate: 2.00 CFS

This is to certify, that CHARLES BOSS
DAVID L BOSS
NORMA J ELSING
C J BOSS

2604 N 2700 E
TWIN FALLS ID 83301 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 1, 1985; and has submitted Proof of Beneficial Use on March 28, 1994. An examination indicates that the works have a diversion capacity of 2.090 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 18, Township 12S, Range 17E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
12S	17E	18	NENW	40	Lot 1(NWNW)	18	Lot 2(SWNW)	18	
			SENW	40	NESW	40	Lot 3(NWSW)	18	
			Lot 4(SWSW)	4	SESW	39	NWSE	40	
			SWSE	39					296

Total number of acres irrigated: 296

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

MICROFILMED
JAN 07 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08011B

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 1184.0 af at the field headgate for the lands above.
11. This right is limited to the irrigation of 116 acres within the place of use described above in a single irrigation season.

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 9TH day of DECEMBER, 1992.

Acting for KARL J. DREHER, Director

MICROFILMED
JAN 07 1998

RECEIVED

DEC 0 5 1997

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-08011B

Date of Priority: July 1, 1985 Maximum Diversion Rate: 2.00 CFS

Comes now CHARLES BOSS
DAVID L BOSS
NORMA J ELSING
C J BOSS

2604 N 2700 E
TWIN FALLS ID 83301 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-08011B, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 18, Township 12S, Range 17E TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
12S	17E	18	NENW	40	Lot 1(NWNW)	18	Lot 2(SWNW)	18	
			SENW	40	NESW	40	Lot 3(NWSW)	18	
			Lot 4(SWSW)	4	SESW	39	NWSE	40	
			SWSE	39					296

Total number of acres irrigated: 296

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 2nd day of December, 1997.

MICROFILMED
JAN 07 1998

David L. Boss
(Signature)
Charles E. Boss
Norma J. Elsing

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-08011B

****

FOR DEPARTMENT USE ONLY

Preliminary check by GVK Fee = 50.00 Receipted by KB # 004782 Date 12/5/97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 47-08011B with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

MICROFILMED
JAN 07 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-08011B

CONDITIONS OF APPROVAL AND REMARKS

10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 1184.0 af at the field headgate for the lands above.
11. This right is limited to the irrigation of 116 acres within the place of use described above in a single irrigation season.

Witness my hand this 9TH day of DECEMBER, 1997.

Acting for KARL J. DREHER, Director

MICROFILMED
JAN 07 1998

Form 217
07/90

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MAR 28 1994

Department of Water Resources
Southern Region Office

For Office Use Only
Amt. of Fee $ 125.00
Date 3-28-94
Receipt No. 501669?
Received by PF Hanten

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 30 1994
Department of Water Resources

PROOF OF BENEFICIAL USE

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.

1. Permit No. 47-08011B Telephone No. (208) 655-4223

2. Name(s) of Permit Holder(s): C. J. BOSS, CHARLES E. BOSS, NORMA J. ELSING, DAVID L. BOSS

3. Post Office Address: 2604 N 2700 E, TWIN FALLS, ID 83301

4. Source of Water: Groundwater

   a. If ground water, well driller's name: Elsing Drilling Date drilled: March 26, 1992

   b. Pump horsepower: 125 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

   Domestic _____ (No. of households) Irrigation 116 (No. of acres)

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

6. Total rate and/or volume for which proof is submitted 2.0 cfs _____ acre/feet

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

   Measuring device: Required? ___Yes ___No Installed? X Yes ___No

   OR

   Flow Measurement Port: Required? ___Yes ___No Installed? ___Yes X No

8. Fee Enclosed: $ 125.00 (See License Examination Fee Schedule)

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

   C. J. BOSS (208) 655-4223
   Name Telephone No.

   2604 N 2700 E, TWIN FALLS, ID 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.

Mar. 28, 1994 C. J. Boss
Date Signature (and title if on behalf of a company or organization)

JUN 29 1994

RECEIVED
JAN 24 1994
Department of Water Resources

APPROVED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 47-08011B

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now C. J. s/or Charles E., s/or David L. Boss s/or Norma J. Elsing

of (address) 2604 N. 2700 E, Twin Falls, ID 83301, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-08011 Part (B), and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ SE ¼, Section 18, Township 12S, Range 17E, B.M., County of Twin Falls. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.0 (cfs or acre feet per annum) for Irrig. purposes from 4-1 to 10-31 (both dates inclusive)

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

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

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	17E	18												39		38 NW	39		116

Total number of acres to be irrigated = 116

4. a. Who owns the property at the point of diversion? Applicants

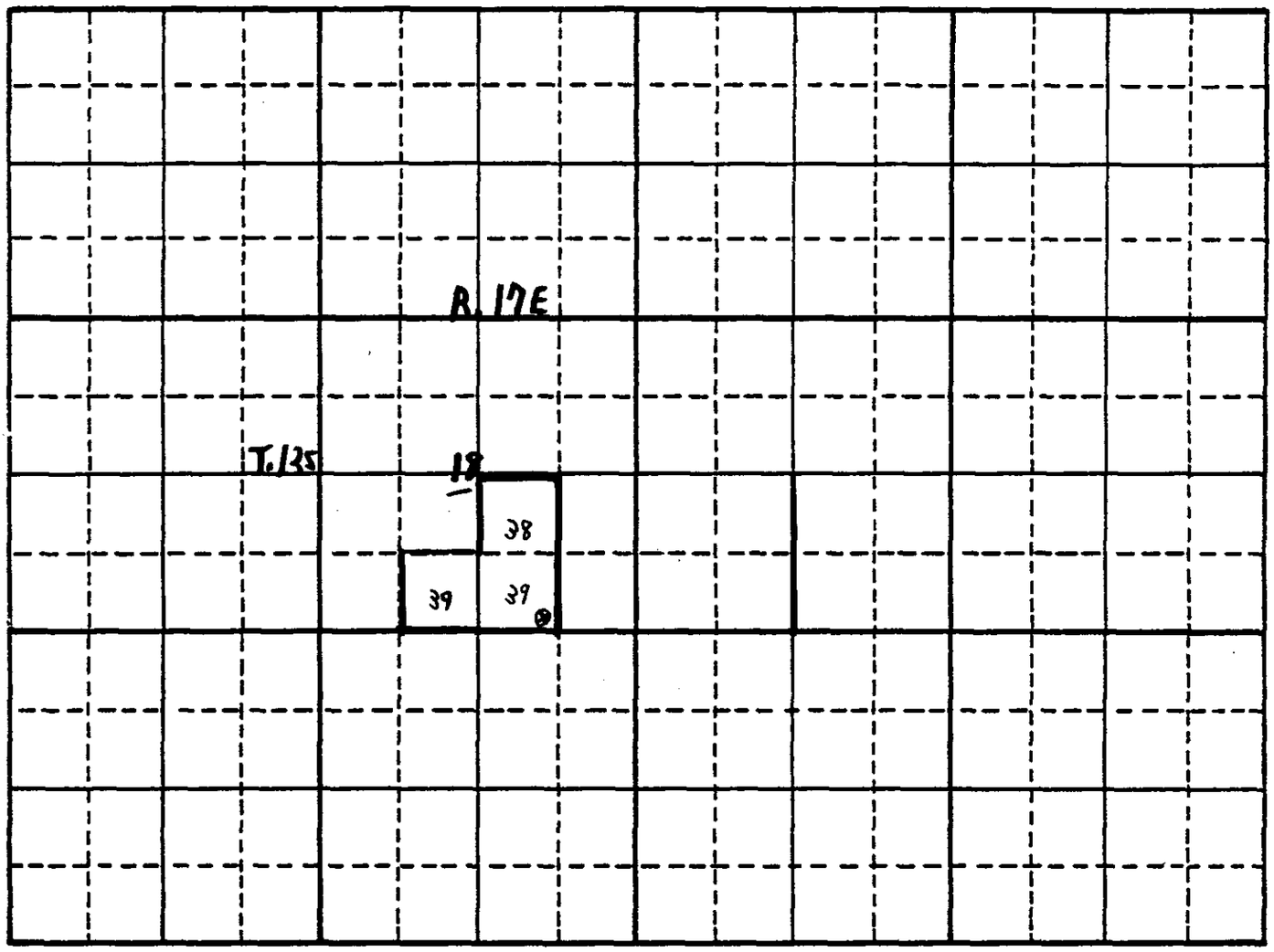
b. Who owns the land to be irrigated or the place of use? "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECEIVED
JUN 29 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 15th day of September, 1993.

David L. Bass
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by JA Date 9-15-93 S016198

Publication prepared by MB Date 12/3/93 Published in Times News

Publication dates 12/9 & 12/16/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 9th day of March, 1994.

L. Glen Saxton
Director

JUN 29 1994

CONDITIONS OF APPROVAL

Amendment of Permit No. 47-08011B

1. The previous conditions as set forth in Permit No. 47-08011 must be met.

2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

5. Construction of the well must comply with Idaho well construction standards.

Dated this 9th day of March, 1994.

L. GLEN SAXTON
Chief, Water Allocation Bureau

JUN 29 1994

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Form 204
11-91

FEB 08 1994

Department of Water Resources
Southern Region Office

RECEIVED

FEB 09 1994

Department of Water Resources

For Office Use Only
$15 Fee Receipted by
Date 2-8-94
Receipt No. 5016543

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-08011B

Name(s) of Permit Holder: Charles Boss Et Al.

Mailing Address: 2604 N. 2700 E., Twin Falls, ID 83301

Date Proof is Due 4-1-1994 Telephone No. 655-4223

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well has been drilled & deepened, has been used for irrigation in 1992 & '93.

Costing $ 32,000.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Well does not produce the permitted amount, so needs to be cleaned out & cased. Due to uncertainty over Salmon River Canal Co. lawsuit, funds have not been available. Also, amendment of permit has not yet been approved by IDWR.

Permit holder(s) request an extension to 4-1-, 19 96.

FEE: $15.00

David L. Boss
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED since the Department is not authorized to grant an additional extension of time.

JUN 29 1994

Signed this 24TH day February, 19 94

R. Keith Higginson
R. KEITH HIGGINSON, Director

0C/93

RECEIVED
SEP 15 1993
Department of Water Resources
Southern Region Office

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 02 1993
Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

J. Elsing
s/or David L. Boss s/or Norma

I, Loughmiller Farms Inc., (Permit Holder) hereby assign to C.J. Boss s/or Charles E. Boss
of 2604 N. 2700 E., Twin Falls, ID 83301 655-4223 (Full Address)

All my right, title, and interest in and to Permit No. _____ 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. 47-08011 Part 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.

2.0 cfs on 116 acres, P/D & P/U to be amended.
Original P/U S½NW (80 ac), NW/NW (22 ac), NE/SW (14 ac)
Sec. 12 T. 12S R. 16E

Made this 15 day of Sept, 1993.

Loughmiller Inc
by William Loughmiller pres.
Permit Holder(s)

State of Idaho)
ss
County of Twin Falls)

On this 15th day of September, 1993, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Judy Givens
Judy Givens
Notary Public

SEAL

Twin Falls, Idaho
July 18, 1995
My commission expires: _____

Signature

JUN 29 1994

47-08011B database updated 9/29/93 C.J.

Part A

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-08011A	)	
	)	**ORDER OF**
IN THE NAME OF LOUGHMILLER INC.	)	**REINSTATEMENT**
	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before April 1, 1994; and,

WHEREAS, the Department notified the permit holder on January 31, 1994, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the permit holder submitted an extension of time on February 2, 1994, which was subsequently denied; and,

WHEREAS, the Department notified the permit holder on April 26, 1994, that the permit was lapsed; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on May 6, 1994;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-08011A be REINSTATED with an advance in priority to August 5, 1985.

Dated this 23rd day of May, 1994.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

[illegible]

JUN 29 1994

Form 37-
11/91

OFFICE USE ONLY
Amt. of Fee $ 150.
Date 5-6-94.
Receipt No. 5016871.
Receipt by MTS

5016870 - $165

RECEIVED
MAY 06 1994
Department of Water Resources
Southern Region Office

RECEIVED
MAY 09 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 47-08011A Telephone No. 208 733 5761

2. Name(s) of Permit Holder(s): Loughmiller Inc

3. Mailing Address: 3170 Hy 93 Twin Falls Ida 83301

4. Source of Water: _____

   If **GROUNDWATER**, Well Driller's Name: Elsing Drilling Co Date Drilled: 4-5- 1992

   OPTIONAL:
   Pump horsepower: 200 Pressure (psi): _____ Dynamic pumping level (ft.): 440

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

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

   Irrigation 680 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2.78 cfs **OR** _____ acre/feet

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

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

   OR

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

8. Fee Enclosed: $ ~~165~~ 150 (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.

   Bill Loughmiller 208-733-5761
   Name Telephone No.

   2411 E 2900 N Twin Falls Id. 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.

5-2-94 William Loughmiller pres.
Date Signature (and title, if on behalf of a company or organization)

MICROFILMED
JUN 29 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF REQUEST FOR)
EXTENSION OF TIME FOR PERMIT)
NO. 47-08011A IN THE NAME OF) **PRELIMINARY ORDER**
LOUGHMILLER, INC.) **DENYING EXTENSION REQUEST**
)

This matter having come before the Idaho Department of Water Resources (department) in the form of a request for hearing in connection with a denial of a request for an extension of time in which to submit proof of beneficial use of water, the department having held a hearing in the matter, the Director of the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On April 5, 1991, the department issued Permit No. 47-08011 to Loughmiller Farms, Inc. or Loughmiller, Inc. (permit holder) authorizing the diversion of 5.5 cfs of ground water for the irrigation of 320 acres in Twin Falls County, Idaho. A condition of permit approval required the submittal of proof of beneficial use of water (proof) on or before April 1, 1992.

2. On April 3, 1992, the department approved a request for extension of time in which to submit the proof (extension request) submitted by the permit holder and extended the proof due date to April 1, 1994.

3. On September 15, 1993, the permit holder assigned 2.0 cfs of the permit to C. J. Boss, et. al. and 1.0 cfs of the permit to Mike Courtnay, et. al., retaining 2.5 cfs of the permit.

4. On February 3, 1994, the permit holder filed a second extension request which the department denied.

5. On March 14, 1994, the permit holder requested a hearing in connection with the denied extension request and on April 5, 1994, the department conducted a hearing in Twin Falls, Idaho.

6. In 1992, the permit holder enlarged and deepened an existing well which had been used for stockwater. The permit holder stated the well now produces 1,350 gallons per minute (3.0 cfs) and has been used for irrigation during 1992 and 1993.

7. A second well has been started but has not been completed. Permit holder wants the opportunity to complete the second well.

[illegible]

JUN 29 1994

CONCLUSIONS OF LAW

1. Section 42-204, subsection 5, Idaho Code, provides that the department can grant one (1) extension of time beyond the date originally set for application of water to beneficial use.

2. The department has already granted the extension request authorized by Section 42-204, subsection 5, Idaho Code.

3. The permit holder's well produces water at a rate of 3.0 cfs which is in excess of the authorized diversion rate of 2.5 cfs.

4. The department is not authorized to grant another extension request based on the evidence in the water right file and presented at the hearing and should deny the request for extension of time in which to submit proof.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the department's February 24, 1994 denial of the Request for Extension of Time submitted by Loughmiller, Inc. is **AFFIRMED.**

IT IS FURTHER HEREBY ORDERED that Permit No. 47-08011A in the name of Loughmiller, Inc. is **LAPSED.**

Signed this 8TH day of APRIL, 1994.

R. KEITH HIGGINSON
Director

JUN 2 9 1994

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 11TH day of April, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the following:

Loughmiller Inc.
3170 Hwy 93
Twin Falls, ID 83301

IDWR - Southern Region
222 Shoshone St. E
Twin Falls, ID 83301

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

1994

- **ROSTER OF ATTENDANCE** -

RE: **PERMIT NO. 47-08011 - LOUGHMILLER, INC.**

Date: April 5, 1994

Place: IDWR Conf. Rm, Twin Falls, ID

	Name	Address	Representing
1.	Bill Loughmiller	3170 Hy 93 TF	Loughmiller Inc
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

JUN 2 9 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-8011A IN THE NAME OF LOUGHMILLER INC.	**NOTICE OF HEARING**

On February 24, 1994, the Department of Water Resources (department) denied a request for extension of time in which to submit the proof of beneficial use for permit no. 47-08011A in the name of Loughmiller, Inc. This part of the permit provides for the diversion of 2.5 cfs of ground water.

On March 11, 1994, the permit holder requested a hearing before the department as provided in Section 42-1701A, Idaho Code, in connection with the order denying the request for extension of time.

The department has scheduled this matter for hearing at 10:30 a.m. on April 5, 1994 at the Idaho Department of Water Resources office, 222 Shoshone St. E., Twin Falls, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the department. A copy of the rules may be obtained from the department upon request. The presiding officer at the hearing will be L. Glen Saxton.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

The department will provide the opportunity for all parties to respond and present evidence and argument on all issues involved.

Dated this 18TH day of March, 1994.

L. Glen Saxton

L. GLEN SAXTON
Hearing Officer

JUN 29 1994

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 18TH day of March, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing **Notice of Hearing** to the following:

Loughmiller Inc.
3170 HWY 93
Twin Falls, ID 83301

Julie L. Yarbrough
JULIE L. YARBROUGH
Senior Secretary

JUN 29 1994

RECEIVED
JAN 0 6 1994
Department of Water Resources

APPROVED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 47-08011A

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Loughmiller Farms Inc.

of (address) 3170 Hwy 93, Twin Falls, ID 83301, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-08011 Amt(A), and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SE ¼, Section 12, Township 12S, Range 16E, B.M., County of Twin Falls. Other points of diversion: SE/SE Sec. 12 T. 12S R. 16E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.5 (cfs or acre feet per annum) for Irrig. purposes from 4-1 to 10-31 (both dates inclusive)
Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	16E	13			19	19	14								38	38	14	14	146

Total number of acres to be irrigated = 146

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

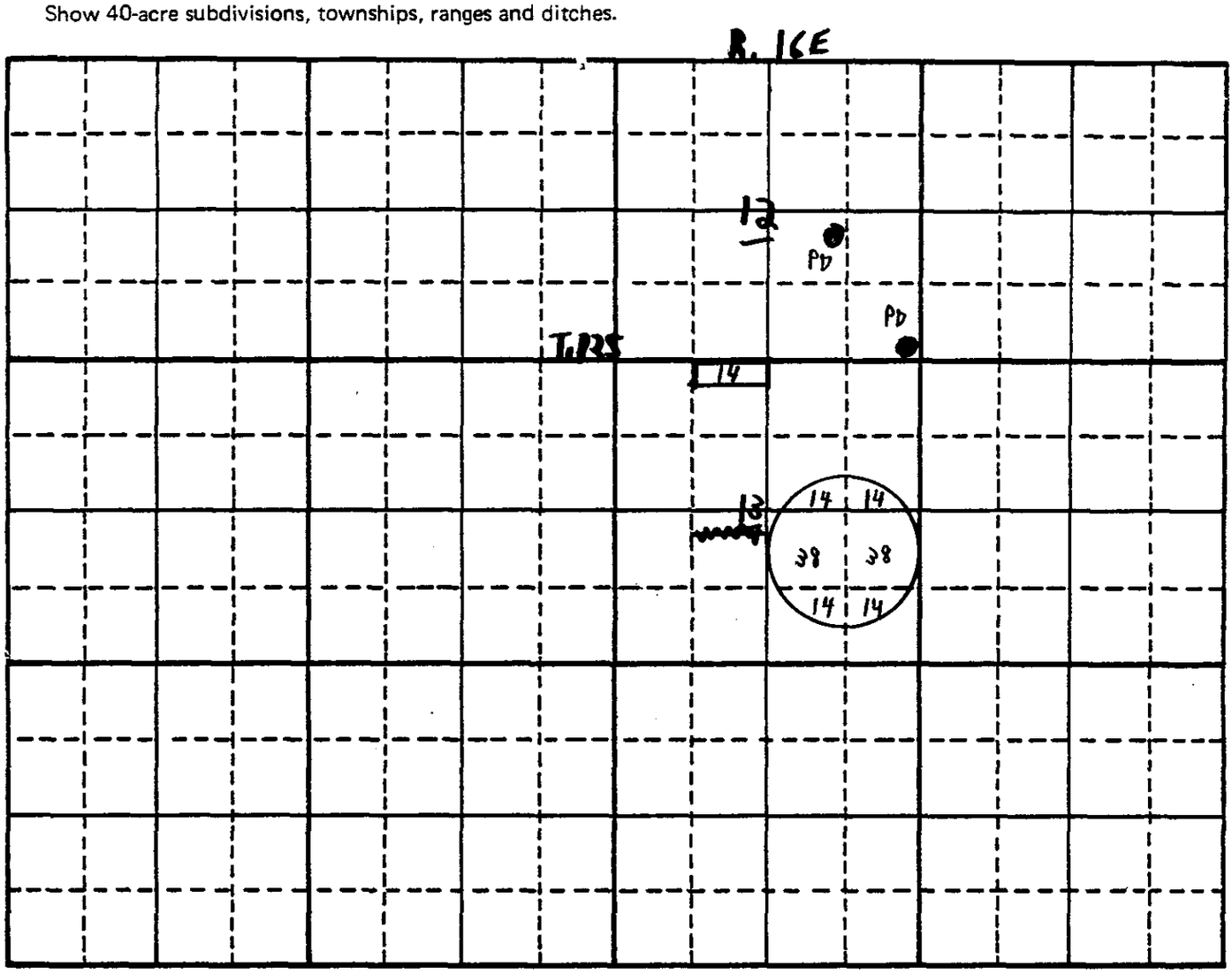
b. Who owns the land to be irrigated or the place of use? "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

APPROVED
JUN 2 9 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 15th day of September, 1993.

William [illegible]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by [illegible] Date 9-15-93 S016199

Publication prepared by MB Date 12/1/93 Published in Times News

Publication dates 12/9 & 12/16/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT. SEE THE ATTACHED SHEET FOR THE CONDITIONS OF APPROVAL.

Witness my hand this 9th day of March, 1994.

L. Glen Saxton
Director

JUN 29 1994

CONDITIONS OF APPROVAL

Amendment of Permit No. 47-08011A

1. The previous conditions as set forth in Permit No. 47-08011 must be met.

2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

5. Construction of the well must comply with Idaho well construction standards.

Dated this 9th day of March, 1994.

L. GLEN SAXTON
Chief, Water Allocation Bureau

JUN 29 1994

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 02 1994
Department of Water Resources
Southern Region Office

ASSIGNMENT OF PERMIT

To change the ownership of a permit

As representative of Loughmiller Farms, Inc., I hereby assign to Loughmiller Inc., (Permit Holder) of 3170 Hwy 93, Twin Falls, ID 83301.

All my right, title, and interest in and to Permit No. 47-08011A to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. N/A to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

N/A

Made this 2 day of Feb., 1994.

Loughmiller Farms Inc
Representative/ Title Wilson Loughmiller pres.

State of Idaho)
ss
County of Twin Falls

On this 2nd day of February, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Mary A. Baldwin
Notary Public

SEAL

Signature

My commission expires: 10/16/1998

JUN 29 1994

RECEIVED
Form 204
11-91
FEB 02 1994
Department of Water Resources
Southern Region Office

RECEIVED
FEB 03 1994
Department of Water Resources

For Office Use Only
$15 Fee Receipted by
Date 2-2-94
Receipt No. 5016522

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-08011A

Name(s) of Permit Holder: Loughmiller Inc.

Mailing Address: 3170 Hwy. 93, Twin Falls, ID 83301

Date Proof is Due 4-1-1994 Telephone No. 733-5761

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

One well has been completed, a pump has been installed. A second well has been drilled over 200' deep, but only a little water was found.

Costing $ 90,000.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Due to a poor water supply in 1992 due to the drought, there was not enough money available to complete the project.

Permit holder(s) request an extension to 4-1 19 96.

FEE: $15.00

F. Alan Loughmiller
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED since the Department is not authorized to grant an additional extension of time.

MAR 28 1994

Signed this 24th day February, 19 94

R. Keith Higginson
R. KEITH HIGGINSON, Director

RECEIVED
Form 204
11-91
MAR 31 1992
Department of Water Resources
Southern Region Office

For Office Use Only
$15 Fee Receipted by JG Hunter
Date 3-31-92
Receipt No. 5014330

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-08011

Name(s) of Permit Holder: Loughmiller Farms

Mailing Address: 3170 Hwy. 93, Twin Falls, ID 83301

Date Proof is Due 4-1-1992 Telephone No. 733-5761

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

One well has been purchased, 1 well is being leased. Land is already irrigated From Salmon Falls Reservoir. One well has been drilled 1000' deep.

Costing $ 20,000.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Due to the poor supply of groundwater in the area, we do not yet have enough water for our needs.

Permit holder(s) request an extension to 4-1-1994, 19__.

FEE: $15.00

(Signature)*
*If other than permit holder, Power of Attorney must be supplied.

MICROFILMED
APR 08 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1994.

Signed this 3rd day April, 19 92

Chief, Water Allocation Bureau

Form 211
5/78

RECEIVED

APR 12 1991

Department of Water Resources
Southern Region Office

Ident. No. 47-08011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Loughmiller Farms Inc

of (address) 3170 Hwy 93 Twin Falls, ID 83301, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-08011, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE¼ NW ¼ SE ¼, Section 12, Township 12S, Range 16E, B.M., County of Twin Falls. Other points of diversion: NW SW NW, SW SW SW Sec 17, SE SE SE Sec 18 T 12S R 17E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO change

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)

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

3. Place of use or land to be irrigated:

NO Change

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Gary Nelson, Dave Kramer

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

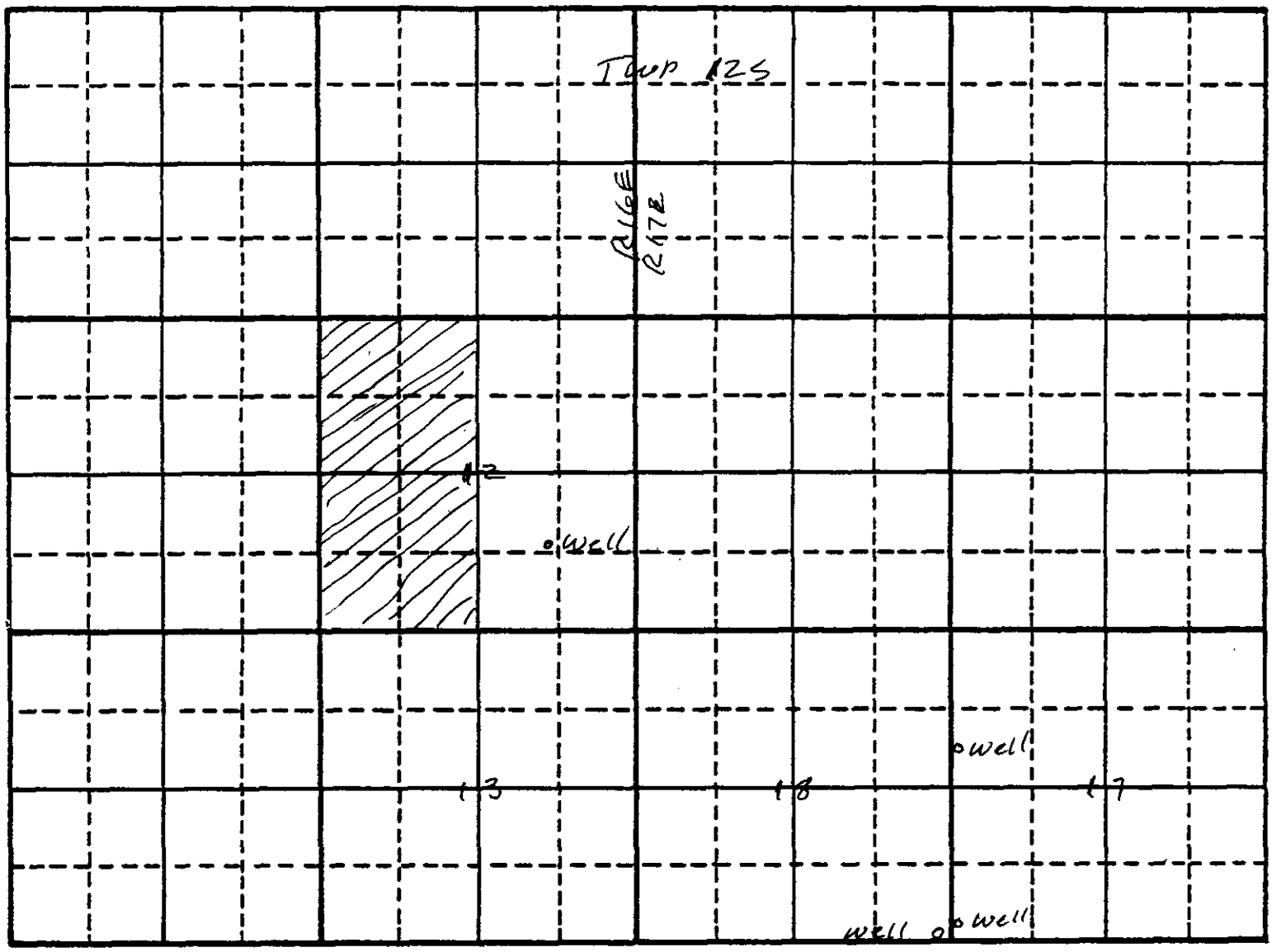
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Lease on P/Os

MODIFIED

APR 08 1992

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 12 day of April, 1991.

W. Glen Saxton per
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by DRL S013230 Fee = $20.00 Receipted by MB Date 4-12-91

Publication prepared by MB Date 5-29-91 Published in Times News

Publication dates 6/6 & 6/13/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby approve the above referenced application for amendment of Permit No. 47-08011.

See attached sheet for conditions of approval.

MICROFILMED

Witness my hand this 2nd day of January, 19 92. APR 08 1992

L. Glen Saxton
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 47-08011

1. The previous conditions as set forth in Permit No. 47-08011 must be met.

2. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Dated this 2nd day of January, 1992.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

APR 08 1992

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-09011

Notice is hereby given that Loughmiller Farms Inc. of Twin Falls, ID is the holder of Approved Permit No. 47-09011 authorizing [illegible] W¼, S12, T12S, R16E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No changes

Period of Use: 3/15 to 11/15

Point of Diversion: SE¼ NW¼ SE¼, S12, T12S, R16E; NW¼ SW¼ NW¼, S17, T12S, R17E; [illegible] S12, T12S, R17E; SE¼ SE¼, S18, T12S, R17E; Twin Falls County.

Place of Use: No changes

Any protest against approval of the amending of Permit No. 47-09011 as set forth above must be filed with the Idaho Department of Water Resources, 322 Shoshone Street East, Twin Falls, ID 83301 on or before June 24, 1991.

R. Keith Higginson,

Affidavit of Publication

No. 22461

STATE IDAHO }
COUNTY OF TWIN FALLS } ss.

RECEIVED
JUN 25 1991
Department of Water Resources
Southern Region Office

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am 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 June 6, 1991, and ending with the issue dated June 13, 1991.

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.

Microfilmed
APR 08 1992

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 20 day of June, in the year of 1991, before me, a Notary Public, personally appeared Linda Capps McGuire, 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.

Martha J. Dahl
Notary Public for Idaho
Residing at Twin Falls Id
My commission expires: 8-8-96

OK MB 7-3-91

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. B
TWIN FALLS ID 83303

RECEIVED
JUN 25 1991
Department of Water Resources
Southern Region Office

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
22461	3113	06/20/91

INDEXING TERM
#47-05011

START DATE	TELEPHONE NO.
6/06/91	734-3578

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
52	2		37.44	37.44
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT ▶			39.44	39.44

GROSS AMT DUE AFTER 07/05

RETURN THIS PORTION WITH YOUR REMITTANCE

22461 3944

OK MB 1-3-91

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES
222 SHOSHONE EAST
TWIN FALLS ID
83301

MICROFILMED
APR 08 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08011

Proposed Priority: July 1, 1985 Maximum Diversion Rate: 5.50 CFS
This is to certify, that **LOUGHMILLER FARMS INC.**
3170 HWY. 93
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:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	5.50 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE Sec. 12, Township 12S, Range 16E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
12S	16E	12	NENW	40	NWNW	40	SWNW	40	
			SENW	40	NESW	40	NWSW	40	
			SWSW	40	SESW	40			320

Total number of acres irrigated: 320

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1992.**
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

APR 15 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08011

CONDITIONS/REMARKS:

9. The well driller must monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified.
10. Well water having a temperature of 85 degrees or greater shall not be diverted for irrigation use under this permit unless the Director of the Department provides an exemption pursuant to Section 42-233, Idaho Code.

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 April, 1991.

for R. Glen Saxton
R. Keith Higginson, Director

Form 202
3/78

Ident. No. 47-8011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Loughmiller Farms Inc. Phone 733-5761
   Post office address * 3170 Hwy 93 ~~Route #1, Box 4421~~, Twin Falls, ID 83301

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

3. Location of point of diversion is NW ¼ of SE ¼ of Section 12 Township 12S
   Range 16E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 5.5cfs (cfs or acre-feet per annum) for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 5.5 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump to pond. Re-lift pump in pond to sprinklers

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
      Range _____ B.M.
      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
      (3) List number of each kind of livestock to be watered _____
      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
      (5) If water is to be used for other purposes describe: _____

RECEIVED
APR 15 1991

* Address updated per telecon 4-2-91 CB

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	16E	12					40	40	40	40	40	40	40	40					320

Total number of acres to be irrigated 320

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

Salmon River Canal Co. shares

9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks About 280 acres have been irrigated since the spring of 1984 using a combination of surface water and well water. The well was developed under Permit 47-7371 for use on adjacent land. Although a substantial investment has already been made, additional work is needed to increase well output. The well now produces about 40" of water.

Although the original permit shows storage, pond capacity is less than 40 AFA - not a significant part of the development, but useful for regulation of co-mingled water sources.

The existing portion of this development should have priority over the water rights of Idaho Power Co.

MICROFILMED
APR 15 1991

'ER-DEPARTMENT MEMO — 1

FROM Cam Skaggs

DATE 4-2-91

TO File #47-8011

SUBJECT Corporation Officers

President: William J. Loughmiller

Vice President: Susan E. Loughmiller

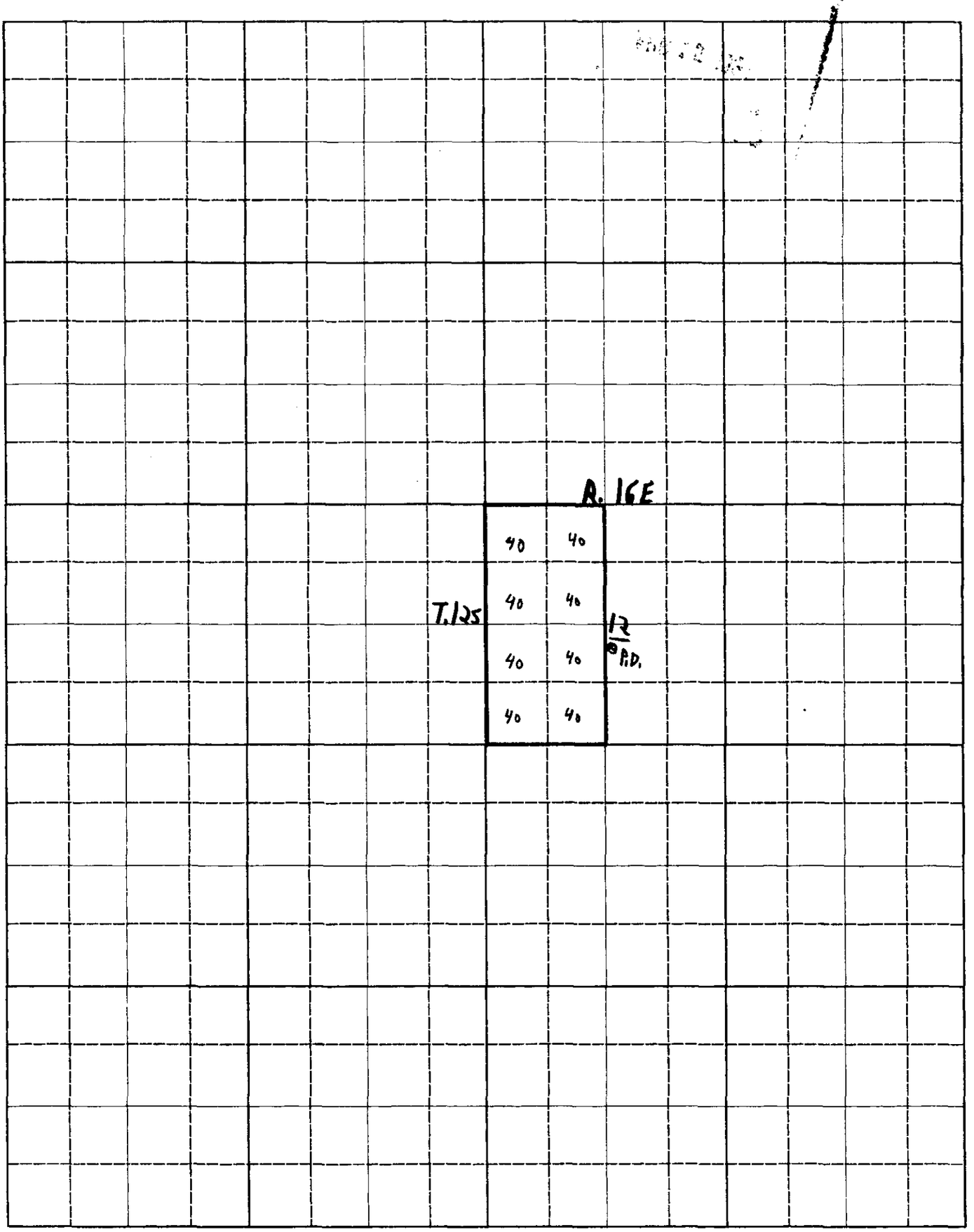
(Address same as application)

Per telecon with Loughmiller Farms.

FILED
APR 15 1991

Cam Skaggs
SIGNATURE

11. 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.

FILMED
APR 15 1991

(Applicant)

Received by JP Date 7-1-85 Time 11:55 am

Preliminary check by T.G.B Fee $ 145.00

Receipted by JP Date 7-1-85 #96667

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

_____

_____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. Other:

RECEIVED
APR 15 1991

[redacted]

RECEIVED
DEC 04 1990

Affidavit of Publication

№ 21802

STATE OF IDAHO } ss.
COUNTY OF TWIN FALLS }

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Guise 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 November 15, 1990, and ending with the issue dated November 22, 1990.

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 28 day of November in the year of 1990, before me, a Notary Public, personally appeared Linda Capps McGuire, 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.

APR 19 1991

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

OK TJL 12-4-90

Part C

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2001

MIKE COURTNAY
DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

RE: License No. 47-8011C - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on December 20, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 47-8011C

MIKE COURTNAY
DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

Kari Lynn Townsend
Secretary

MICROFILMED
FEB 25 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

FEB 2 5 2002

FINAL ORDER

The Director 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 Director 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.

MICROFILMED
SEP 25 2002

MEMORANDUM

TO: Files 47-07803B, 47-08011C and 47-08269

FROM: KAY WALKER kw

RE: License Recommendations

Date: December 18, 2001

In review of these files after we had received the licensing amendments, it was determined that we should not show volumes on the face of the licenses. In order to correct this, we have added remark WB7 that will limit each right, when combined with the surface water also diverted, to the number of acres being licensed multiplied by 4.0 af which is the field headgate requirement for lands in this area. We have also limited right 47-08269 to 73 acres since that is all that is left of the 209 when the 3 rights are combined. This remark will also limit the 209 acres to 836 af when all combined.

Breakdown of licenses are prepared:

47-07803B	78 acres	312 af	0.50 cfs
47-08011C	58 acres	232 af	0.97 cfs
47-08269	73 acres	292 af	0.53 cfs
TOTALS:	209 acres	836 af	2.00 cfs

Capacity of system = 2.0 cfs

New amendment forms were not requested since we only made changes to the conditions and remarks of the proposed licenses, along with removing the volumes off the face of the proposed licenses.

MICROFILMED

FEB 2 5 2002

RECEIVED
DEC 14 2001
Department of Water Resources

MEMO

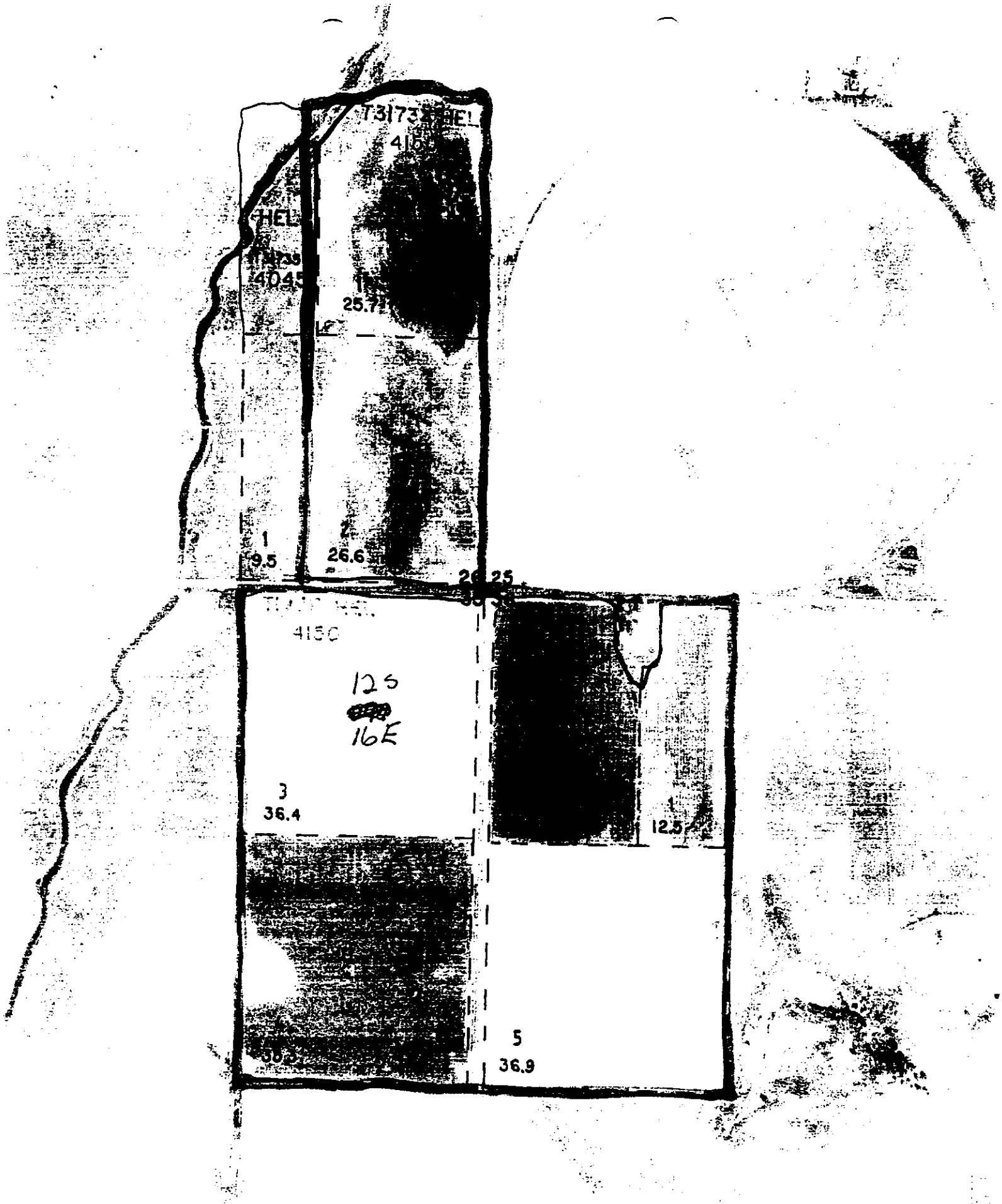
TO: ~~KAY WALKER~~ File kw DATE: 12-11-01

FROM: JIM STANTON

RE Licensing Amendments for Mike Courtnay

Today Mike came into my office to discuss the amendments. Of the recommended acres in Sec. 26, 17 are leased instead of owned. He decided to remove these acres from the amendments, so I went into Workflow to make the changes. I produced new amendments (attached), which he signed and paid for. I wasn't sure what to do about the annual volumes, so I just put a condition limiting the whole works to 836 afa on 209 acres (I didn't add a licensing condition, but just changed the one that showed 226 acres to read 209 acres). I just changed the entry under the last tab for combined limits. Shelley said that redoing the amendments was ok. An aerial photo is attached to show the corrected ppu, but I didn't make any changes to the SDE layer. Hope I did what was needed – let me know if I missed anything. Tnanks.

MICROFILMED
FEB 25 2002



MICROFILMED

FEB 25 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 6, 2001

MIKE COURTNAY &/or DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

RE: Water Right Permit No. 47-08011C

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

__✓__ **Point(s) of Diversion**

__✓__ **Place(s) of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the $50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
FEB 25 2002

Form 219
6/92

RECEIVED
JUL 8 1996
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 47-08011C

1. Owner: Mike or Debra Courtnay Phone No. (208) 655-4206

Current Address: 2615 E 2400 N Twin Falls, Idaho 83301

2. Accompanied by: Mike Courtnay EXAM DATE : 6-11-96

Address: same as owner Phone No. same as owner

Relationship to Permit Holder: Owner

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 47- 07803B, 47-08269, 47-04038, and Salmon Falls River Canal Company water (SRCC shares cover all the acres)

2. Other water rights with the same point of diversion: 47-07803B, 47-08269, and 47-04038

C. DIVERSION AND DELIVERY SYSTEM

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

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
WELL # 1		NE	NW	NW	36	12S	16E	TWIN FALLS	Visual and ASCS aerial photo.
WELL # 2		NW	NE	NE	35	12S	16E	TWIN FALLS	see above.
WELL # 3		NW	NE	NE	35	12S	16E	TWIN FALLS	see above.

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	
12S	16E	36						36	39										75 AC
12S	16E	35	39			40													79 AC
12S	16E	26													33			39	72 AC

* Note: This permit is for 58 acres within the 226 acres of permissible place of use. TOTAL ACRES 226 acres

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

SEE ATTACHED SHEET

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

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

YES 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
WELL #1 PUMP #1 (P/D)	Franklin Submersible motor	10 Hp	MODEL # 2361039004	SAME AS MOTOR	SAME AS MOTOR
PUMP #2 (inline booster)	General Electric Induction Motor	7.5 Hp	MODEL # 5K184JL165C	JACUZZI	20E2CP60K3
PUMP #3 (Rediverson from pond)	Westinghouse LifeLine T	50 Hp	SERIAL # 8002 MODEL # TBDP MOTOR STYLE # 680B102G22	PEERLESS	ID# 8OLI13424
PUMP #4 (Rediverson from pond)	Marathon Electric	25 Hp	7VA256TT0R5 009BPL	PACO	RJ94B098728
WELL #2 PUMP #5 (P/D)	Westinghouse	10 Hp	SERIAL # 4893630	DEMING MEULER	T5612 (SIZE 8)
WELL #3 PUMP #6 (P/D)	US Motors Holloshaft	40 Hp	2895497	Verti-Line	417A0425TD 417A108 2ND NUMBER V4170197 CO2

**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
Polysonic Portable Flow Meter	Tyme Flyte	149744	TF*P	N7H5506		April, 1996

2. Measurements: SEE ATTACHED SHEET FOR POLYSONIC READINGS.

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1999

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit comes from three sources. They are well #1 which is located in the NE 1/4 of the NW 1/4 of the NW 1/4 of section 36 township 12S range 16E, wells #2 and #3 are both located in the NE 1/4 of the NE 1/4 of the NE 1/4 of section 35 township 12S range 16E. Well #1 is drawn on by pump #1 which discharges into a 4" mainline with an in-line booster (pump #2) that travels north to the south end of the NW 1/4 of the NW 1/4 of section 36 and empties into a main line running east and west which irrigates the lands in section 36. At the dividing line of section 35 and section 36 the mainline travels north and south to irrigate the lands in section 35. At the northern end of the mainline it into the pond located in the northeast corner of section 35. The lands in section 36 are irrigated by 4 wheel lines and 1 handline (the hand line is used behind the house. Section 35 is irrigated by three wheel lines.

Wells #2 and #3 are drawn by pump #5 for well #2 and pump #6 for well #3 which discharge into a common mainline and travel east along the northern portion of section 35 until the mainline open discharges into the pond. From the pond the water is pumped from the pond through pumps #3 and #4 to the other side of the road to section 26. On the other side of the road it continues to travel north to the northeast corner of the SE 1/4 of the SE 1/4 of section 26 then travels west to the end of this 1/4 1/4. This mainline waters all of the land in section 26 by using three wheel lines and one hand line.

Have conditions of permit approval been met? ___ yes ___ no

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F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

WELL # 1

Polysonic -- 137.55 gpm / 448.8 = 0.31 cfs (see attached sheet for polysonic readings)

WELL # 2 and WELL # 3 combined

Polysonic -- 519.494 gpm / 448.8 = 1.16 cfs (see attached sheet for polysonic readings)

TOTAL CFS = 1.47 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 58 acres X 4.0 ir = 232 afa

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.00 cfs X 214 days X 1.9835 = 424.47

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 232 afa (Vir)

B

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	April 1	Oct. 31	1.00 cfs	232 afa
Totals:			1.00 cfs	232 afa

2. Recommended Amendments

YES Change P.D. as reflected above __ Add P.D. as reflected above __ None

__ Change P.U. as reflected above YES Add P.U. as reflected above __ Other

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____ seal

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AUG 09 1993

RECOMMENDATIONS REMARKS:

I recommend that this permit be licensed under the following conditions:

1. That this water right be used as supplemental water for the Salmon River Canal Company (SRCC) water assigned to the place of use for this permit. The SRCC is an unreliable source of irrigation water for this farm. The SRCC often reduces the amount of water per share and usually begin delivering water between the second week in May and the Last week in August. This prevents the Courtnays from irrigating through the entire growing season.

2. That this water only be used on a designated area of 58 acres within the permissible place of use. This will allow the Courtnays to manage their crop rotation to use this water to irrigate crops with a longer growing season without crop damage from an early shut off of the SRCC supplies of water. this will allow the Courtnays to irrigate water sensitive crops by supplementing reduced shares of SRCC water.

3. That this water right when combined with 47-07830B, 47-04308, & 47-08269 and any other rights do not exceed a total diversion rate of 0.02 cfs per acre from these two points of diversion.

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[illegible] 1993

POLYSONIC READINGS

PERMIT #: 47-08011C

WELL #1

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR THE POINT OF DIVERSION MARKED WELL #1 - PUMP #1 ON THE MAPS.

FLOWS IN GALLONS PER MINUTE (GPM)

```
  143.9
+ 123.4
+ 142.9
+ 138.5
+ 137.1
+ 139.5
  825.3
```

825.3 / 6 = 137.55 AVERAGE GPM

MODE SELECT
INPUT

PUMP #1

OUTER DIAMETER
4.040000 IN

PIPE MATERIAL
? AL,DI

WALL THICKNESS
0.0760 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
2.290 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

06-11 11:4300 *R
+003.00 % AI2

MODE SELECT
T0 CHECK

0147.1 MMSEC
101.28 % T0

0147.1 MMSEC
101.28 % T0

1ST SET OF INFORMATION

2ND SET OF INFORMATION

06-11 11:5000 *R
+ 1.439E 2GPM

06-11 11:5000 *R
+ 1.234E 2GPM

06-11 11:5100 *R
+ 1.429E 2GPM

06-11 11:5100 *R
+ 1.385E 2GPM

06-11 11:5100 *R
+ 1.371E 2GPM

06-11 11:5100 *R
+ 1.395E 2GPM

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AUG 19 1993

POLYSONIC READINGS

PERMIT #: 47-08011C

WELL #2 and WELL #3

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THE POINTS OF DIVERSIONS MARKED
WELL #2 - PUMP #5 AND WELL #3 - PUMP #6
ON THE MAPS.

FLOWS IN GALLONS PER MINUTE (GPM)

```
  507.210
+ 505.361
+ 507.738
+ 515.928
+ 516.984
+ 528.608
+ 528.080
+ 546.043
  4155.952
```

4155.952 / 8 = 519.494 AVERAGE GPM

* NOTE:

It was not possible to measure well #2 and well #3 seperately. Therefore they were measured together with a combined flow for both wells. This was done before the discharge point into the pond.

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AUG 03 1999

```
MODE SELECT
        INPUT

OUTER DIAMETER
8.6402    IN

PIPE MATERIAL
?         CS,SS

WALL THICKNESS
0.1839    IN

INNER LINING
?         NO LING.

KIND OF FLUID
?         WATER

SENSOR MOUNTING
?         U

TYPE OF SENSOR
?         SMALL

DATA CHANGE
?         NO

SPACING
6.470     IN U

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

ZERO MODE
        ZERO OPR

MODE SELECT
        T0 CHECK

0317.5  MMSEC
102.73  % T0
```

1ST SET OF INFORMATION

2nd SET OF INFORMATION

```
06-11 13:2500 *R
-507.210E 0GPM

06-11 13:2600 *R
-505.361E 0GPM

06-11 13:2600 *R
-507.738E 0GPM

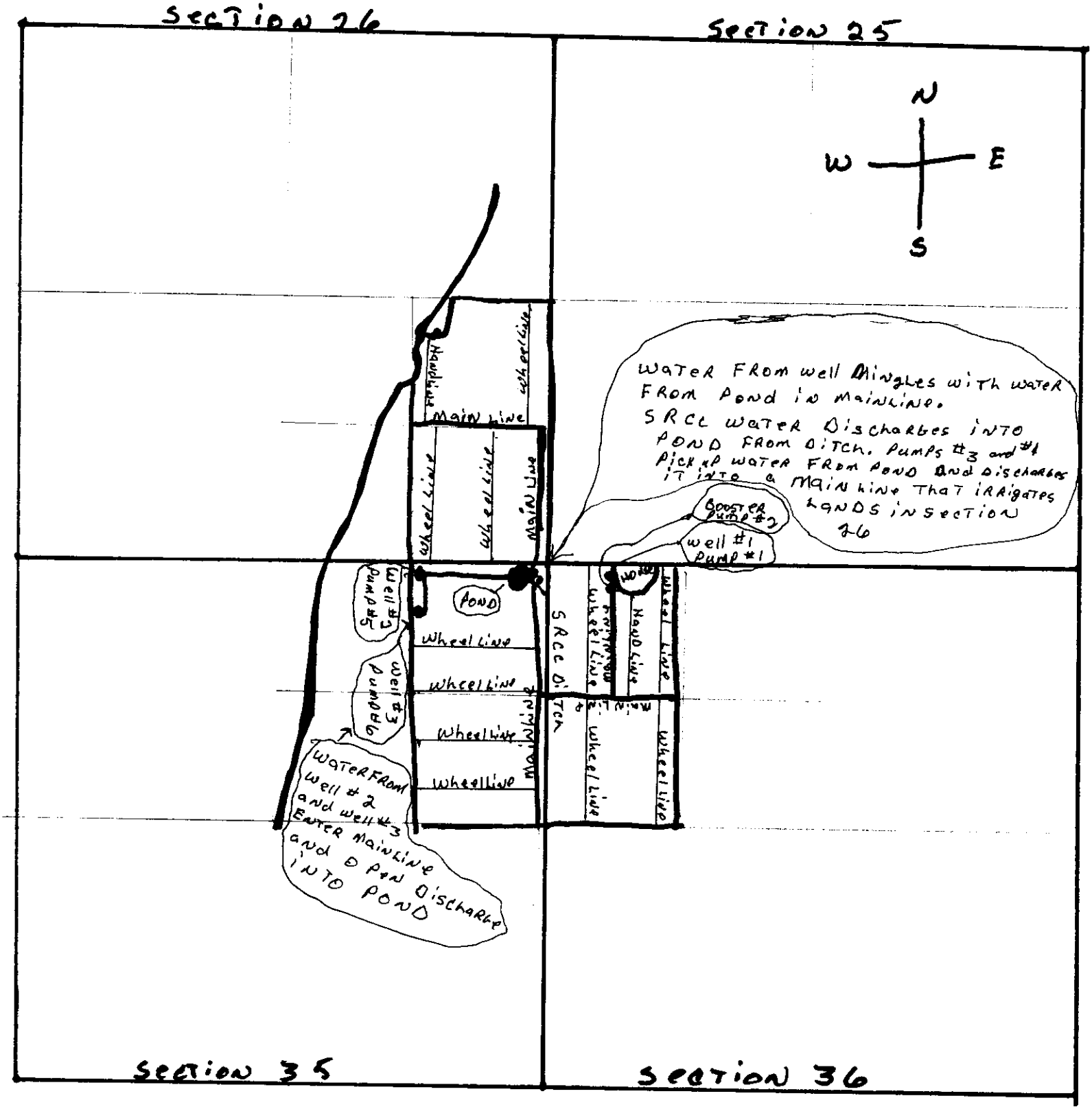
06-11 13:2600 *R
-515.928E 0GPM

06-11 13:2700 *R
-516.984E 0GPM

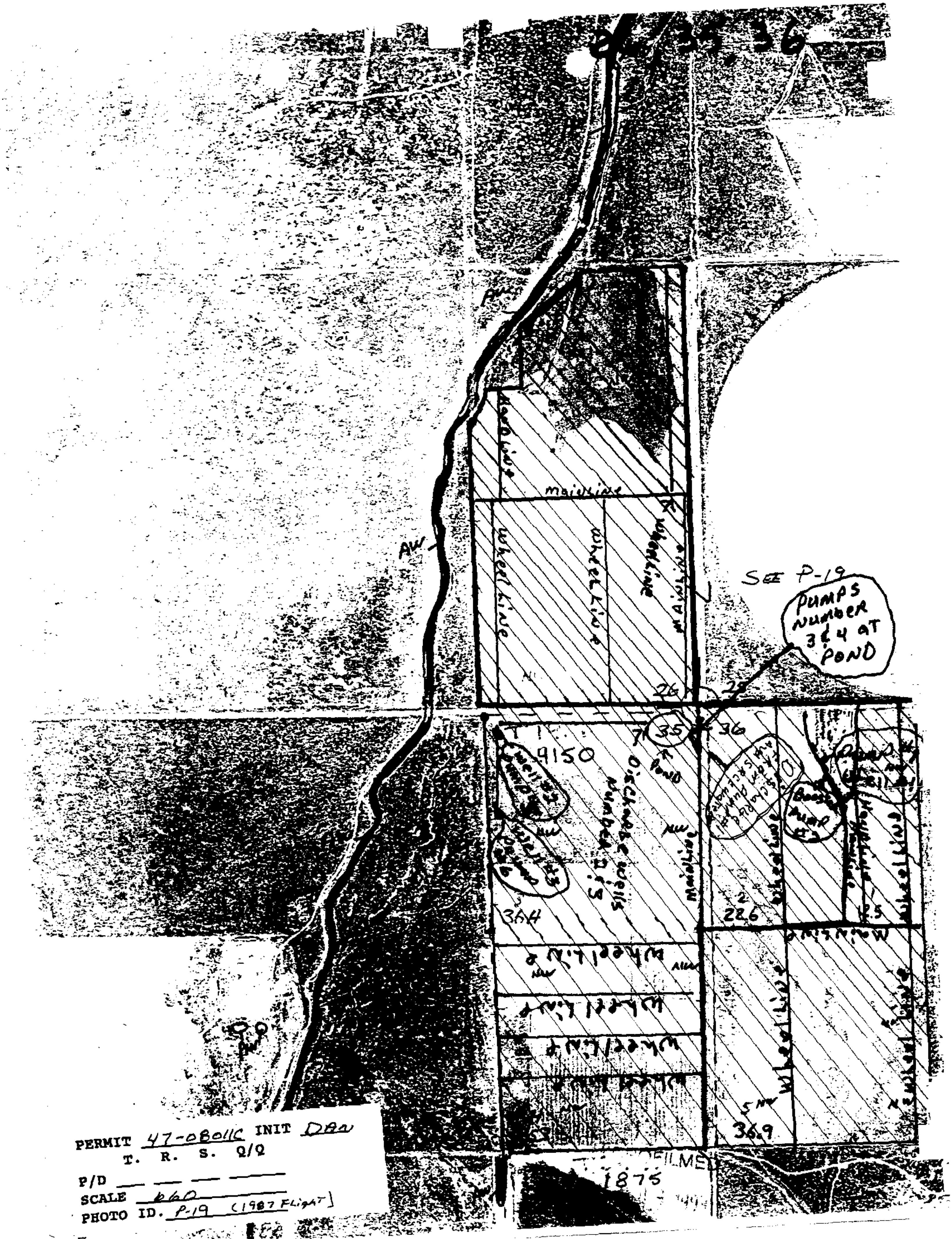
06-11 13:2700 *R
-528.608E 0GPM

06-11 13:2700 *R
-528.080E 0GPM

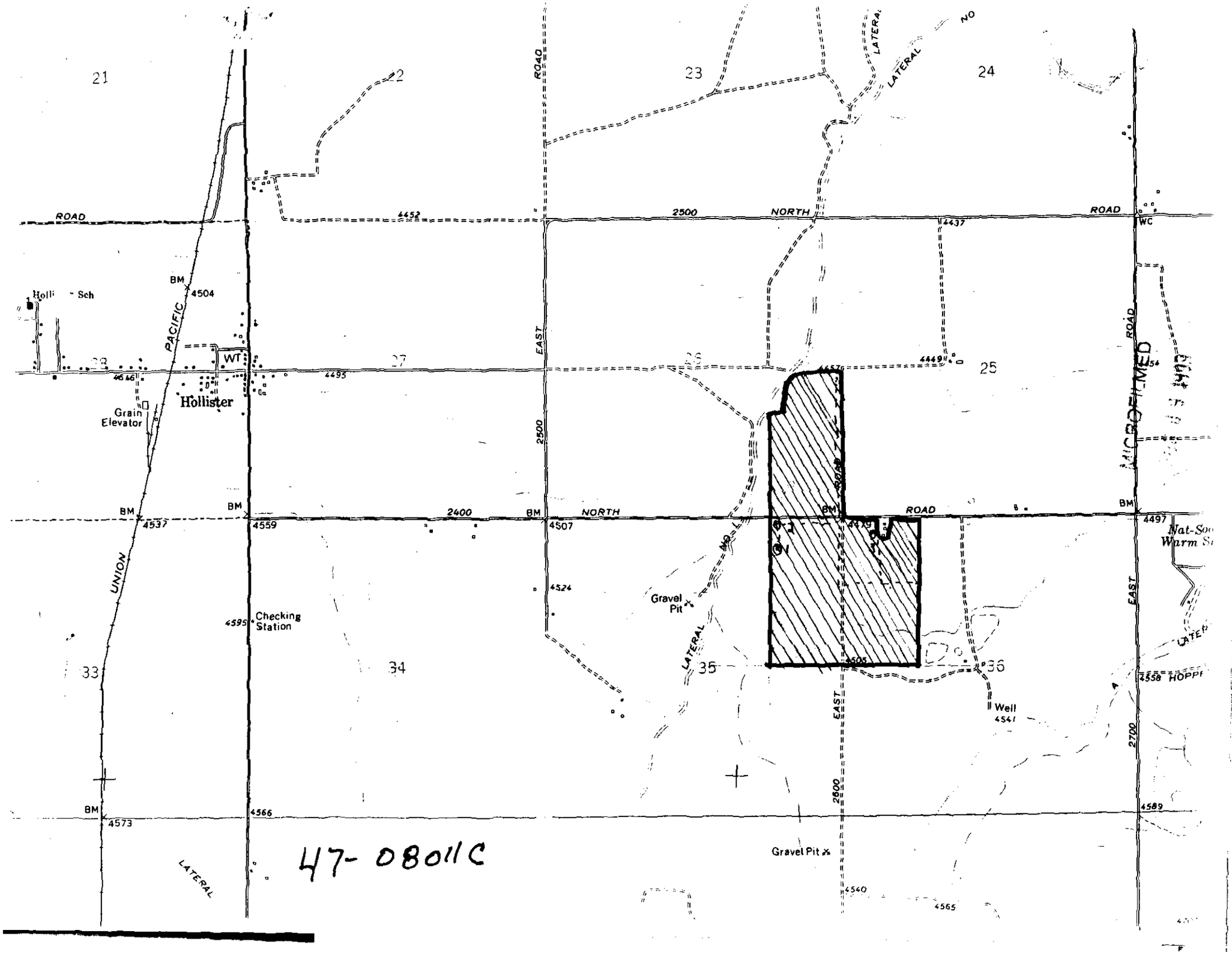
06-11 13:2700 *R
-546.043E 0GPM
```



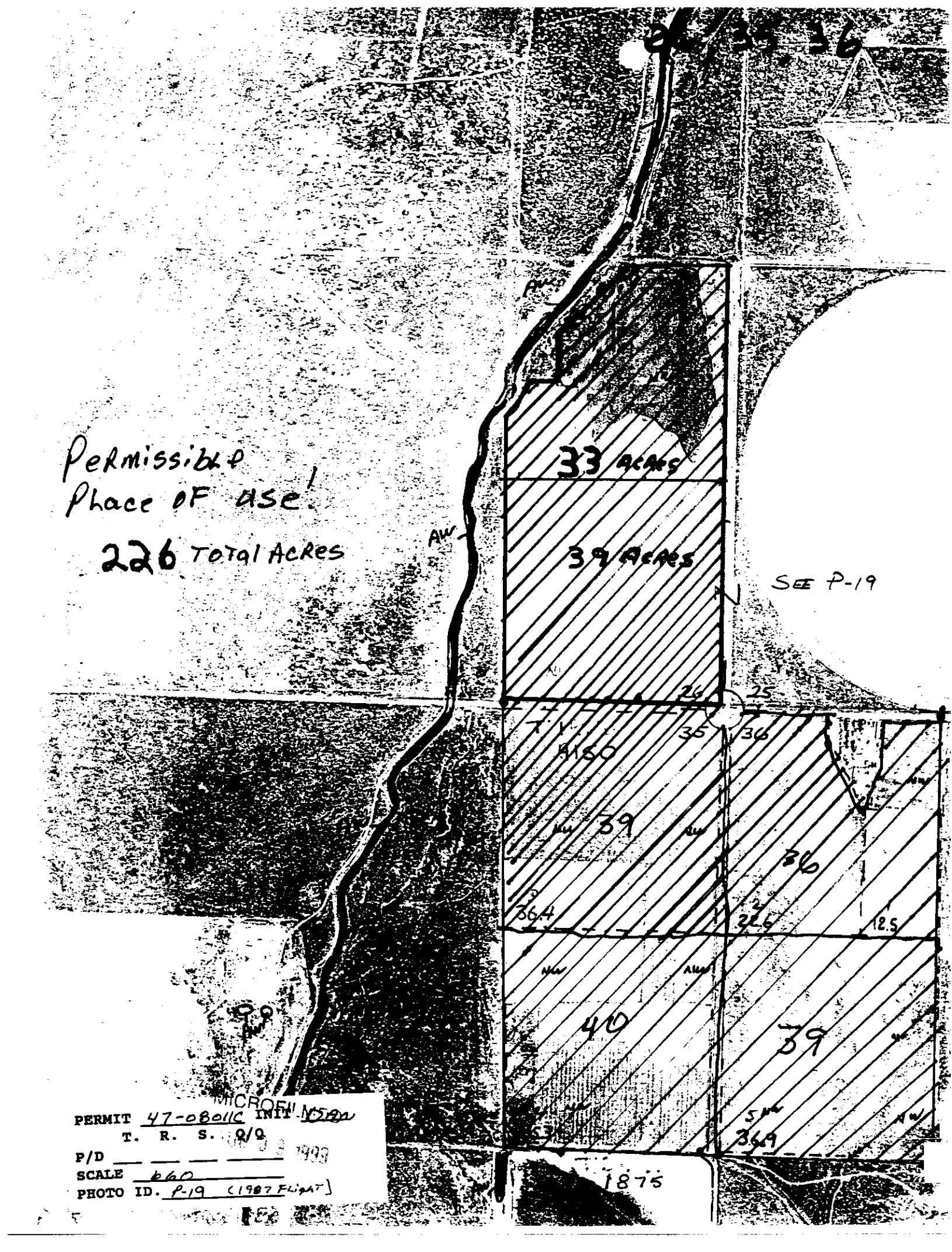
MICROFILMED
SEP 03 1993

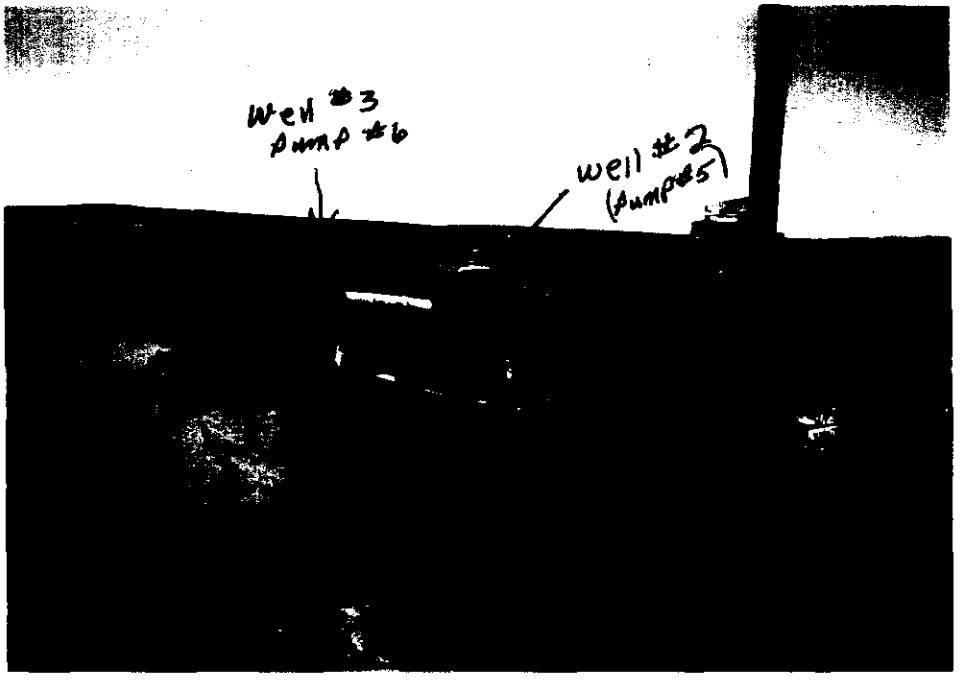


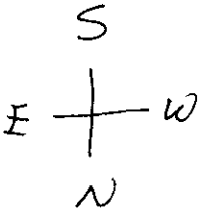
PERMIT 47-08011C INIT DAN
T. R. S. Q/Q
P/D
SCALE 660
PHOTO ID. P-19 (1987 Flight)


21
22
23
24
ROAD
2500
NORTH
ROAD
4452
4437
WC
BM
4504
Holli - Sch
PACIFIC
WT
EAST
ROAD
4466
4495
27
25
Hollister
Grain
Elevator
2500
BM
4537
BM
4559
2400
BM
NORTH
4507
BM
ROAD
BM
4497
UNION
4524
Gravel
Pit
4595
Checking
Station
LATERAL
33
34
35
36
EAST
Well
4541
2700
4566
BM
4573
4589
LATERAL
Gravel Pit
4540
4565

47-0801C

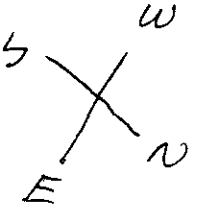

Permissible
Place of use!
226 Total Acres
33 acres
39 acres
AW
SEE P-19
25
26
35
36
T. 1 S.
R 50
39
36
36.4
22.6
12.5
40
39
5 AW
36.9
1875
PERMIT 47-0801C INIT MSha
T. R. S. 2/2
P/D
SCALE 660
PHOTO ID. P-19 (1987 FLIGHT)



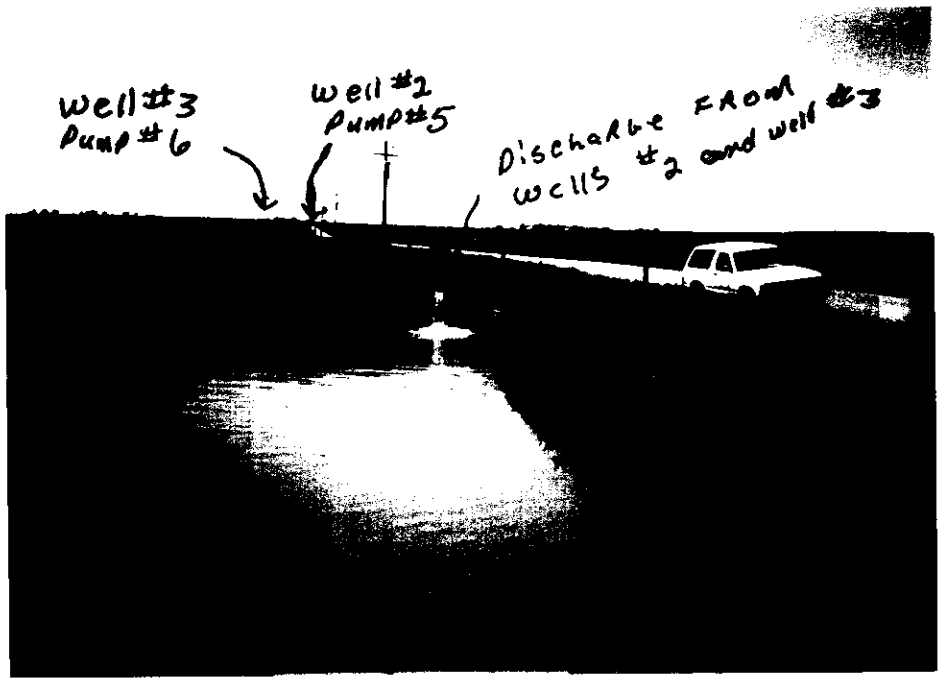


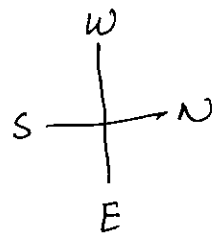
well #2 (pump #5) well #3 (pump #6) is to the South both wells meet under ground and travel East to pond.





MICROFILMED
Well #3 (Pump #6)
AUG 03 1993

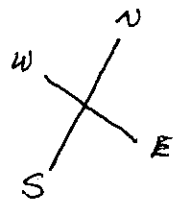




This is The HOLDING POND FOR Pumps 3 & 4. SRCC WATER ENTERS FROM The SOUTH EAST CORNER. The WATER FROM Well # 2 (Pump # 5) and well #3 (Pump #6) ThROugh open Discharge OUT OF pipe on WesT End OF POND.

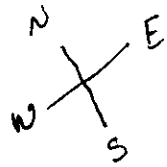
MICROFILMED
DEC 09 1993





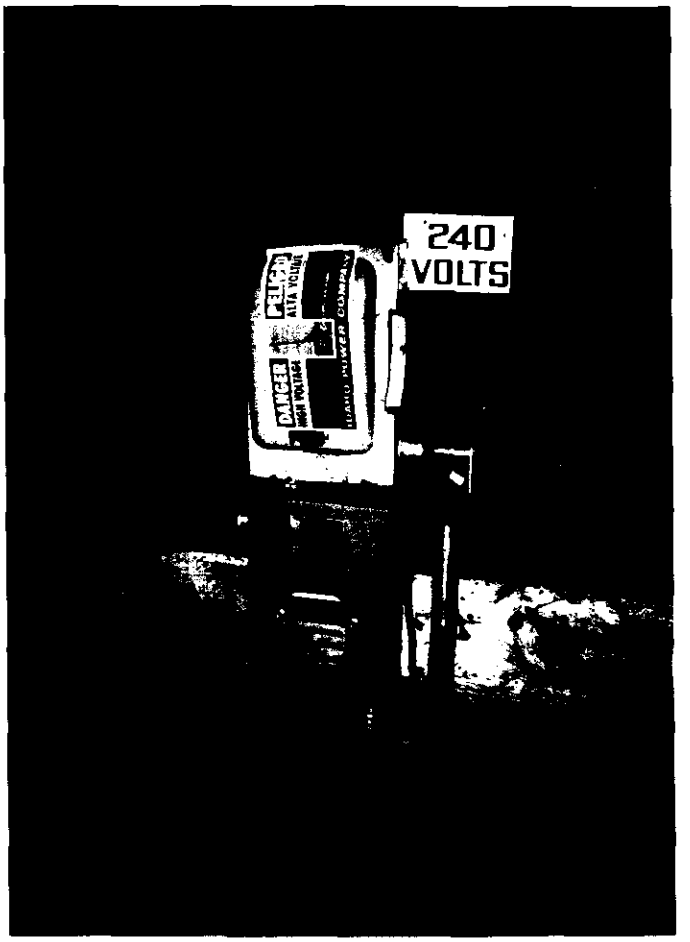
Pump #3 & Pump #4 pumps water from the pond and from the mainline from well #1, water can be pumped across the road to the north and and into the main line to the fields in sec. 35, Section 36 and to well #1.





Diverson across the road through the Ditch culvert via 6" main line to Section 26.

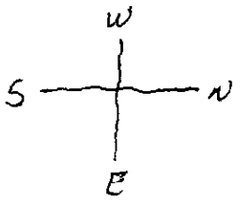
MICROFILMED
OCT 1999



Inside Electrical works for Pump #1
Well #1

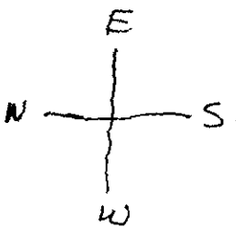
MICROFILMED
DEC 09 1999





Well House FOR Pump # 1 well #1. The Booster (Pump #2) is located to the south of well #1





in-line Booster at well #1. (Pump # 2)
4" mainline into and out of well #1

MICROFILMED
DEC 29 1999

April 11, 1994

MIKE AND DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 47-08011C

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

JUN 2 9 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

MIKE COURTNAY
DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

RE: Permit No. 47-08011C

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

JUN 29 1994

Conditions of Approval:

- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

46A - A well drilled pursuant to this permit must be located at least
- 500 feet from any existing well. Well spacing closer than 500
- feet must be approved by the Department of Water Resources.

46B - Construction of the well must comply with Idaho well
- construction standards.

Remarks: The well driller must monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Well water having a temperature of 85 degrees or greater shall not be diverted for irrigation use under this permit unless the Director of the Department provides an exemption pursuant to Section 42-233, Idaho Code.

Dates:

App. Received:	07/01/1985	Priority Date:	07/01/1985
Proof Due Date:	04/01/1994	Proof Made Date:	
Exam Made Date:		Exam Sent to S.O.:	
Licensed Date:			

Misc: Water District Number: Field Exam Fee:

Comments: Date: 04/02/1992 User-ID: VAULT Subject: Extension of Time Received
Extension of Time Received

Date: 12/03/1993 User-ID: BALDWIN Subject: AMENDED PERMIT
Amendment filed 9/15/93 proposes to change points of diversion from SENWSE, S12, T12S, R16E, NWSWNW, SWSWSW, S17, and SESESE, S18, T12S, R17E; and the place of use from NENW (40 A), NWNW (18 A), S12, T12S, R16E (58 A total) to NESE (29 A), SESE (29 A), S26, T12S, R16E (58 A total).

Audit: 12/03/93 BALDWIN 02/28/94 ZIMMERMA

NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 47-08011C

Notice is hereby given that MIKE &/OR DEBRA COURTNAY are the holders of Approved Permit No. 47-08011C with a priority date of 07/01/1985 authorizing the diversion of 1.0 cubic feet per second of water from groundwater in the SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 58 acres within N1/2NW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holders have applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 1.0 cfs

Period of Use: 04/01 to 10/31

Point of Diversion: NESE, SESE, S26, T12S, R16E; NENE, S35, T12S, R16E; NWNW, S36, T12S, R16E; Twin Falls County.

Place of Use: 58 acres within E1/2SE, S26, T12S, R16E.

Any protest against approval of the amending of Permit No. 47-08011C as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

• Continued

Affidavit of Publication

№ 25482

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McBurse being first duly sworn upon oath, depose and say that I am Bruce 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 December 9, 1993, and ending with the issue dated December 16, 1993.

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 [illegible] 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

JUN 2 6

On this 14 day of January in the year of 1994, before me, a Notary Public, personally appeared Linda Capps McBurse, 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.

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

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
25482	343	01/14/94

INDEXING TERM
7-08011C Courtney

START DATE	TELEPHONE NO.
12/09/93	736-3033

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
76	2		54.72	54.72
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT ▶			56.72	56.72

GROSS AMT DUE AFTER 01/29

TWIN FALLS JAN 19 9 IDAHO

RECEIVED
JAN 20 1994

Department of Water Resources

RETURN SERVICE REQUESTED

Department of Water Resources 5672
Southern Region Office
THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E
TWIN FALLS ID
83301

MICROFILMED

JUN 29 1994

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-08011C

Published in the Times News on 12/9 & 12/16/93.

Notice is hereby given that MIKE &/OR DEBRA COURTNAY are the holders of Approved Permit No. 47-08011C with a priority date of 07/01/1985 authorizing the diversion of 1.0 cubic feet per second of water from groundwater in the SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 58 acres within N1/2NW, S12, T12S, R16E.

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Period of Use: 04/01 to 10/31

Point of Diversion: NESE, SESE, S26, T12S, R16E; NENE, S35, T12S, R16E; NWNW, S36, T12S, R16E; Twin Falls County.

Place of Use: 58 acres within E1/2SE, S26, T12S, R16E.

Any protest against approval of the amending of Permit No. 47-08011C as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Dec-1993

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish tne notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF AMENDMENT TO A WATER PERMIT
NO. 47-08011C

Notice is hereby given that MIKE &/OR DEBRA COURTNAY are the holders of Approved Permit No. 47-08011C with a priority date of 07/01/1985 authorizing the diversion of 1.0 cubic feet per second of water from groundwater in the SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 58 acres within N1/2NW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 1.0 cfs

Period of Use: 04/01 to 10/31

Point of Diversion: NESE, SESE, S26, T12S, R16E; NENE, S35, T12S, R16E; NWNW, S36, T12S, R16E; Twin Falls County.

Place of Use: 58 acres within E1/2SE, S26, T12S, R16E.

Any protest against approval of the amending of Permit No. 47-08011C as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

Published in the Times News on 12/9 & 12/16/93.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

03-Dec-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

MIKE &/OR DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

Re: Application for Amendment, 47-08011C

Dear Mr. & Mrs. Courtnay:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office has scheduled advertising the application in the Times News on 12/9 & 12/16/93. 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. 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,

Mel Schulte
Water Right Agent

MS:MB

JUN 29 1994

February 25, 1994

Mike Courtnay
Route 1
2615 E 2400 N
Twin Falls, ID 83301

RE: Permit No. 47-08011C

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

Your best option at this point would be to file proof of beneficial use for the portion of the water right that has been developed. I have enclosed the necessary form for your convenience. Please submit the proof on or before the proof due date of April 1, 1994.

If you have any questions or if we can be of any further assistance, please feel free to contact us or any of our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof Form
Extension of Time

C: IDWR - Regional Office

January 31, 1994

MIKE COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08011C

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 April 1, 1994. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 29 1994

CERTIFIED MAIL
NO. 141084

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 4, 1993

MIKE COURTNAY
DEBRA COURTNAY
2615 E 2400 N
TWIN FALLS ID 83301

Re: Permit No. 47-08011C

Dear Mr. and Mrs. Courtnay:

We acknowledge receipt of the correspondence assigning this portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

MICROFILMED
OCT 21 1993

Part B

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

June 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID L BOSS
DOROTHY A BOSS
CHARLES E BOSS
2604 N 2700 E
TWIN FALLS ID 83301

RE: Water Right 47-08011B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Southern Region

MICROFILMED

AUG 0 9 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

December 10, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES BOSS
DAVID L BOSS
NORMA J ELSING
C J BOSS
2604 N 2700 E
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08011B

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.

MICROFILMED
JAN 07 1998

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.

JAN 07 1998

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Watte Keen

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

IAN 07 [illegible]

CERTIFICATE OF MAILING

I hereby certify that on the **10th** day of **December, 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. 47-08011B

CHARLES BOSS
DAVID L BOSS
NORMA J ELSING
C J BOSS
2604 N 2700 E
TWIN FALLS ID 83301

Kari Lynn Townsend
Secretary

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

November 21, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES BOSS
DAVID L BOSS
NORMA J ELSING
C J BOSS
2604 N 2700 E
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08011B

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the $50 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
NOV 07 1998

Form 219
6/92

RECEIVED
MAY 1996
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION Permit No. 47-08011B

1. Owner: C. J. and David Boss Phone No. (208) 655-4223

Current Address: 2604 North 2700 South Twin Falls, Idaho 83301

2. Accompanied by: David Boss EXAM DATE : May 22, 1996

Address: 2604 North 2700 South Twin Falls, Idaho 83301 Phone No. (208) 655-4246

Relationship to Permit Holder: Co-owner Manager

3. Source: Groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A47-00010Z1 (521 shares of Salmon River Canal Co. water for 317 acres)

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	SE	18	12S	17E	TWIN FALLS	Visual and used planimeter in conjunction with a BLM plat map converted to an aerial photo.

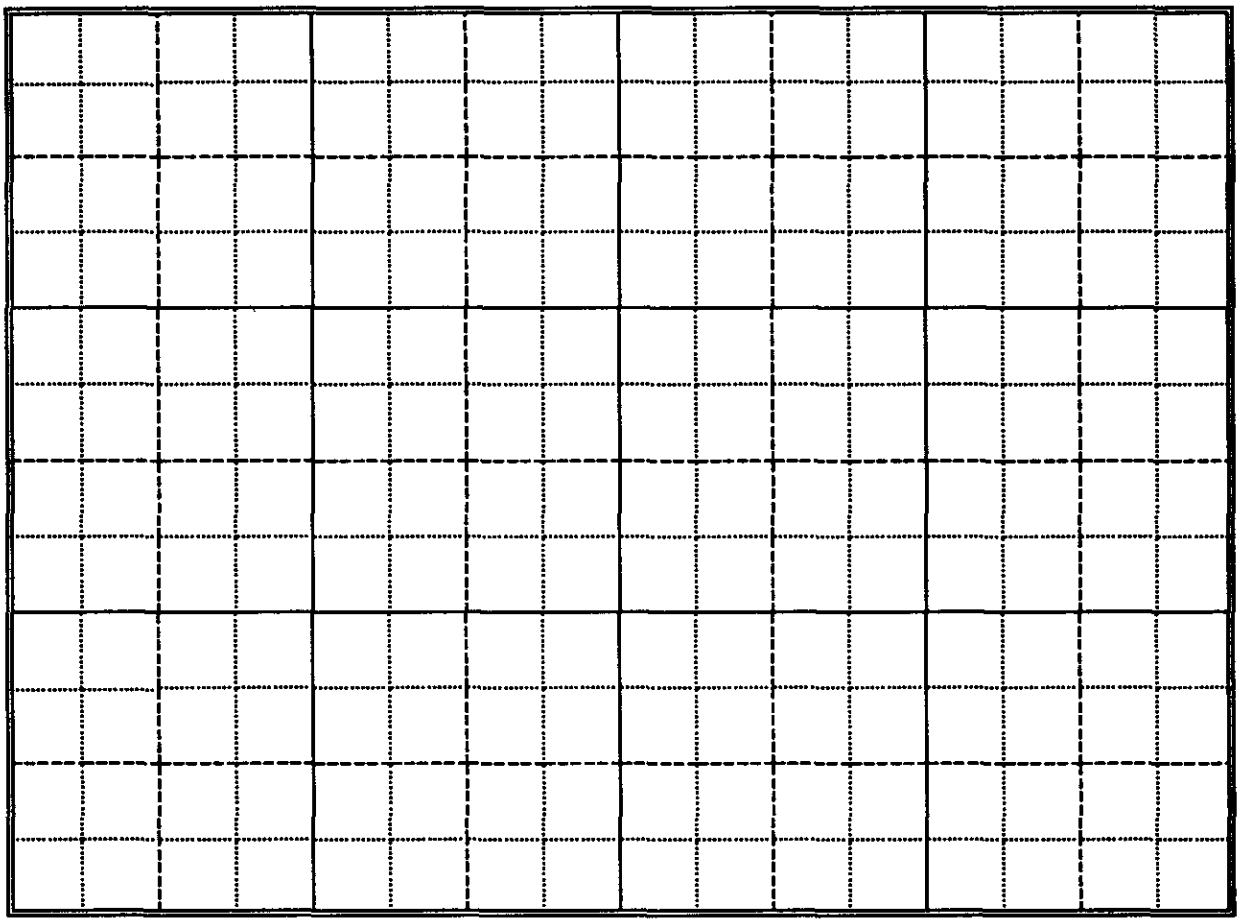
2. **Place(s) of Use:** Indicate Method of Determination See P/D remarks above.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
12S	17E	18					40	18 H1	18 H2	40	40	18 H3	4 H4	39		40	39		296

* This permit is permit is for 116 acres within the 296 acres of permissible use.

AMED
JAN 07 1998

3. **Delivery System Diagra** **dicate all major components and dista** **s between components. Indicate weir size/ditch size/pipe i.d. as applicable.**



Please see attached sheet.

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

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

yes__ 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
PUMP NUMBER ONE (P/D Well)	High Thrust Electric Motor	125	ID # R-9984-02-826 R213 6708	Layne Bowler	No information was found on pump.
PUMP NUMBER TWO (REDIVERSION POND #1)	Marathon	30	Cat. no. A15 0940-55	Cornell	Cat. no. A 15094D-55
PUMP NUMBER THREE (REDIVERSION POND #2)	Marathon	50	Model no. WF326TTDR733 0ENW	Cornell	Serial no. 70125 (12.75" impeller.

**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
Polysonic Portable Flow Meter	Tyme Flyte	14974 4	TF*P	N7H5506		April, 1996

MICROFILMED
JAN 17 1013

2. Measurements: ____SEE ATTACHED SHEET FOR POLYSONIC READINGS_____

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is pumped from a well approximately fifty feet from the south east corner of the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 18 of Township 12S and Range 17E. After the water is pumped it is transported by pipe to a cement ditch at the corner described above. At this ditch the water can be sent north down a earthen ditch to water the northeast corner of the center pivot (see Delivery system diagram). The water can also be transported down the southern boundary of section 18 (the road) to pond number one. At pond number one a 30 Hp motor (pump #2) delivers a potion of the water through a 12 inch mainline to the center pivot. The center pivot waters the southeastern portion of the of the designated place of use. The portion of land that is watered by the center pivot is the SW 1/4 of the SE 1/4, the NW 1/4 of the SE 1/4, the SE 1/4 of the SW 1/4, and the NE 1/4 of the SW 1/4 (all are in SEC. 18 of TWP 12S - RGE 17E). The water that is not used by the center pivot is sent around the perimeter of the farm to irrigate household lawns and the pasture located behind the houses by gravity flow. These areas are located in lots 3 and 4 in section 18. The water is then transported to pond number two. At pond number two the water is pumped through a 50 Hp motor (pump #3) to a set of six wheel lines. These six wheel lines irrigate the NE 1/4 and the SE 1/4 of the NW 1/4 of Section 18 and lots 1 and 2 of section 18.

There is already 521 shares of Salmon River Canal Co.(SRCC) water appropriated for these acres (Water Right number A47-00010Z1). This water is taken out of the SRCC canal in NE 1/4 of the NE 1/4 of NE 1/4 of Section 19 of TWP 12S - RGE 17E. At the P/D the water enters a ditch that travels under the road separating section 18 and 19 and dumps into the same cement ditch that the water from the well dumps into. The water from the SRCC is then transported through the same conveyance system as the water from the well.

Have conditions of permit approval been met? _X__ yes ___ no

MICROFILMED

[illegible] 7 1998

F. FLOW CALCULATIONS _____ Additional Computation Sheets Attached

Measured Method:

Polysonic -- 939.495 ave. gpm / 448.8 = 2.09 cfs (see attached sheet for polysonic readings)

Grainland meter -- 899 gpm / 448.8 = 2.03 cfs (meter is attached to the pump system)

Orifice meter -- 900 gpm / 448.8 = 2.01 cfs (according to owners flow chart)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 116 acres x 4.0 IR = 464 Vir

$V_{I.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 2.00 cfs x 214 days x 1.9835 = 848.93

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 464.0 Vir

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	APRIL 1	OCT. 31	2.00 cfs	464.0 afa
	Totals:		2.00 cfs	464.0 afa

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

X Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____ SEAL

DIV OF LANDS
JUL 7 1993

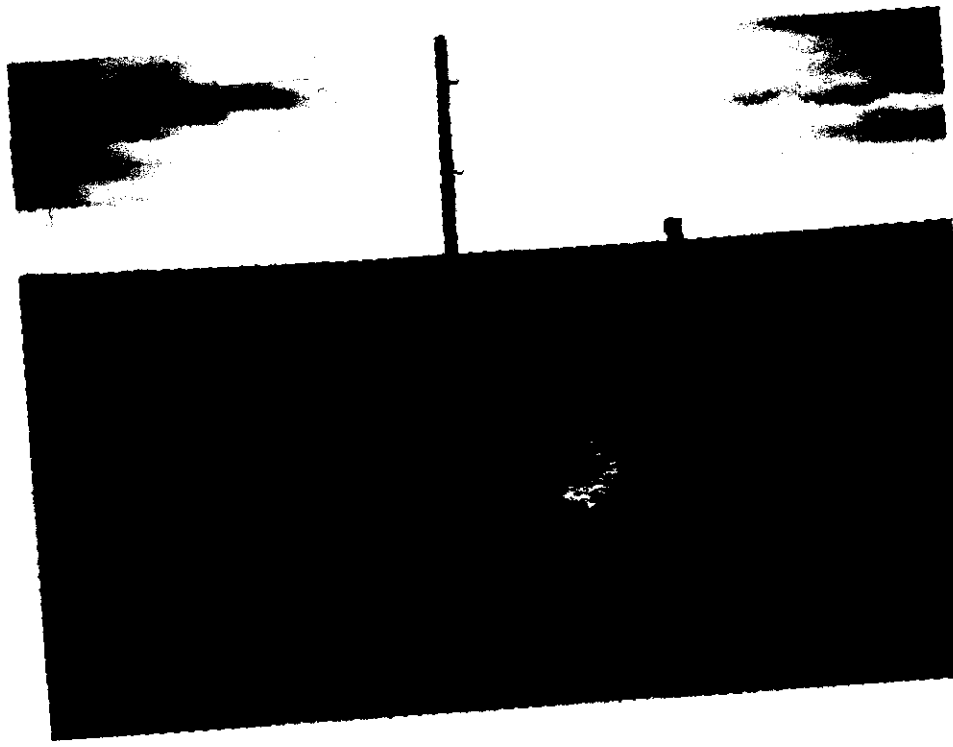
RECOMMENDATIONS REMARKS:

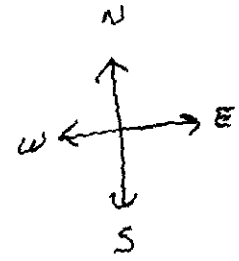
I recommend that this permit be licensed under the following conditions:

1. That this water right be applied as supplemental water for the Salmon Falls River Canal Company (SRCC) water assigned to the place of use for this permit. The SRCC is an unreliable source of irrigation water for this farm. According David Boss (the owner manager), the SRCC operates at approximately 8/10 afa per share. The SRCC has been as low as .15/10 afa per share in 1992. Boss also claims that the SRCC usually delivers water between the second week in May and the last week in August. This prevents him from irrigating through the entire growing season.

2. That this water only be used on a designated area of a 116 acres within the permissible place of use. This will allow Mr. Boss to manage his crop rotation to use this water right to irrigate crops with a longer growing season without crop damage from an early shut off of the SRCC supplies water. This will also allow Mr. Boss to irrigate water sensitive crops by supplementing reduced shares of SRCC water.

RECEIVED
AUG 07 1993





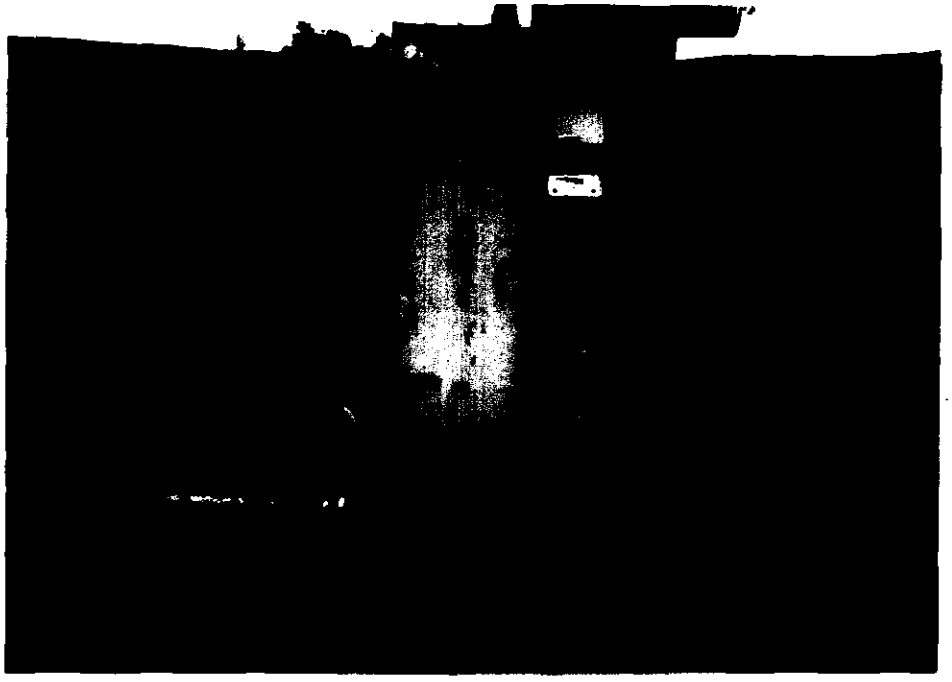
Pump #1

Water is pumped From a well By a 125 Horse Power motor and Delivered By Pipe to the cement Ditch. Water From Salmon River Canal Co. goes under Road and Empties into this Cement Ditch. Water can be Sent North Down Earthen ditch and west Down Cement Ditch to Pond #1

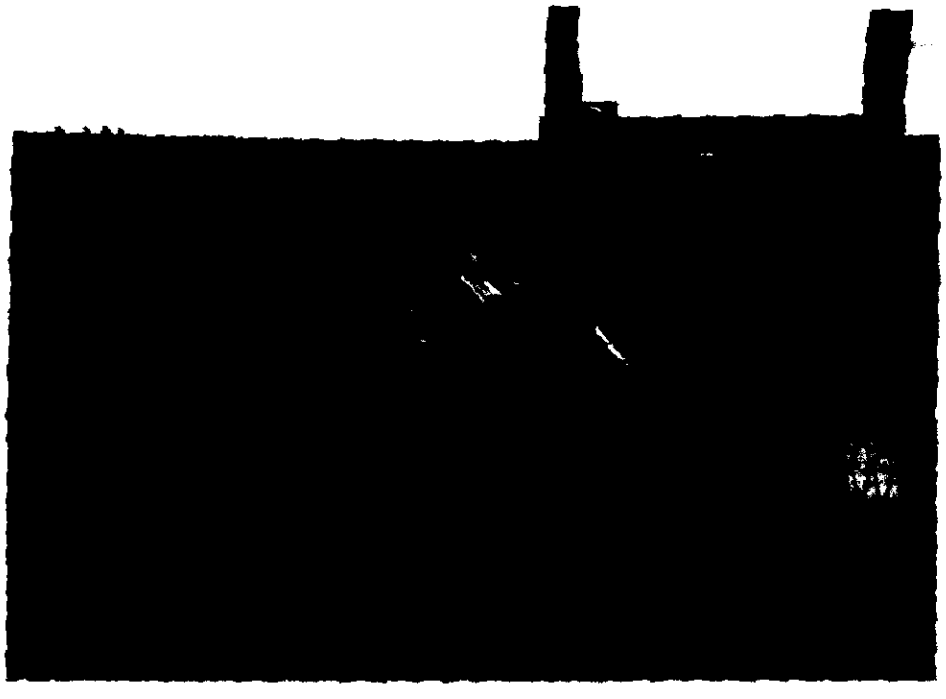
Note:

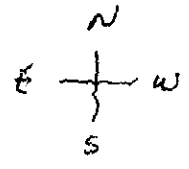
Orifice meter is on End of Pipe.

JUL 7 1983



GRAINLAND METER ON PUMP # 1 (The well Pump)



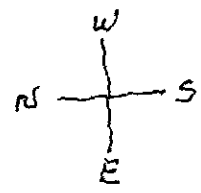


Pump #2

Rediverts water from Pond #1 and delivers it to center pivot

30 hp pump

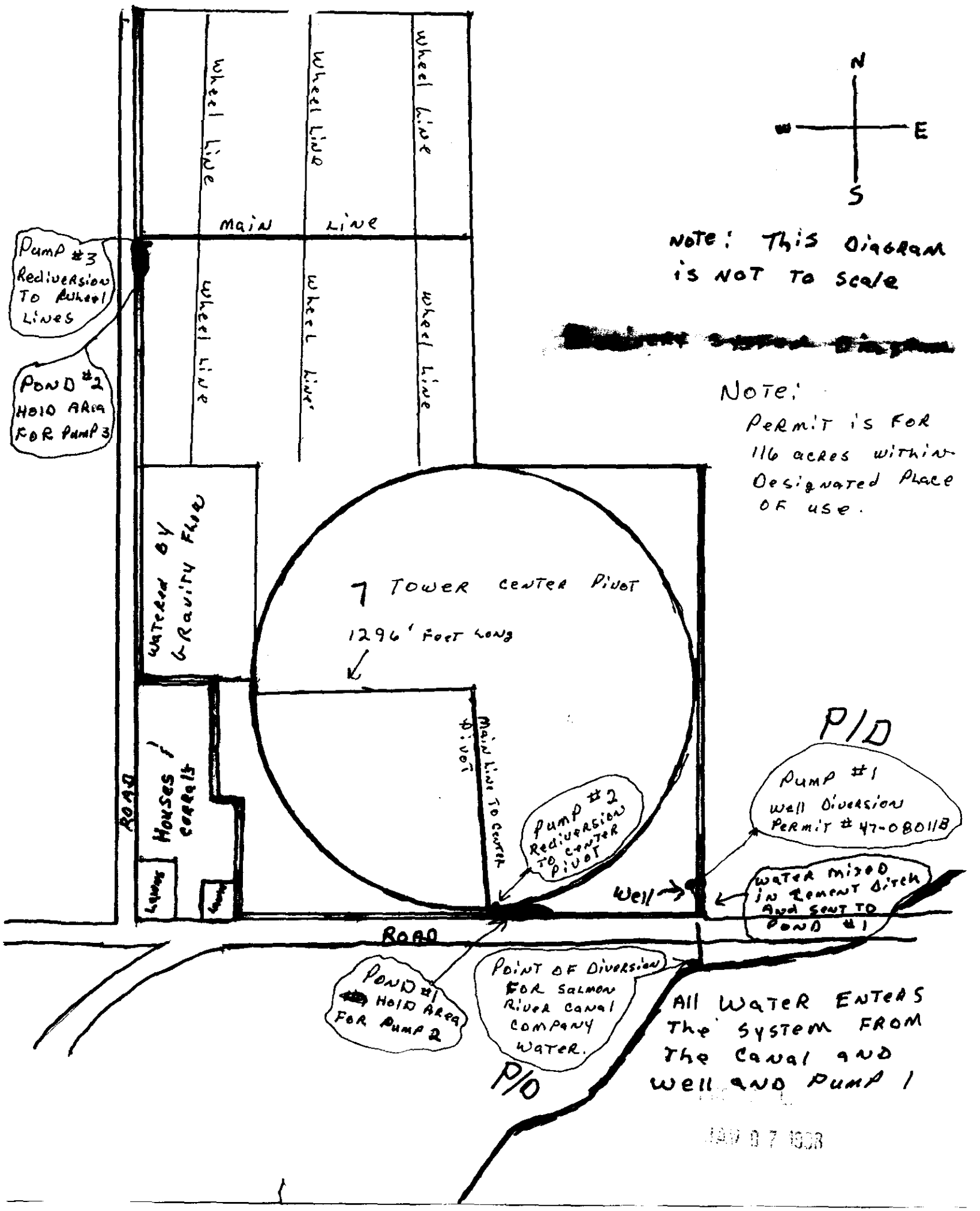


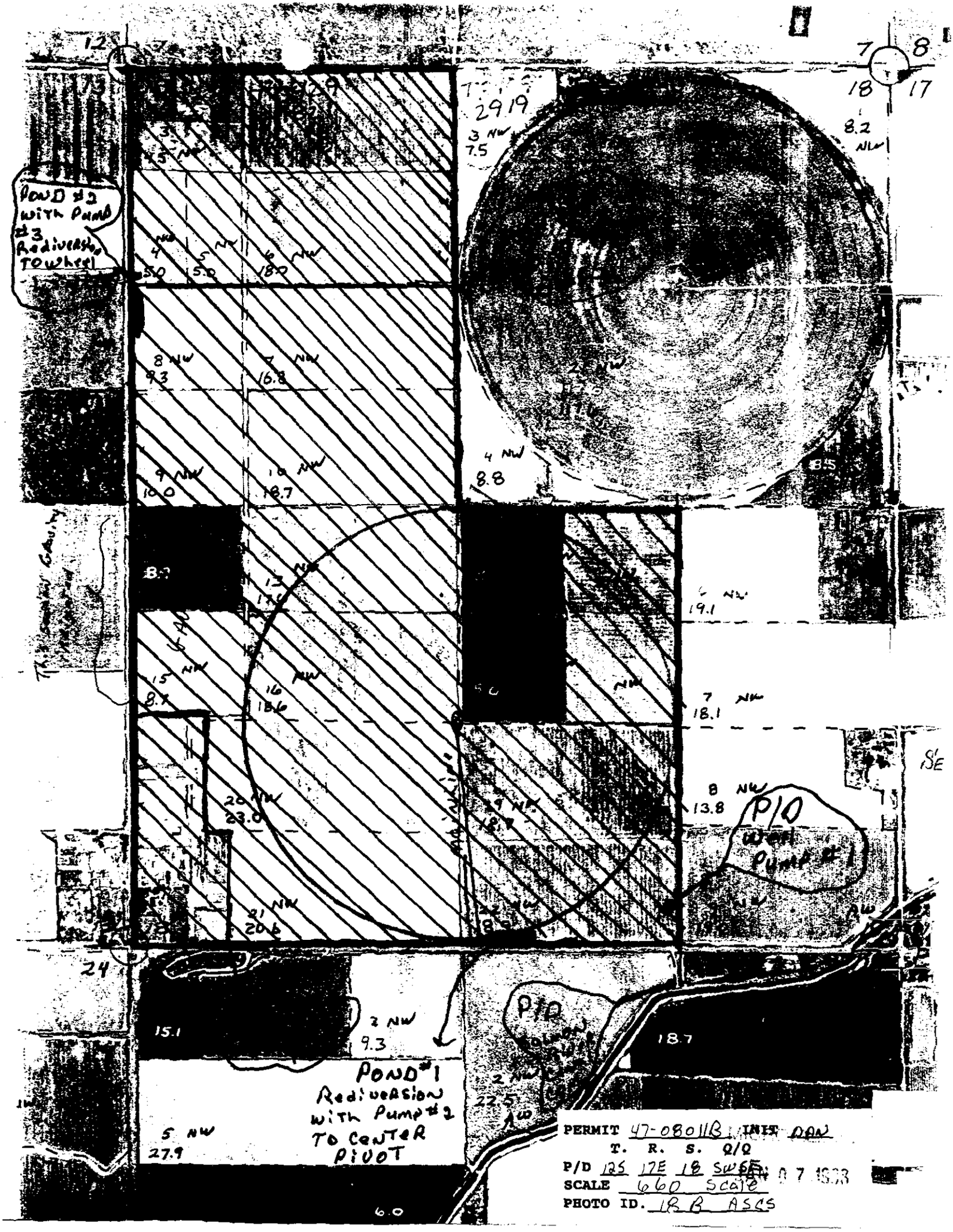


Pump #3

Rediverts water from Pond #2 and delivers it to the six wheel lines

50hp Pump


N
W
E
S
Wheel Line
Wheel Line
Wheel Line
Main Line
Wheel Line
Wheel Line
Wheel Line
Pump #3 Rediversion To Wheel Lines
Pond #2 Hold Area For Pump 3
NOTE: This Diagram is NOT To Scale
NOTE: Permit is For 116 acres within Designated Place of use.
Watered by Gravity Flow
7 Tower Center Pivot
1296' Foot Long
Main Line To Center Pivot
Houses / corrals
Road
P/D
Pump #1 Well Diversion Permit # 47-080118
Pump #2 Rediversion To Center Pivot
Well
Water mixed in Cement Ditch And Sent To Pond #1
Road
Pond #1 Hold Area For Pump 2
Point of Diversion For Salmon River Canal Company Water.
P/D
All Water Enters The System From The Canal and Well and Pump 1
JAN 07 1998



PERMIT 47-0801B INIT DAN

T. R. S. Q/Q

P/D 12S 17E 18 SWSE

SCALE 660 Scale

PHOTO ID. 1R B ASCS

0 7 1993

Gravel Pits
Gravel Pit
Gravel Pit
ROAD
EAST
LATERAL NO 14
LATERAL NO 17
LATERAL
2700 NORTH
BR 4353
2700 NORTH
2800 NORTH
4452
4450
4400
4350
4369
4360
4370
4381
4380
4378
4395
4390
4373
4417
BM 4379
14
13
18
7
1
R16E
Pond #2 with Radioactive Tracer Lines By Pump #3
Pond #1 with Radioactive Tracer Lines By Pump #2
Old well pump #1
Wells
Place of use
2500
2700
2800
32'30"
114°30'
701
702
703
704
705000m E
INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1980

1 MILE
1000 5000 6000 7000 FEET
1 KILOMETER

10 FEET
FOOT CONTOURS
DATUM OF 1929

MAP ACCURACY STANDARDS
COLORADO 80225, OR RESTON, VIRGINIA 22092
SYMBOLS IS AVAILABLE ON REQUEST

IDAHO
QUADRANGLE LOCATION

CC 22 ; CC 23
Combined

ROAD CLASSIFICATION

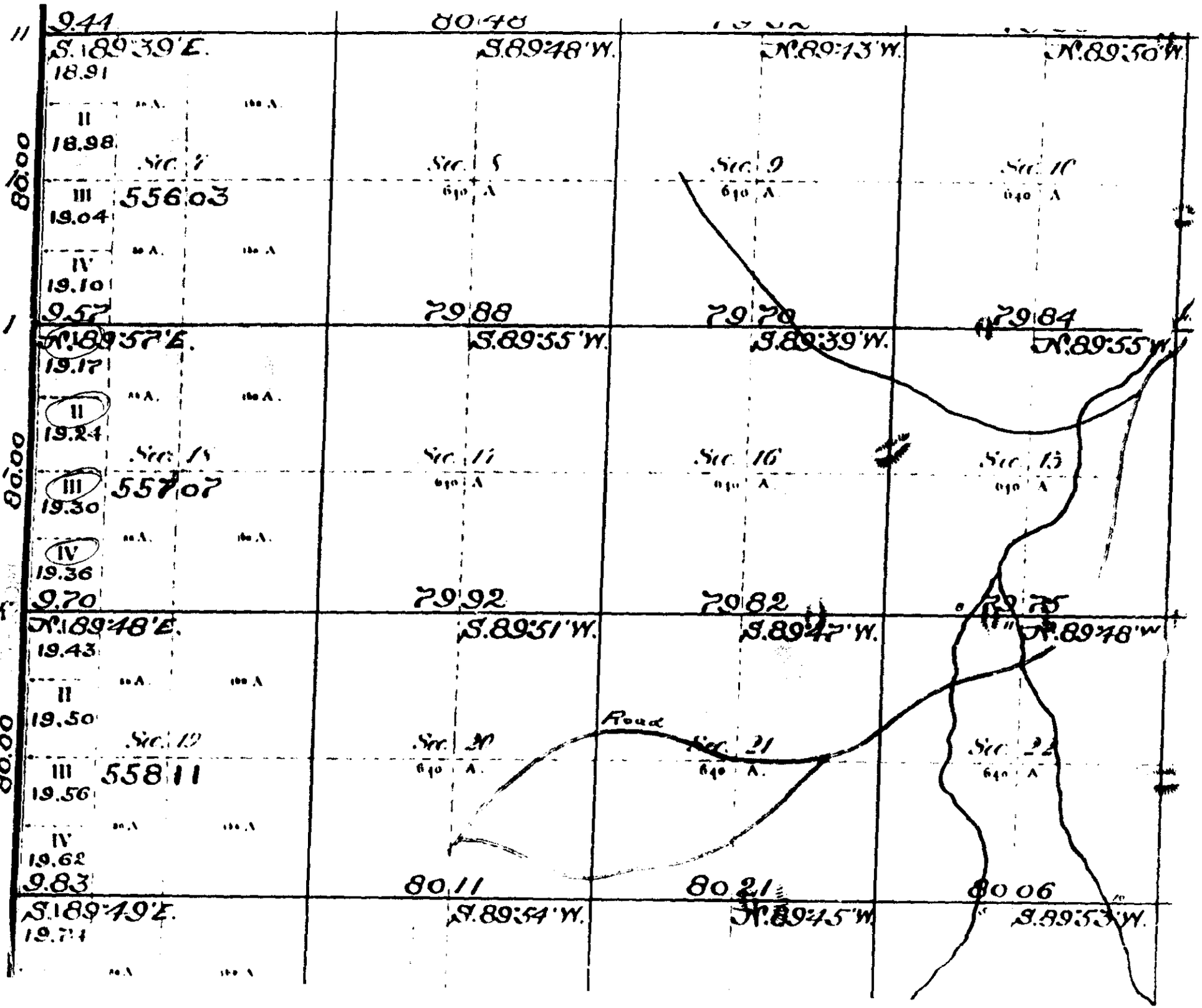
Primary highway, hard surface
Secondary highway, hard surface
Light-duty road, hard or improved surface
Unimproved road
( ) Interstate Route ( ) U. S. Route ( ) State Route

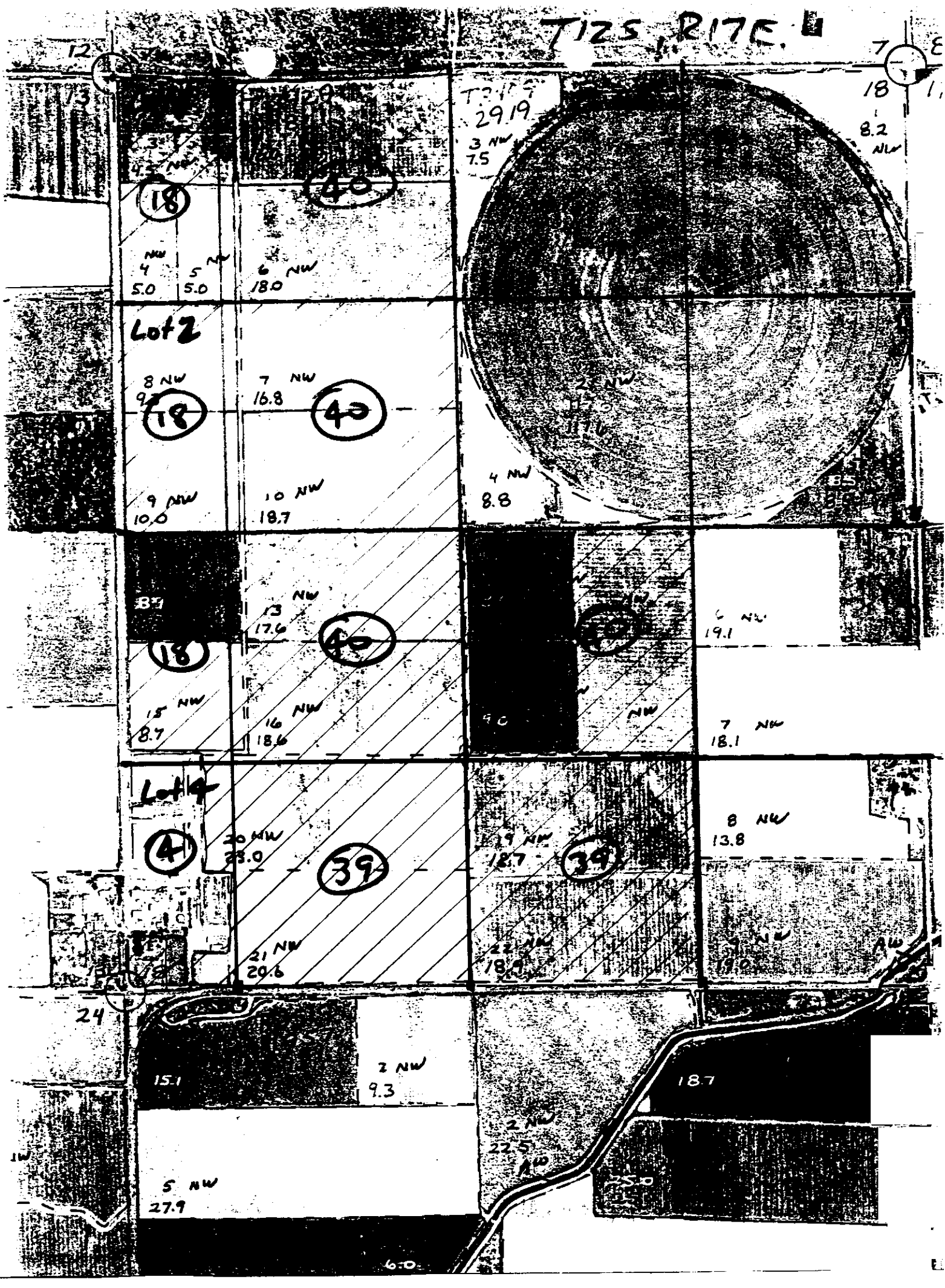
BERGER, IDAHO
N4222.5—W11430/7.5

1979

DMA 3068 I NE—SERIES

Mapped, edited, and publis
Control by USGS and NOS/NOAA
Topography by photogrammetric m
photographs taken 1960. Field ch
Revised from aerial photographs ta
Limited field check 1979. Map edi
Polyconic projection. 1927 North A
10,000-foot grid based on Idaho coo
central zone
1000-meter Universal Transverse Me
zone 11, shown in blue
To place on the predicted North Amer
move the projection lines 13 meters n
72 meters east as shown by dashed c
There may be private inholdings within
the National or State reservations show


9.41
80.48
S. 89° 39' E.
S. 89° 48' W.
N. 89° 13' W.
N. 89° 50' W.
18.91
II 18.98
III 19.04
IV 19.10
9.57
Sec. 7
Sec. 8
Sec. 9
Sec. 10
640 A
556 03
79.88
79.78
79.84
N. 89° 57' E.
S. 89° 55' W.
S. 89° 39' W.
N. 89° 55' W.
19.17
II 19.24
III 19.30
IV 19.36
9.70
Sec. 14
Sec. 11
Sec. 16
Sec. 15
557 07
79.92
79.82
N. 89° 48' E.
S. 89° 51' W.
S. 89° 47' W.
N. 89° 48' W.
19.43
II 19.50
III 19.56
IV 19.62
9.83
Sec. 19
Sec. 20
Sec. 21
Sec. 22
558 11
Road
80.11
80.21
80.06
S. 89° 49' E.
S. 89° 54' W.
N. 89° 45' W.
S. 89° 53' W.
19.74
80.00
80.00
80.00
JAN 07 1938


T12S, R17E.
12
13
18
40
Lot 2
18
40
Lot 4
41
39
39
24
4.3 NW
5.0
5.0
18.0
8 NW
9
7 NW
16.8
9 NW
10.0
10 NW
18.7
13 NW
17.6
15 NW
8.7
16 NW
18.6
30 NW
23.0
21 NW
20.6
2919
3 NW
7.5
8.2
4 NW
8.8
6 NW
19.1
7 NW
18.1
8 NW
13.8
19 NW
18.7
22 NW
18.9
15.1
2 NW
9.3
5 NW
27.9
2 NW
22.5
18.7
6.0

POLYSONIC READINGS

FIRST SET OF INFORMATION:

SET-UP INPUT DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN ON THE C J BOSS WELL.
THIS IS FOR PUMP NUMBER 1 ON THE MAPS.

FLOWS IN GALLONS PER MINUTE (GPM)

```
  937.546
+ 944.151
+ 934.376
+ 934.112
+ 939.924
+ 944.679
+ 939.395
+ 941.773
----------
 7515.956
```

7515.956 / 8 = 939.4945 AVERAGE GPM

1st set (setup info.)

```
MODE SELECT
        INPUT

OUTER DIAMETER
8.00000  IN

PIPE MATERIAL
?       CS,SS

WALL THICKNESS
0.1020   IN

INNER LINING
?       NO LING.

KIND OF FLUID
?       WATER

SENSOR MOUNTING
?       U

TYPE OF SENSOR
?       SMALL

DATA CHANGE
?       NO

SPACING
5.789    IN U

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

ZERO MODE
        ZERO OPR

05-22 14:1000 *R
+003.00 %  AI2

MODE SELECT
        T0 CHECK

0293.2  MMSEC
100.67  % T0

DAMPING SET
10      SEC
```

2nd set

Readings taken from Polysonic

```
05-22 14:1300 *R
+937.546E 0GPM

05-22 14:1300 *R
+944.151E 0GPM

05-22 14:1400 *R
+934.376E 0GPM

05-22 14:1400 *R
+934.112E 0GPM

05-22 14:1400 *R
+939.924E 0GPM

05-22 14:1500 *R
+944.679E 0GPM

05-22 14:1600 *R
+939.395E 0GPM

05-22 14:1600 *R
+941.773E 0GPM
```

R16E R17E CC72

HOLLISTER QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

UNITED STATES
DEPARTMENT OF THE INTE
GEOLOGICAL SURVEY

703 360 000 FEET 705 114° 30'

P/D FOR Salmon Falls River canal co. Diversion



4690

T12S

RESPONSE TO LETTER BY GARY NELSON PER PROTEST

In doing the field exam I discovered that the motor and pump on this well was the same equipment originally installed. I asked David Boss if this was the original pump on the well and he claimed it was the original. The horsepower on the present motor matches that of the original, therefore I have no reason to doubt Mr. Boss.

The well was deepened and cased according to the permit to attain the necessary water for the permit. According to our measurements and readings from the measuring devices supplied by Mr. Boss, this well is pumping at approximately 2.0 cfs which is what the permit is allotted.

I see no evidence of any wrong doing. The Boss's have complied with every aspect of their permit as far as I could find.

FIELD EXAMINER

DANIEL A. NELSON

MICROFILMED
JAN 07 1998

238(4)-1
5/93

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 47-94-0225-400 OTHER APPLICABLE NO: 47-080118

2. OWNER: C. J. Boss Phone: (208) 655-4223
Address: 2604 North 2700 South Twin Falls, Idaho 83301

3. WELL LOCATION: Twp 12S, Rge. 17E, Sec. 18, SW 1/4 SE 1/4
County Twin Falls (Provide sketch map and photo on reverse.)

4. DRILLER: Elsing Drilling Lic. No. 31
When Drilled? 1-19-95

5. WELL CONSTRUCTION:
Casing Diameter 16 inches Water tight cap? [ ] Yes [ ] No Access Port: [ ] Yes [ ] No
Casing ≥ 12 inches above ground? [X] Yes [ ] No - Describe
Depth of Casing 705 ft. Method Drilled AIR ROTARY
Condition of Well Casing: [X] Good [ ] Fair [ ] Poor Describe
Control Valve? [ ] Yes [ ] No UNKNOWN Pressure Gauge: [X] Yes [ ] No
Condition of Piping and Valving GOOD
Auger to a depth of NOT DONE ft. Evidence of Annular Seal [ ] Yes [ ] No UNKNOWN SITS ON CEMENT PAD
Are there obvious constuction problems that may be a source for contamination or waste of water?
[ ] Yes [X] No (Describe in Remarks and Attach Photo - On Reverse)

HYDROLOGIC INFORMATION:
Depth to Static Water 258 ft. Water Temperature WARM TO TOUCH °F
Flowing Artesian [ ] Yes [X] No Pressure: (psi)
Water Sample Taken? [ ] Yes [X] No If yes, describe purpose
Water Quality Measurements/Observations (Describe) UNKNOWN

WELL USE:

[ ] Domestic	[X] Irrigation	[ ] Stock
[ ] Test	[ ] Municipal	[ ] Industrial
[ ] Abandoned	[ ] Waste Disposal/Injection	[ ] Not Used
[ ] Other:		

MICROFILMED
JAN 07 1998

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? [ ] Yes [X] No

If yes, is there a check-valve present? [ ] Yes [ ] No — N/A

Is there a possible source of contamination nearby? [X] Yes [ ] No

If yes, what Type? Canal from SRCC approx 200' South

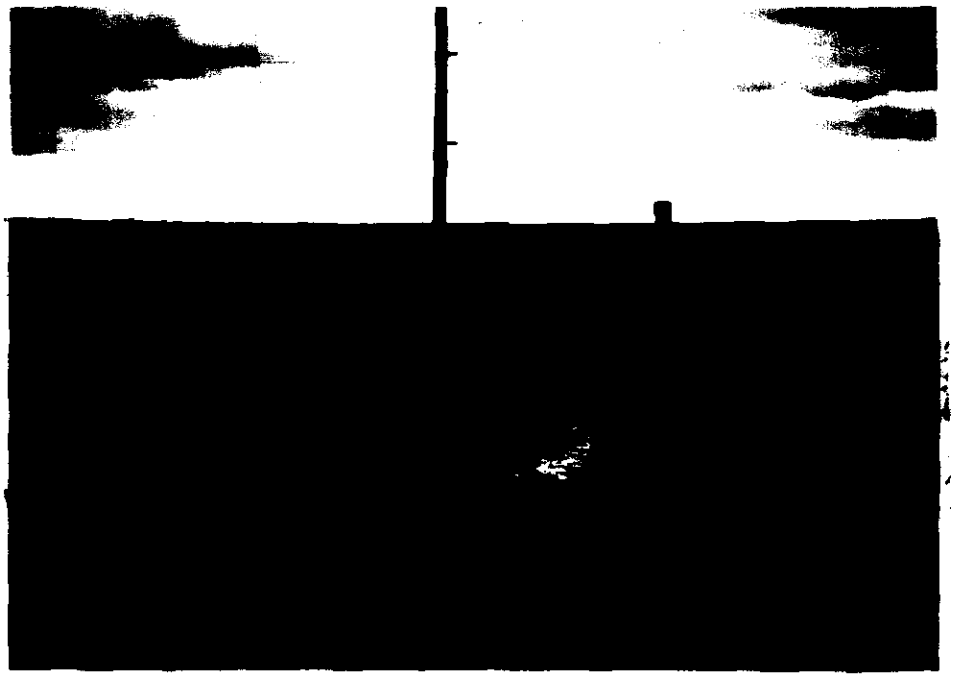
How far away from the well is this source? 200' South

9. REMARKS: The well and pump looked to be in Excellent condition. The only concern was with an installed air line to calculate the depth of the water. It did not seem to be functioning properly. May need to be calibrated.

Daniel A. Nelson Field agent — 5-22-96

Signature of Dept. Representative & Title — Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



Water is pumped from well by a 125Hp motor and delivered by pipe to a cement ditch

NOTE:
Orifice meter is on end of pipe

MICROFILMED
JAN 07 1998

Form 238-7
1/94

C

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter or Ball Point Pen

1. DRILLING PERMIT NO. 47 - 94 - S - 0225 - 400
Other IDWR No. 47-08011B
original deepening into Sec 47-90-S 108E-18C

2. OWNER:
Name C. J. Boss
Address 2604 North 2700 East
City Twin Falls State ID Zip 83301

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N / W / E / S (X)

Twp. 12 North ☐ or South ☒
Rge. 17 East ☒ or West ☐
Sec. 18 1/4 SW 1/4 SE 1/4
Gov't Lot ____ County Twin Falls

Address of Well Site ____
(Give at least name of road + Distance to Road or Landmark) City ____

Lt. ____ Blk. ____ Sub. Name ____

4. PROPOSED USE:
☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other ____

5. TYPE OF WORK
☐ New Well ☒ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD
☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Hole Plug	0	53	32 S	Poured
Overbore to seal depth				

Was drive shoe used? Y ☒ N ☐
Was drive shoe seal tested? Y ☒ N ☐ How? ____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
16"	+1	53	250	Steel	☒	☐	☒	☐
12"	52	532	250	Steel	☒	☐	☒	☐
8"	525	705	250	Steel	☒	☐	☒	☐

Length of Headpipe ____ Length of Tailpipe ____

9. PERFORATIONS/SCREENS
☒ Perforations Method Factory
☐ Screens Screen Type ____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
372	532	3/16x3	22	12"	Steel	☒	☐
525	705	3/16x3	12	8"	Steel	☒	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
258 ft below ground Artesian pressure ____ lb.
Depth flow encountered ____ ft. Describe access port or control devices: ____

11. WELL TESTS:
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. ____ Bottom hole temp ____
Water Quality test or comments: ____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
18"	0	53	Ream old well		X
16"	53	532	Ream old well	X	
12"	532	705	Ream old well	X	
8"	705	940	Ream old well	X	

RECEIVED
FEB 02 1995
Department of Water Resources
Southern Region

RECEIVED
APR 19 1995
Department of Water Resources

Completed Depth 940 ft. (Measurable)
Date: Started 12-22-94 Completed 1-19-95

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Elsing Drilling Firm No. 31
Firm Official Ronald Elsing Date 1-30-95
and
Supervisor or Operator Lloyd Hoyle Date 1-30-95
(Sign also if Firm Official is Operator)

FORWARD WHITE COPY TO WATER RESOURCES

MICROFILMED
JAN 07 1998

MEMORANDUM

RECEIVED
JAN 09 1995
Department of Water Resources
Southern Region Office

TO: File nos. 47-08011B and 47-08296

FROM: Gary Spackman

RE: Status of water rights

DATE: December 29, 1994

Gary Nelson, a realtor and land owner from Twin Falls area, called the day before Christmas, and complained about a well being drilled by C.J. Boss and family. Nelson had previously protested application for permit no. 47-08296 filed be Boss. The Department approved the application temporarily for the 1992 irrigation season. The Department also reinstated the permit for the 1993 irrigation season. There is no indication in the file that water was diverted from the well described by application no. 47-08296 in 1994.

Nelson complained that the well associated with application no. 47-08296 was being enlarged and possibly deepened. He questioned whether Boss was authorized to drill the well.

I checked with groundwater Protection Section personnel, and found a drilling permit. I also called Southern Region, and found that the drilling permit was associated with permit to appropriate water no. 47-08011B. After reviewing the files with Doug Jones at Southern Region, we determined that permit no. 47-08011B was identified as the water right under which the well was being constructed. We also determined permit no. 47-08011B was assigned to Boss by the original permit holder and Boss amended the point of diversion to the well drilled pursuant to temporary approval of 47-08296. The well was presumably pumped in 1994 pursuant to permit no. 47-08011B, and there is probably no further need for application no. 47-08296. I noticed in the file that Boss sought an extension of time for submittal of proof for beneficial use, which was denied. He then submitted proof of beneficial use in March, 1994. Mr. Nelson alleges that Boss intends to enlarge the well, and install a larger pump. I cannot tell from the file whether a field exam was concluded in 1994. I am not sure whether Boss could divert 2.0 cfs from the well prior to reconstruction.

I suggest that we correspond with Boss to determine the previous capacity of the well. I also think we should determine whether Boss intends to pursue approval of application for permit no. 47-08296, or whether we can remove it from Department files.

cc: Doug Jones, Southern Region
Jim Johnson

MICROFILMED
JAN 07 1998

47-08011B

Form 238-7
1/94

C

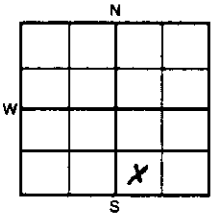
IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter
or
Ball Point Pen

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Other IDWR No. 47-08011B
Original deepening into Sec 47-92-S 0030-100

2. OWNER:
Name C. J. Boss
Address 2604 North 2700 East
City Twin Falls State ID Zip 83301

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.



Twp. 12 North ☐ or South ☒
Rge. 17 East ☒ or West ☐
Sec. 18, ____ 1/4 SW 1/4 SE 1/4
Gov't Lot ____ County Twin Falls
(10 acres / 40 acres / 160 acres)

Address of Well Site ____
City ____
(Give at least name of road + Distance to Road or Landmark)

Lt. ____ Blk. ____ Sub. Name ____

4. PROPOSED USE:
☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other ____

5. TYPE OF WORK
☐ New Well ☒ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD
☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other ____

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Hole Plug	0	53	32 S	Poured
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Was drive shoe used? Y ☒ N ☐
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						☐	☐

MAR 07 1995

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RECEIVED
FEB 02 1995
Department of Water Resources
Southern Region

RECEIVED
APR 19 1995
Department of Water Resources

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Date: Started 12-22-94 Completed 1-19-95

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I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

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Firm Official Donald Elsing Date 1-30-95
and
Supervisor or Operator Floyd Hoyle Date 1-30-95
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

MEMORANDUM

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cc: Doug Jones, Southern Region
Jim Johnson

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No: 47-08011B Reviewed by [signature] Date 4-11-94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.

Correct Uses? yes

SOURCE OF WATER

_____ Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No ~~47-92-S-0036~~
~~35.00~~ Amount paid for permit no Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

~~Request add. $105.00 Drilling permit fee - mentioned previous letter to Loughmiller~~

Proof acceptable

DATA ENTRY
New Address _____ Proof Made 3-28-94

April 11, 1994

CJ CHARLES AND DAVID BOSS
J ELSING
2604 N 2700 E
TWIN FALLS ID 83301

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 47-08011B

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

JUN 29 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

C J BOSS
CHARLES E BOSS
DAVID L BOSS
NORMA J ELSING
2604 N 2700 E
TWIN FALLS ID 83301

RE: Permit No. 47-08011B

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

JUN 29 1994

NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 47-08011B

Notice is hereby given that C.J. BOSS &/OR CHARLES E. BOSS &/OR DAVID L. BOSS &/OR NORMA J. ELSING are the holders of Approved Permit No. 47-08011B with a priority date of 07/01/1985 authorizing the diversion of 2.0 cubic feet per second of water from groundwater within SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 116 acres within NWNW, SWNW, SENW, NESW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holders have applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 2.0 cfs

Period of Use: 04/01 to 10/31

Point of Diversion: SWSE, S18, T12S, R17E; Twin Falls County.

Place of Use: 116 acres within SESW, W1/2SE, S18, T12S, R17E.

Any protest against approval of the amending of Permit No. 47-08011B as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

Published in the Times News on 12/9 & 12/16/93.

Affidavit of Publication № 25481

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McBurney being first duly sworn upon oath, depose and say that I am Legal 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 December 7, 1993, and ending with the issue dated December 16, 1993.

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 14 day of January in the year of 1994 before me, a Notary Public, personally appeared Linda Capps McBurney, 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.

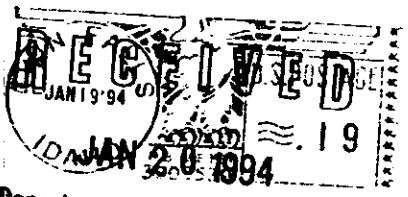
OK
NB
1/19/94

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

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested



INVOICE NO.	CLASS	BILLING DATE
25481	345	01/14/94

INDEXING TERM: 37-08011B Boss OK MP 1/20/94

START DATE	TELEPHONE NO.
12/09/93	736-3033

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
82	2		59.04	59.04
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT ▶			61.04	61.04

GROSS AMT DUE AFTER 01/29

25481 6104

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E
TWIN FALLS ID
83301

RECEIVED
JUN 29 1994

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-08011B

Published in the Times News on 12/9 & 12/16/93.

Notice is hereby given that C.J. BOSS &/OR CHARLES E. BOSS &/OR DAVID L. BOSS &/OR NORMA J. ELSING are the holders of Approved Permit No. 47-08011B with a priority date of 07/01/1985 authorizing the diversion of 2.0 cubic feet per second of water from groundwater within SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 116 acres within NWNW, SWNW, SENW, NESW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holders have applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 2.0 cfs

Period of Use: 04/01 to 10/31

Point of Diversion: SWSE, S18, T12S, R17E; Twin Falls County.

Place of Use: 116 acres within SESW, W1/2SE, S18, T12S, R17E.

Any protest against approval of the amending of Permit No. 47-08011B as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Dec-1993

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish tne notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF AMENDMENT TO A WATER PERMIT
NO. 47-08011B

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R. Keith Higginson, Director

Published in the Times News on 12/9 & 12/16/93.

JUN 29 [illegible]

S te of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

03-Dec-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

C J BOSS, ET AL
2604 N 2700 E
TWIN FALLS ID 83301

Re: Application for Amendment, 47-08011B

Dear Applicants:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office has scheduled advertising the application in the Times News on 12/9 & 12/16/93. 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. 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,

Mel Schulte
Water Right Agent

MS:MB

February 25, 1994

Charles Boss et al
2604 N 2700 E
Twin Falls, ID 83301

RE: Permit No. 47-08011B

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

Your best option at this point would be to file proof of beneficial use for the portion of the water right that has been developed. I have enclosed the necessary form for your convenience. Please submit the proof on or before the proof due date of April 1, 1994.

If you have any questions or if we can be of any further assistance, please feel free to contact us or any of our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof Form
Extension of Time

C: IDWR - Regional Office

JUN 29 1994

January 31, 1994

CHARLES BOSS
C J BOSS
DAVID L BOSS
NORMA J ELSING
2604 N 2700 E
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08011B

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 April 1, 1994. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 2 9 1994

CERTIFIED MAIL
NO. 141083

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MEMORANDUM

TO: Wayne Haas DATE: November 16, 1993

FROM: Gary Spackman

SUBJECT: Idaho Drought Relief Well Application No. S290I09 in the name of C. J. Boss

You asked for information regarding water right nos. 47-08296 and 47-8711. C. J. Boss alleges that these water rights may qualify for drought assistance. Water right no. 47-08296 was approved temporarily for one year as a drought relief measure. The filing does not authorize long-term diversion of water, and it is presently viewed by the Department as a pending application for permit. It clearly would not qualify for drought assistance.

C. J. Boss also lists water right no. 47-8011 as a water right which authorizes a permanent supply of water. Water right no. 47-8011 was approved in 1991. The permit authorized diversion of 5.5 cfs for irrigation of 320 acres.

In September, 1993, the original permit holder assigned 2.0 cfs (for irrigation of 116 acres) to C. J. Boss and others. Boss simultaneously filed an application for amendment of his portion of the permit.

Both temporary permit no. 47-08296 and Boss's portion of no. 47-8011 are now being developed. Boss has not identified a ground water right which was developed prior to the beginning of the drought. Any wells developed under these permits would have been developed or are anticipated for future development within the drought period to supplement water-short surface supplies. In my opinion, this application clearly does not qualify for drought relief assistance.

GS:cjk

JUN 29 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 4, 1993

CHARLES BOSS
C J BOSS
DAVID L BOSS
NORMA BOSS
J ELSING
2604 N 2700 E
TWIN FALLS ID 83301

Re: Permit No. 47-08011B

Dear Water Rights Holders:

We acknowledge receipt of the correspondence assigning this portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED
OCT 21 1993

Part A

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 3 0 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08011A

1. Owner: Loughmiller Inc. Phone No. (208) 733-5761

   Current Address: 3170 Highway 93 Twin Falls, Idaho 83301

2. Accompanied by: Bill Loughmiller EXAM DATE : 6-11-96

   Address: (same as owners) Phone No. (208) 733-5761

   Relationship to Permit Holder: OWNER MANAGER

3. Source: GROUNDWATER tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Salmon River Canal Co. covers all 160 acres covered under this permit (water right number A47-00010Z1

2. Other water rights with the same point of diversion: Permit number 47-08238

C. DIVERSION AND DELIVERY SYSTEM

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

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1		S E	S E	S E	12	12S	16E	TWIN FALLS	VISUAL INSPECTION AND USING AERIAL PHOTOS.
#2		S E	S E	S E	12	12S	16E	TWIN FALLS	VISUAL INSPECTION AND USING AERIAL PHOTOS.

2. **Place(s) of Use:** Indicate Method of Determination SEE ABOVE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	13	40	40	40	40													160 AC

* please note that this permit is for 146 acres within the 160 acres of permissible place of use.

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

SEE ATTACHED SHEET.

YES Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

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

YES 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
MOTOR #1 (WELL #2)	HIGHTHRUST	150 Hp	ID#C2684-01-11-1-74 84-13921	VERTI-LINE	ID# 95-73699 (TYPE 4CHC)
MOTOR #2 (WELL #2)	FRANKLIN STAY RIGHT	5 Hp	unknown	FRANKLIN STAYRIGHT	UNKNOWN
MOTOR #3 (REDIVERSON)	NEWMAN	75 Hp	405UP1DD372 2PBV1140815	LAYNE BOWLER	PUMP # 45039
MOTOR #4 (REDIVERSON)	US ELECTRICAL	75 Hp	HR1029545	VERTI-LINE	ID# V74-02151
MOTOR #5 (REDIVERSION)	GENERAL ELECTRIC TRICLAD	50 Hp	DSJ402290	LAYNE BOWLER	PUMP # 44973
MOTOR #6 (WELL FOR SECTION 12)	US ELECTRIC HIGH THRUST	200 Hp	ID # C1516-01-867 86-00346	VERTI-LINE	UNKNOWN

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic Portable flow Meter	Tyme Flyte	149744	TF*P	N7H5506		April, 1996

2. **Measurements:** SEE ATTACHED SHEETS

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E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is pumped out of two wells. Well number 1 is located on in the SE 1/4 - SE 1/4 - SE 1/4 of section 12 in township 12S range 16E. Well number 2 is located in the SE 1/4 - SE 1/4 - SE 1/4 of section 12 in township 12S range 16E. The water from well number 1 is pumped into an open ditch which travels north along the eastern edge of section 12 for a half of a mile. At the half mile point it mingles with Salmon River Canal Co. (SRCC) water and travels west in an open ditch and discharges into pond number 1.

The water from well number 2 is piped underground to a hog barn in NE 1/4 - NW 1/4 of section number 13. The water in the hog barn is used to water and clean the pens of 2000 head of hogs. According to the allowable use of water per hog of 4 gallons of water per hog per day, the owners are under the 13000 gallons for domestic use by 5000 gallons per day. The waste water from this hog operation is then transported down a mainline traveling northeast to pond number 1 where it is used for irrigation.

The water in pond number 1 is used to irrigate the lands in section 12 and section 13. The water from another well (pump 6 well for section 12) located at the pond is discharged directly into the pond. The water for this well is designated for the lands in section 12 only. This pond is main point of rediversion for this irrigation system. The water from pond number 1 is drawn out by pump number 3 and pump number 4. The water is pumped into a mainline that irrigates all of section 12 and runs south to section 13.

The mainline from section 12 crosses the road in an underground mainline approximately a quarter of a mile west of the northeast corner of section 13. Once the mainline crosses the road, pump number 5 pumps SRCC water from pond number 2 into the mainline to maintain a line pressure of 80 psi for the hand lines. Pond number 2 is filled with SRCC water that enters the pond by open ditch which travels west from the northeast corner of section 13. The mainline then runs south to irrigate the 160 acres in the NE 1/4 of section 13. All of the lands irrigated in section 13 are irrigated by handlines.

Have conditions of permit approval been met? _X_ yes ___ no

B

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AUG 0 9 1999

RECOMMENDATIONS REMARKS:

I recommend that this permit be licensed under the following conditions:

1. That this water right be used as supplemental water for the Salmon River Canal Co. (SRCC) water assigned to the place of use for this permit. The SRCC is an unreliable source of irrigation water for this farm. The SRCC often reduces the amount of water per share and usually begin delivering water between the second week of May and quits delivering water the last week in August. This prevents Loughmiller Inc. from irrigating through the entire season.
2. That this water only be used on a designated 146 acres within the 160 acres of permissible place of use. This will allow Loughmiller Inc. to manage their crop rotation to use this water to irrigate crops with a longer growing season without crop damage from an early shut off of the SRCC supplies of water. This will allow Loughmiller Inc. to irrigate water sensitive crops by supplementing reduced shares of SRCC water.
3. That this water right when combined with SRCC water or any other water rights do not exceed a total diversion rate of .02 cfs per acre or 584 afa of water per year.

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AUG 0 9 1999

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

WELL #1

Polysonic -- 798.592 gpm / 448.8 = 1.78 cfs (see attached sheet for polysonic readings)

WELL #2

theoretical 41.29 gpm / 448.8 = .092 cfs (see attached sheet for theoretical analysis)

TOTAL CFS 1.872 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 146 acres X 4.0 = 584 afa

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.87 cfs X 214 days X 1.9835 = 793.76

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 584 afa (V i.r.)

B

2. Volume Calculations for Other Uses:

2000 head of hogs
X 4 gallons per day
8000 gallons of water

Please note:
whereas this is under 13000 gallons is under domestic use limit this use is not applicable.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION		April 1	Oct.31	1.87 cfs	584 afa
		Totals:	1.87 cfs	584 afa

2. Recommended Amendments

X Change P.D. as reflected above __ Add P.D. as reflected above __ None
__ Change P.U. as reflected above X Add P.U. as reflected above __ Other

I. AUTHENTICATION

Field Examiner's Name Daniel A. Nelson Date 12-16-96

Reviewer _____ Date AUG 09 1999 SEAL

FILMED

POLYSONIC READINGS

PERMIT #: 47-08011A

WELL (PUMP #1)

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THE MAIN POINT OF DIVERSION.
THIS IS FOR PUMP #1 ON THE MAPS.

FLOWS IN GALLONS PER MINUTE (GPM)

```
  797.535
+ 805.460
+ 801.498
+ 789.874
 3194.367
```

3194.367 / 4 = 798.592 AVERAGE GPM

MODE SELECT Pump #1
INPUT

OUTER DIAMETER
8.0201 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1020 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.806 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

06-11 15:1700 *R
+002.60 % AI2

MODE SELECT
T0 CHECK

0294.1 MMSEC
100.71 % T0

1ST SET OF INFORMAT

2ND SET OF INFORMATIC

06-11 15:1800 *R
+797.535E 0GPM

06-11 15:1800 *R
+805.460E 0GPM

06-11 15:1800 *R
+801.498E 0GPM

06-11 15:1900 *R
+789.874E 0GPM

MICROFILMED
AUG 0 9 1993

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
****

FILE: 47-08011A
DATE: 6-11-96
BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [0])

$$Q = \frac{(8.8)\ (.5\ HP\ .....)\ (0.70)}{[\ (..220\ FT..)\ +\ (...50\ psi...\ X\ 2.31)\ ]} = \frac{30.8}{335.5} = .092\ CFS = 41.29\ gpm$$

LIFT FROM:
measurement ( )
owner (X)
area estimate ( )
well logs ( )
Booster (Y) (N)

PSI FROM:
measurement ( )
owner (X)
estimate ( )
owner gage ( )

NOTES ON PUMP:
Motor Make, Serial or ID
Pump Make, Serial or ID, rating

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(DAYS\ IN\ SEASON) \times (1.98) \times (Q)}{(RECOMMENDED\ ACRES\ IRRIGATED)}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

POTENTIAL = $\frac{(.....) \times (1.98) \times (.....)}{(.....)}$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is **NOT** Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

This is FOR Pump # 2

MICROFILMED
AUG 09 1999

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS FILE: 47-08011A
********** DATE: 6-11-96
BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [0])

$$Q = \frac{(8.8)\ (\ldots 75 \ldots)\ (0.70)}{[\ (\ldots 0 \ldots)\ +\ (\ldots 80 psi \ldots \times 2.31)\ ]} = \frac{462}{184.8} \quad \frac{2.5 CFS}{1122 gpm}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement (X)	measurement ( )	Motor Make, Serial or ID
owner ( )	owner ( )	
area estimate ( )	estimate ( )	Pump Make, Serial or ID, rating
well logs ( )	owner gage (X)	
Booster (Y) (N)		

REMARKS This is FOR Pump #3

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(DAYS\ IN\ SEASON) \times (1.98) \times (Q)}{(RECOMMENDED\ ACRES\ IRRIGATED)}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

POTENTIAL = $\frac{(\ldots\ldots) \times (1.98) \times (\ldots\ldots)}{(\ldots\ldots)}$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is **NOT** Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

Pump #3

MICROFILMED
AUG 09 1999

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS FILE: 47-0801IA
********** DATE: 6-11-96
BY: Daniel A. Mdur

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [0])

$$Q = \frac{(8.8)\ (75)\ (0.70)}{[\ (0) + (80\text{psi} \times 2.31)\ ]} = \frac{462}{184.8} \quad \frac{2.5\ CFS}{1122\ gpm}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ( )	measurement ( )	Motor Make, Serial or ID
owner ( )	owner ( )	
area estimate ( )	estimate ( )	Pump Make, Serial or ID, rating
well logs ( )	owner gage ( )	

Booster (Y) (N)

REMARKS This is FOR Pump #4

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

$$\text{POTENTIAL} = \frac{(\quad) \times (1.98) \times (\quad)}{(\quad)}$$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is **NOT** Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

Pump #

MICROFILMED
AUG 09 1999

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS FILE: 47-08011A
********** DATE: 6-11-96
BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [0])

$$Q = \frac{(8.8)\ (50\ HP)\ (0.70)}{[\ (0) + (80\ psi \times 2.31)\ ]} = \frac{308}{184.8} = 1.67\ CFS = 749.50\ gpm$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement (X)	measurement ( )	Motor Make, Serial or ID
owner ( )	owner ( )	
area estimate ( )	estimate ( )	Pump Make, Serial or ID, rating
well logs ( )	owner gage (X)	
Booster (Y) (N)		

REMARKS This is FOR Pump # 5.

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(DAYS\ IN\ SEASON) \times (1.98) \times (Q)}{(RECOMMENDED\ ACRES\ IRRIGATED)}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

POTENTIAL = $\frac{(.....) \times (1.98) \times (.....)}{(.....)}$

POTENTIAL = _____

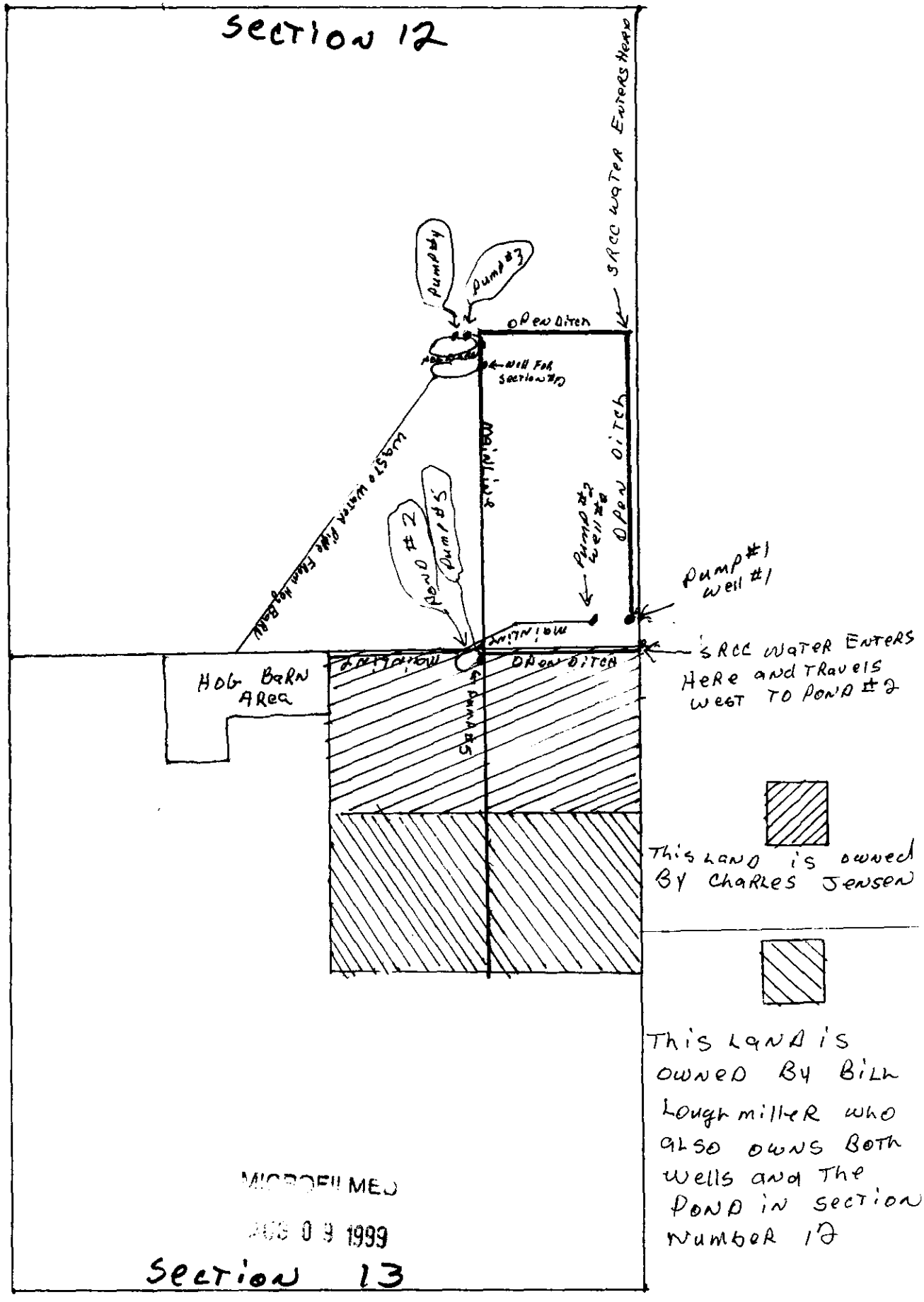
REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is **NOT** Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

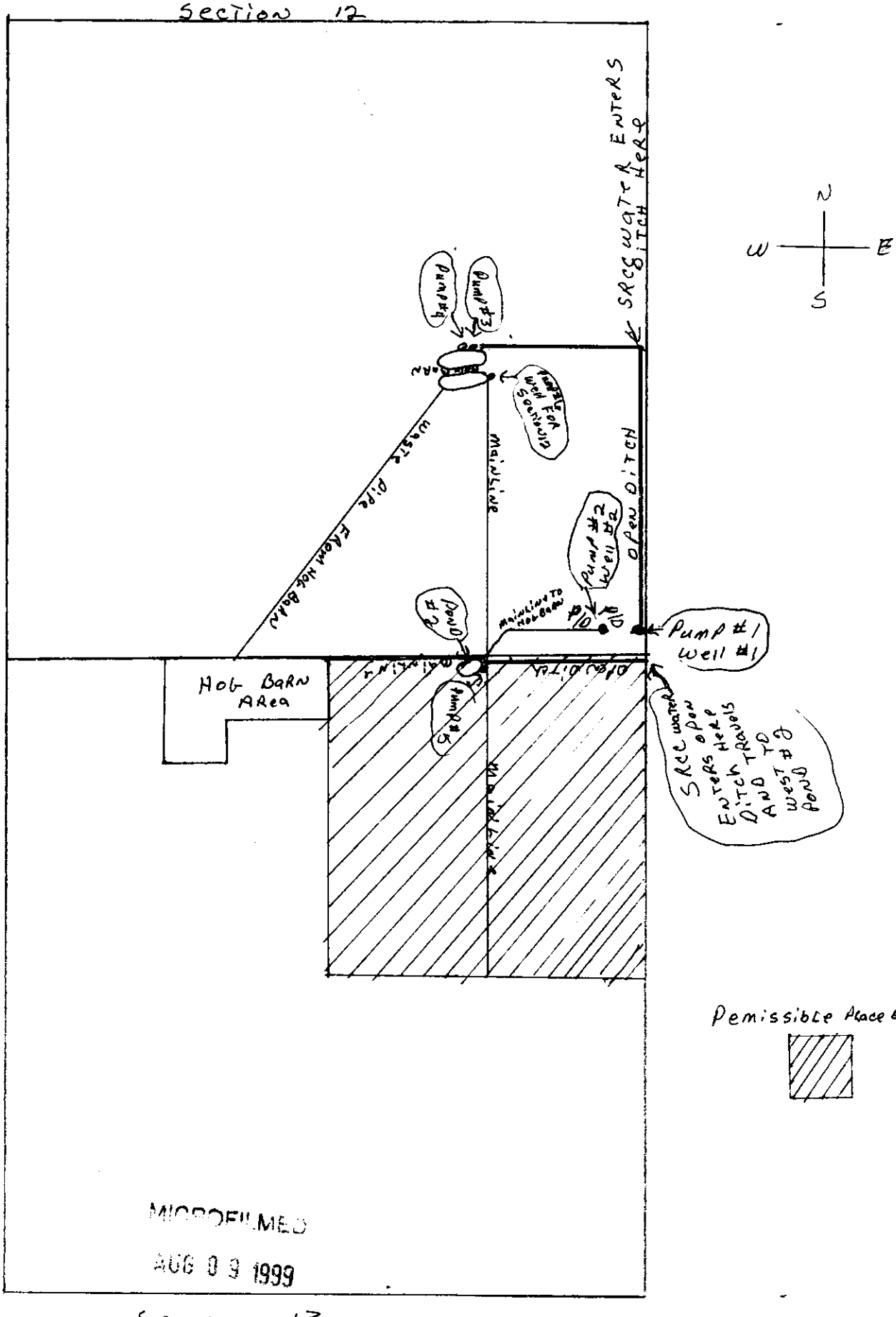
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

Pump # 5

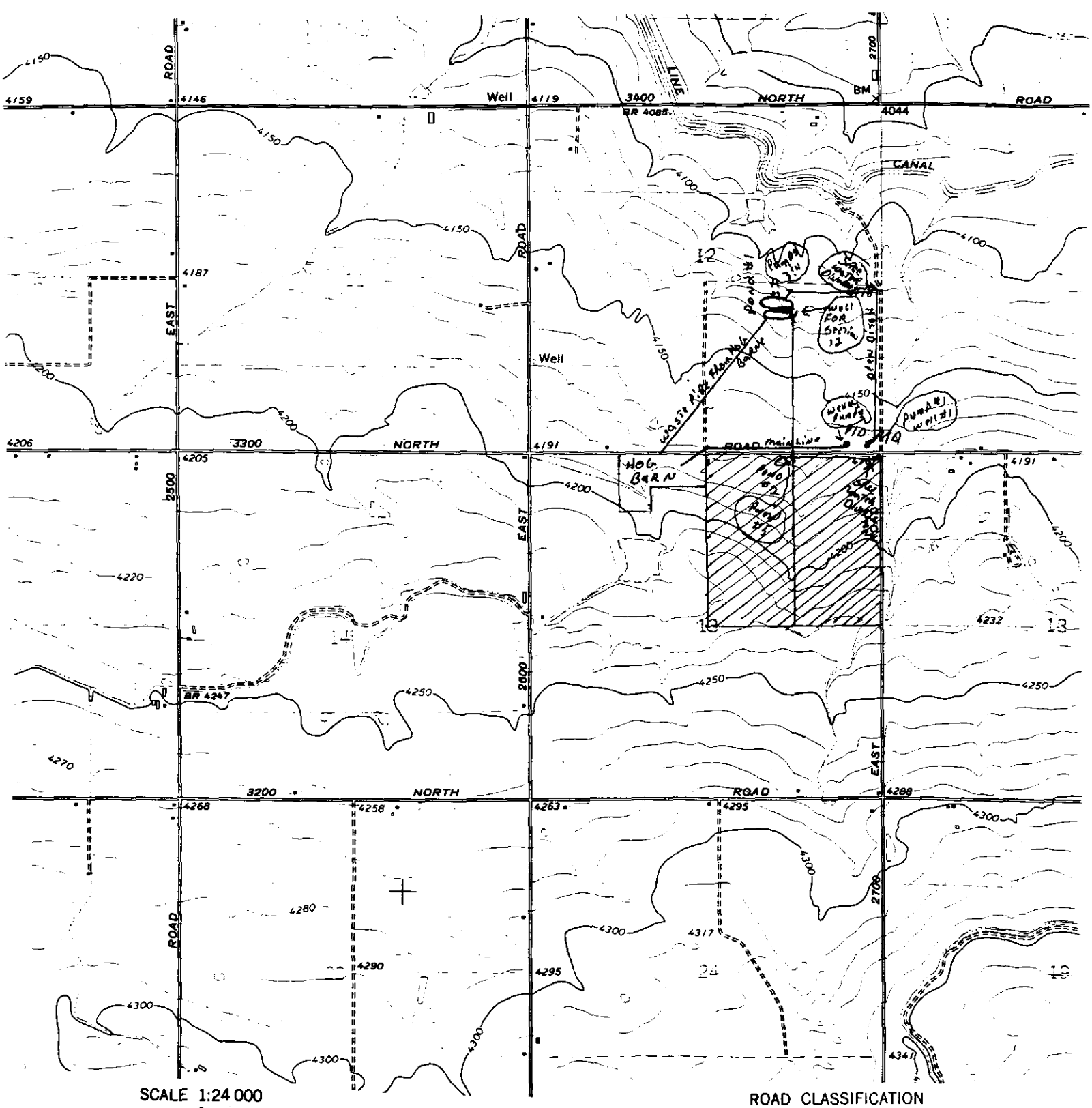
MICROFILMED
AUG 0 9 1999



Map of Ownership of Land



System Diagram



SCALE 1:24 000

0 1 MILE

1000 2000 3000 4000 5000 6000 7000 FEET

.5 0 1 KILOMETER

CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

ROAD CLASSIFICATION

Primary highway, hard surface

Secondary highway, hard surface

Light-duty road, hard or improved surface

Unimproved road

Interstate Route U. S. Route State Route

IDAHO

QUADRANGLE LOCATION

BERGER, IDAHO

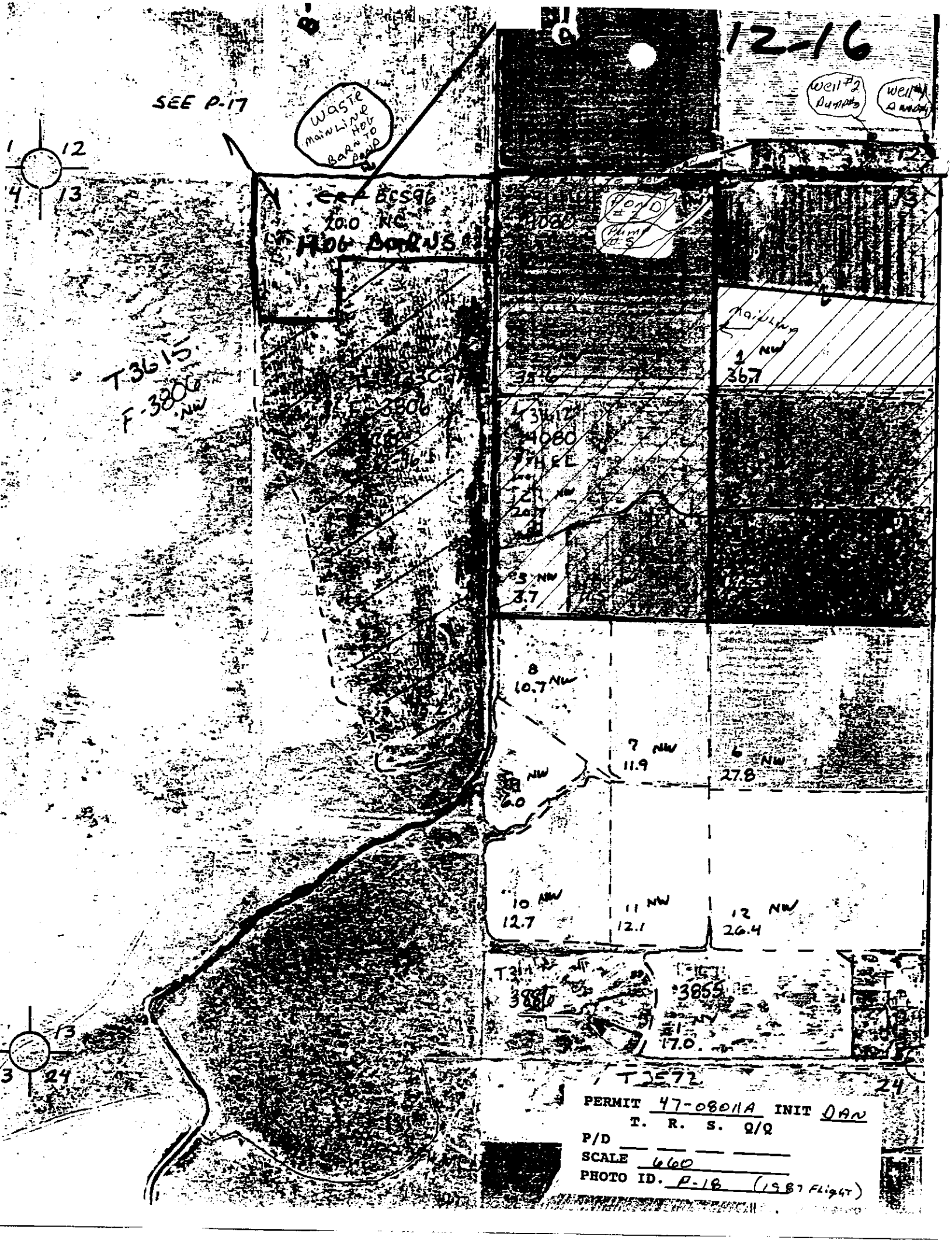
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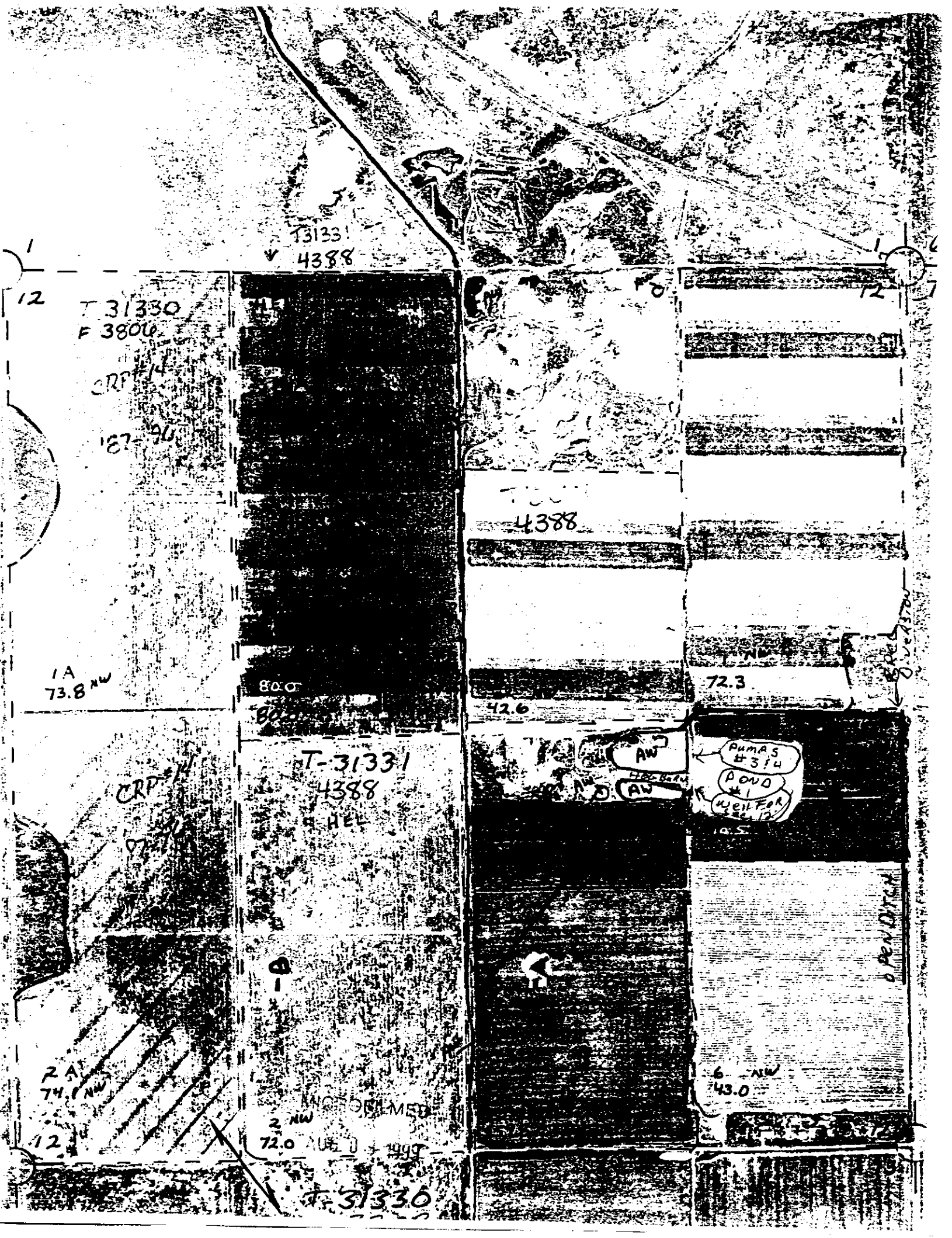
1979

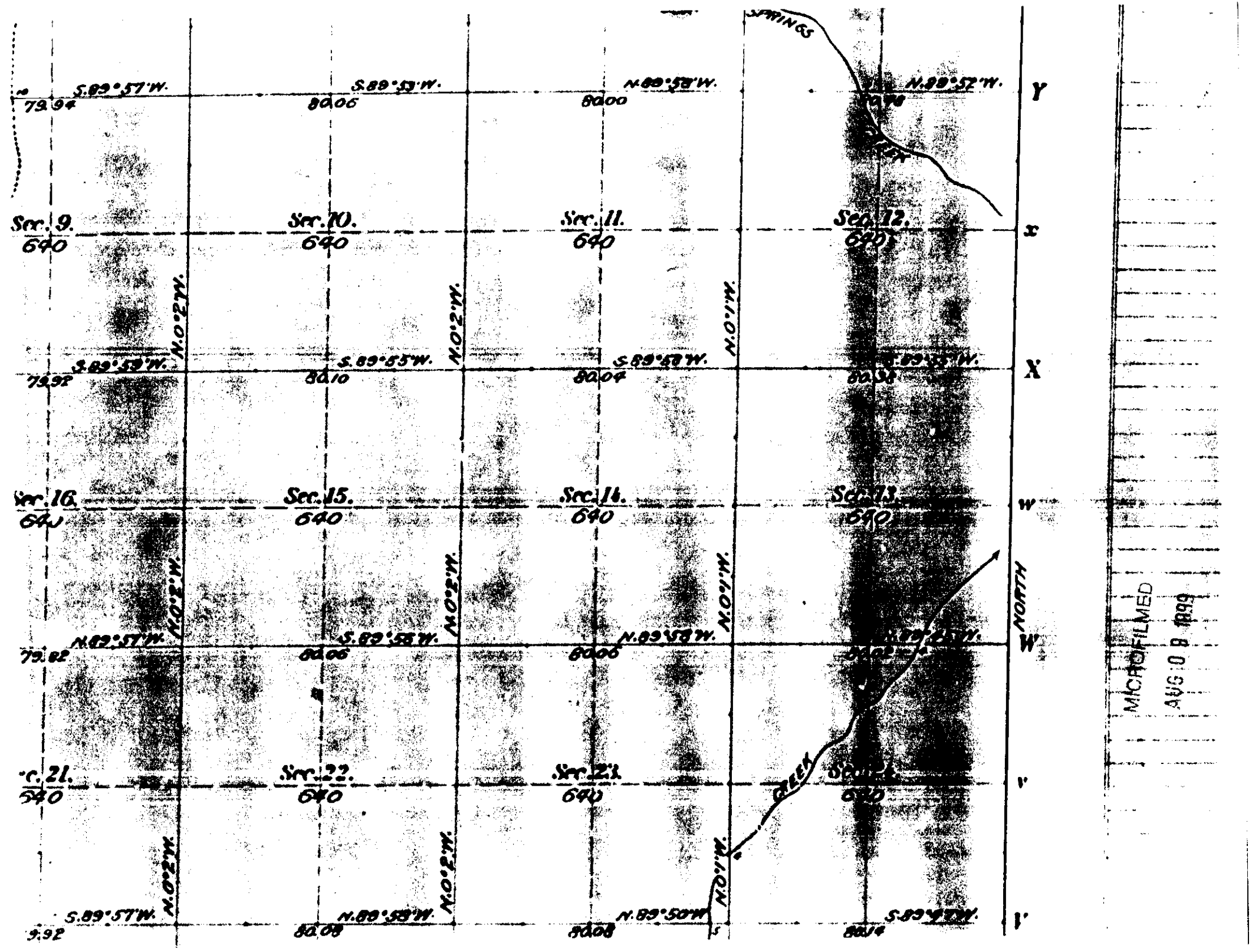
DMA 3068 I NE—SERIES V893

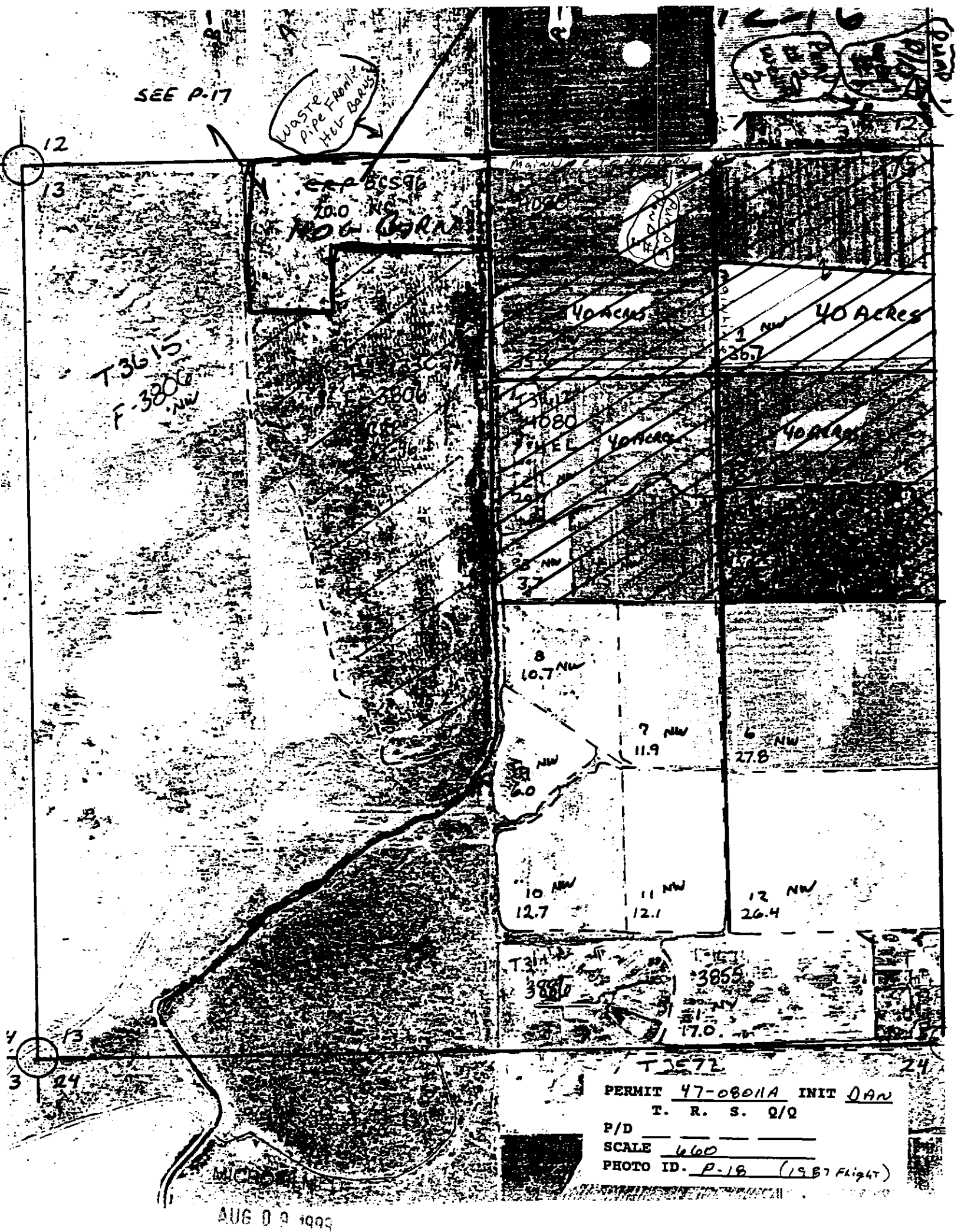
MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

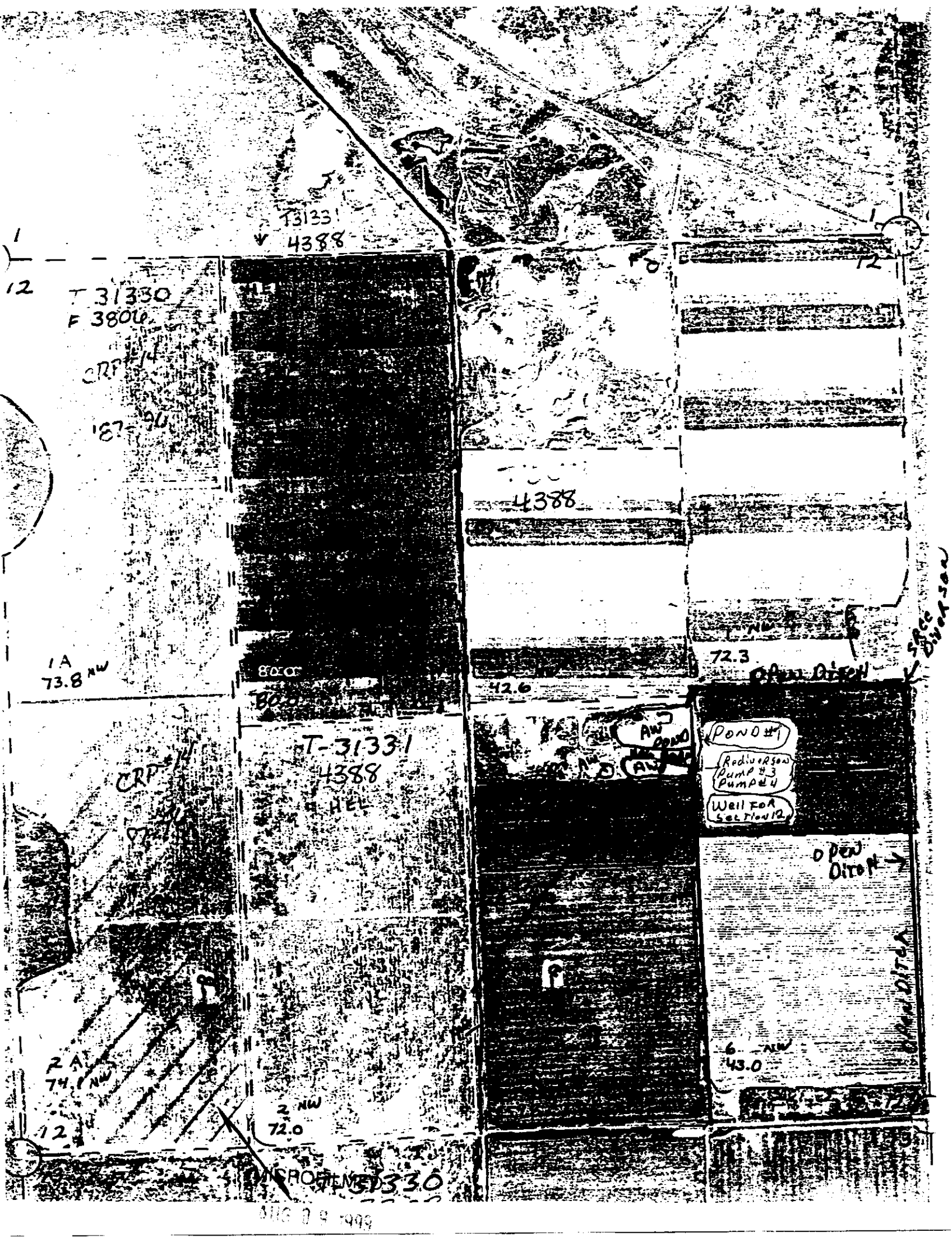
MICROFILMED
AUG 0 9 1999


12-16
SEE P-17
WASTE MAINLINE HOG BARN TO POND
Well #2 Pumps
Well #1 Pumps
POND #2
Pump #5
20.0 HC
HOG BARNS
T-3615
F-3806
NW
4080
THF
Mailing
1 NW 36.7
2 NW 20.7
3 NW 3.7
8 10.7 NW
7 NW 11.9
6 NW 27.8
5 NW 6.0
10 NW 12.7
11 NW 12.1
12 NW 26.4
T-3614
3880
3855
1 NW 17.0
T-3572
1
12
13
24
3
PERMIT 47-0801A INIT DAN
T. R. S. Q/Q
P/D
SCALE 660
PHOTO ID. P-18 (1987 Flight)

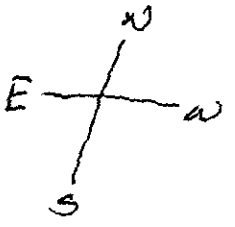

T3133!
4388
12
T 31330
F 3800
CRP #14
'87-90
1A
73.8 NW
80.0
T-3133!
4388
HEL
CRP #14
87-90
2A
74.1 NW
12
2 NW
72.0
T-31330
4388
42.6
AW
AW
72.3
PUMAS #3!4
POND #1
well for Sec 12
Open Ditch
6 NW
43.0


Sec. 9.
640
Sec. 10.
640
Sec. 11.
640
Sec. 12.
640
Sec. 16.
640
Sec. 15.
640
Sec. 14.
640
Sec. 13.
640
Sec. 21.
640
Sec. 22.
640
Sec. 23.
640
Sec. 24.
640
S.89°57'W.
79.94
S.89°53'W.
80.06
N.89°58'W.
80.00
N.89°52'W.
S.89°52'W.
79.92
S.89°55'W.
80.10
S.89°58'W.
80.04
S.89°55'W.
N.89°57'W.
79.82
S.89°58'W.
80.06
N.89°58'W.
80.06
S.89°57'W.
79.92
N.89°58'W.
80.08
N.89°50'W.
80.08
S.89°57'W.
80.04
N.0°2'W.
N.0°1'W.
SPRINGS
GREEK
NORTH
Y
X
W
V
MICROFILMED
AUG 0 8 1999


SEE P-17
Waste Pipe From Hen Barns
Pump
12
13
24
T36S
R1W
T35S
R1W
T3615
F-3806
NW
3806
3806
3806
4080
4080
40 Acres
40 Acres
40 Acres
1 NW
36.7
2 NW
3.7
8 NW
10.7
7 NW
11.9
6 NW
27.8
9 NW
2.0
10 NW
12.7
11 NW
12.1
12 NW
26.4
T35
3855
NW
1
17.0
T3572
PERMIT 47-08011A INIT DAN
T. R. S. Q/Q
P/D
SCALE 660
PHOTO ID. P-18 (1987 Flight)
AUG 0 9 1999

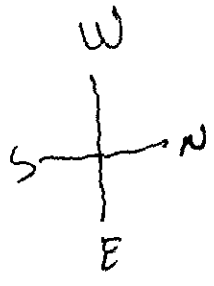

T3133
4388
T 31330
F 3806
CRP 14
'87 90
1A
73.8 NW
T-3133
4388
HE
CRP 14
'87 90
4388
42.6
72.3
Open Ditch
Spec Diversion
AW
AW
Pond #1
Reduction Pump #3
Pump #4
Well For Section 12
Open Ditch
2A
74.1 NW
2 NW
72.0
12
T 31330
6 NW
43.0
Open Ditch





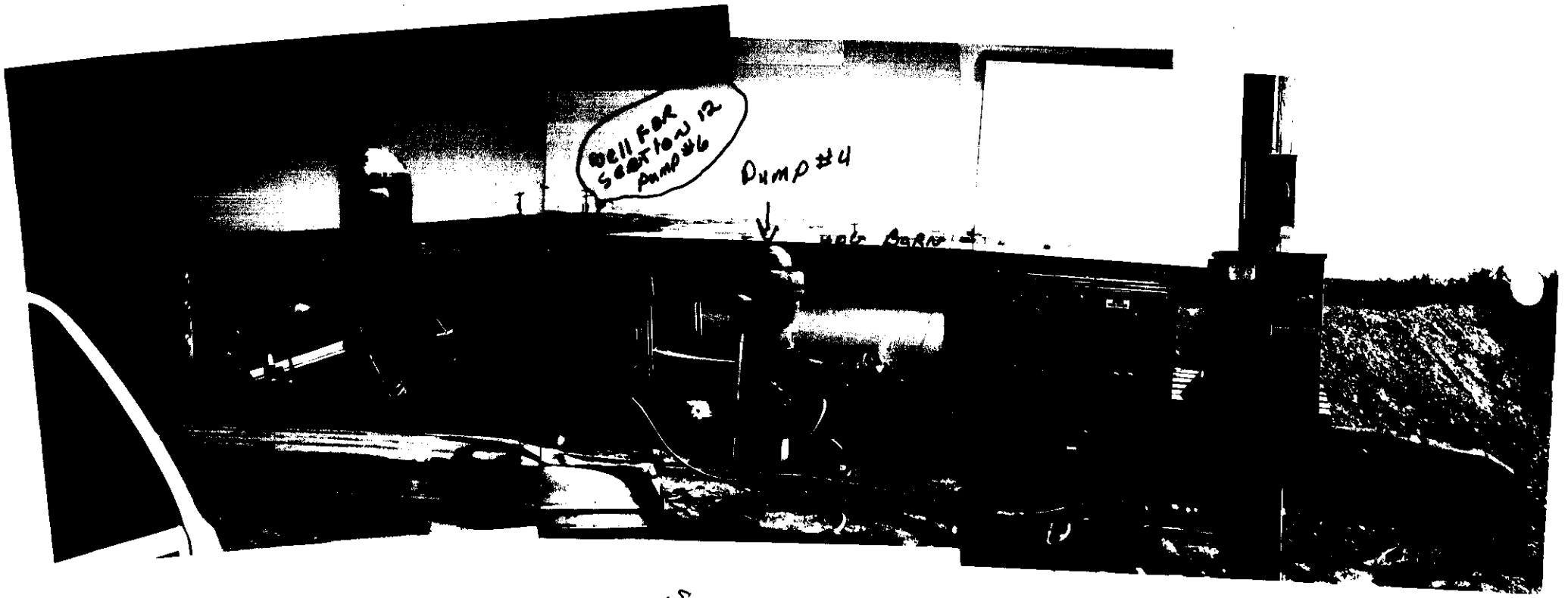
This is Well #1 Pump #1. Pump #1 Discharges into the Open Ditch which runs approx. ½ mile then turns left and Discharges into Pond #1.

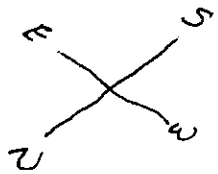




This is Pump #2 Well #2. The main line follows Fence west to the end then turns south across road then north again to Hoghog Barn.

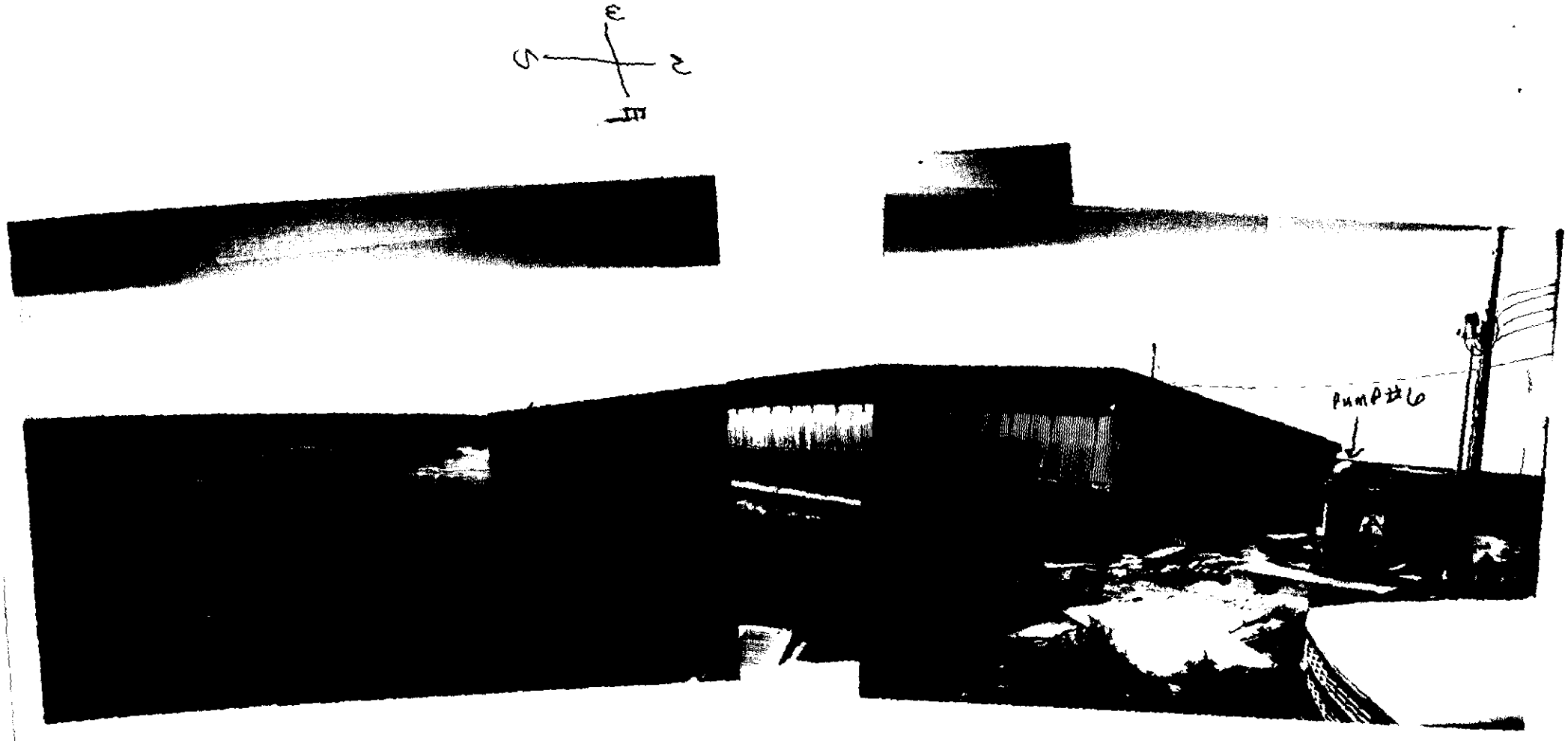
MICROFILMED
AUG 0 8 1980





MICROFILMED
AUG 09 1993

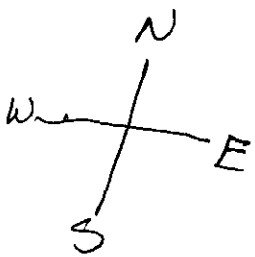
This is the ~~one~~ NORTH side of POND #1. A HOG BARN sits on an island straddling the POND. The water ENTERS the POND in 3 places. 1ST place is in the NORTH EAST CORNER of POND. This is where SPRCC WATER and WATER FROM well #1 ENTERS the POND. 2ND POINT is DIRECTLY EAST OF the NORTHeast CORNER OF the Hog BARN. THE third Place is ON OTHER side OF HOG BARN



This is the southside of Pond #1. The discharge from the Hog Barn located in section 13 discharges in the southwest corner of Pond #1. This picture also shows Pump #6 that pumps water to irrigat lands in section 12.

MICROFILMED
AUG 0 3 1989





MICROFILMED
AUG 0 3 1999

This POND #2. The main line FROM Pond #2 CROSSES the ROAD UNDER GROUND and Pump #5 DRAWS WATER FROM the POND and RECHARGES the mainline. The Pond is Filled with SRCC WATER which EMPTIES INTO the Pond in the NORTHeast CORNER.

May 23, 1994

LOUGHMILLER INC
3170 HWY 93
TWIN FALLS ID 83301

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 47-08011A

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating your permit since the Proof of Beneficial Use form was submitted after the proof due date. Please note that the priority date has been advanced to August 5, 1985.

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,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

JUN 29 1994

April 26, 1994

Loughmiller Inc.
3170 HWY 93
Twin Falls, ID 83301

RE: Lapsed Permit No. 47-08011A

Dear Permit Holder:

This is to inform you that pursuant to the Preliminary Order dated April 8, 1994, water right permit no. 47-08011A **lapsed** and is of no further force nor effect. You have until June 8, 1994 to reinstate the permit before the file is destroyed.

In order to reinstate the permit you will need to submit a Proof of Beneficial form (enclosed) with the appropriate license exam fee, and an additional $165.00 to upgrade Drilling Permit No. 47-92-S-0036-000 from single family domestic to non-domestic (irrigation).

If you have any questions or I can be of any assistance, please do not hesitate to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECEIVED
JUN 29 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 11, 1994

RE: In the matter of Permit No. 47-08011A in the Name of Loughmiller Inc..

Dear Interested Party:

The accompanying order 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 within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

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 Director. The Director retains the right to review the preliminary order on his own motion.

JUN 29 1994

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director 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 Director 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 Director 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

JUN 29 1994

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,

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

FEB 2 9 1994

March 18, 1994

Loughmiller Inc.
3170 Hwy 93
Twin Falls, ID 83301

RE: Permit No. 47-08011A

Dear Permit Holder:

Enclosed is a Notice of Hearing to confirm the date of the hearing to object to the denial of Request for Extension of Time for Permit No. 47-08011A. The hearing is scheduled at 10:30 a.m. on April 5, 1994, at the Southern Regional Office in Twin Falls.

Additionally, returned is the Proof of Beneficial Use submitted in connection with the above referenced permit. Since the development of the water is not complete, I suggest you wait to submit the proof until the outcome of the hearing is known. One potential problem with the proof however, is the drilling permit. Drilling Permit No. 47-92-S-0036-000 (copy enclosed) was approved for a single family domestic use only. In order to use the well for irrigation, the drilling permit will need to be upgraded from domestic to non-domestic (irrigation). The fee for a non-domestic drilling permit is $200.00. You will need to submit an additional $165.00 to upgrade the permit.

If you have any questions or I can be of any assistance, please do not hesitate to call.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 29 1994

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
47-92-S-0036-001	O	LOUGHMILLER FARMS INC 3170 HWY 93 TWIN FALLS, ID 83301 (208) 733-5761	12S	16E	12	NW SE		TWIN FALLS

Subdivision Location and Description:
Subdivision Name:
Well Site Address: Lot(s):
City, State: Block(s):

Geographic Location:
Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well: Domestic Proposed Casing Diameter: 12 In. Proposed Depth: 1000 Ft.

Well Use Comments:

Driller License No: 0031 Firm Name: ELSING DRILLING & PUMP CO INC
Official: ARNOLD ELSING

Permit Status: Permit

		Receipt No.	Receipt Date	Fee
Verbal Issue Date:				
Date Received:	03/24/1992	S014284	03/23/1992	$ 35.00
Date Approved:	03/23/1992		NOT ON FLE	
Proposed Start Date:	03/23/1992		NOT ON FLE	
Extension Date:			NOT ON FLE	
Extension Expiration:			NOT ON FLE	

Specific Conditions:

Permit Remarks:

Conditions of Approval:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 47-92-S-0036-001 Water Right No: 47-08011A
Injection Permit No:

Nature of Work: DEEPEN Construction Method: ROTARY & AIR Number of Monitor Wells:

Casing Diameter:	12	In.	Static Water Level:	187	Ft.	Actual Start Date:	03/20/1992
Depth of Casing:	1000	Ft.	Temperature:		F.	Well Finish Date:	03/25/1992
Total Depth:	1020	Ft.	Production Rate:		GPM	Log Received Date:	03/27/1992
Screen Installed?	No					Certification Date:	03/26/1992
						Field Inspection Date:	06/02/1992 Inspector: MTS

Well Log Remarks: THIS WELL HAS BEEN DEEPENED FROM 350 TO 1020 FT.

JUN 2 5 1992

Form 235-1
7/90

Drilling Permit No. 47-92-5-036
Water Right Permit No.
Injection Permit No.

RECEIVED
MAR 24 1992
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** Loughmiller Farms Inc.
2. **Mailing Address** 3170 Hwy. 93, Twin Falls, ID 83301
   Telephone 733-5761
   ( ) Well Owner ( ) Well Operator ( ) Other, specify
3. **Proposed well location** NW 1/4 SE 1/4, or Gov't Lot No.
   Sec. 12, Twp. 12S, Rge. 16E, County Twin Falls
   Street Address of Well Site
   Lot, block and subdivision
4. **Proposed use of well:**
   (X) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

   Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

   ( ) Non-Domestic: Any beneficial use not included within the definition of domestic.

   ( ) Injection

   ( ) Monitoring - A well bore schematic and map is required for each well.
   No. of proposed wells:
5. **Well construction information:**
   A. ( ) New well (X) Deepen ( ) Replace - See Condition 9
   B. Proposed Surface Diameter 12" Proposed Maximum Depth 1000'
   C. Anticipated bottom hole temperature:
   (X) 85°F or less (Cold water well)
   ( ) 85°F to 212°F (Low temp. geothermal well)
   ( ) 212° or more (Geothermal well)
6. **Construction Start Date** 3-28-92
7. **Anticipated Well Driller** Elsing Drilling Co. 31
   NOTE: The actual well driller must be identified prior to drilling.
8. **Applicant's signature** William Loughmiller Date 3-23-92
   Title Pres.
   (Owner, Firm Repres... Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 3/23/92.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULL

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the wate right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriatior injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (i year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfar 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 perm at the drilling site.
5. Approval 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 wel
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the w owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules anc Regulations.

SPECIFIC CONDITIONS:

Douglas Jones for Lawn Holmes — Mgr., So. Region
Signature of Authorized Department Representative — Title

Receipt No. S014284 Receipted by [illegible] Fee $35.00 Date 3-23-92

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

Form 217
07/90

RECEIVED
MAR 1 4 1994

For Office Use Only
Amt. of Fee $_____
Date _____
Receipt No. _____
Received by _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE nr C

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.

1. Permit No. 47-08011A Telephone No. 733 5761

2. Name(s) of Permit Holder(s): Loughmiller Inc.

3. Post Office Address: 3170 Hwy 93 Twin falls Id 83301

4. Source of Water: ground water

   a. If ground water, well driller's name: Elsing Drilling Date drilled: April & May 92

   b. Pump horsepower: 200 Pressure (psi): _____ Dynamic pumping level (ft.): 440

5. Extent of Use:

   Domestic _____ (No. of households) Irrigation 990 (No. of acres)

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

   Partial completion request more time to finish second well

6. Total rate and/or volume for which proof is submitted 3 cfs _____ 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? X Yes __No Installed? X Yes __No

8. Fee Enclosed: $ 150 (See License Examination Fee Schedule)

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

   Bill Loughmiller 208 733 5761
   Name Telephone No.

   3170 Hy 93 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.

3-11-94 William J. Loughmiller
Date Signature (and title if on behalf of a company or organization)

JUN 2 9 1994

RECEIVED
MAR 14 1994
Resources

March 11, 1994

Loughmiller, Inc.
3170 Hwy 93
Twin Falls, ID 83301

(208) 733-5761
Fax: (208) 734-4923

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

(208) 327-7900
Fax: (208) 327-7866

RE: Permit No. 47-08011A

Dear Sirs:

In regards to the denial on the extension of time for the above referenced permit, we would like to request a hearing. We have spent nearly $90,000.00 in development on this water permit and currently have the second well partially drilled. We would like to request an extension of time to allow completion of this project to be able to put it into use.

Sincerely,

William J. Loughmiller

JUN 29 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

RE: Permit No. 47-08011A

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

JUN 2 9 1994

Loughmiller, Inc. 3170 Hwy 93, Twin Falls, Idaho 83[illegible] Phone (208) 733-5761 Fax (208) 734-4923

January 13, 1994

State of Idaho
Department of Water Resources
1301 North Orchard Street,
Statehouse Mail
Boise, ID 83720-9000

Att: Cindy Zimmerman

RE: Application for Amendment of Permit No. 47-08011A

Dear Ms. Zimmerman:

The corporate officers are as follows:

William J. Loughmiller
2411 E 2900 N
Twin Falls, ID 83301 President

Susan E. Loughmiller
2411 E 2900 N
Twin Falls, ID 83301 Secretary/Treasurer

JUN 29 1994

February 25, 1994

Loughmiller Inc.
3170 HWY 93
Twin Falls, ID 83301

RE: Permit No. 47-08011A

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

Your best option at this point would be to file proof of beneficial use for the portion of the water right that has been developed. I have enclosed the necessary form for your convenience. Please submit the proof on or before the proof due date of April 1, 1994.

If you have any questions or if we can be of any further assistance, please feel free tc contact us or any of our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof Form
Extension of Time

C: IDWR - Regional Office

JUN 29 1994

January 31, 1994

LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08011A

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 April 1, 1994. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
JUN 29 1994

CERTIFIED MAIL
NO. 141082

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 10, 1994

LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

RE: Application for Amendment of Permit No. 47-08011A

Dear Sirs:

I have received your application for amendment of permit for final review. I note that you have changed your company name from Loughmiller Farms Inc. to Loughmiller Inc. In order for me to change the database, I need you to fill out and return the enclosed 'Assignment of Permit' form. I will also need a list of the names, titles, and addresses of all the corporate officers of Loughmiller Inc.

I will hold further processing on your application for 30 days pending your response. Please submit this information as quickly as possible within the 30-day period to prevent any further undue delay in processing your application.

If you have any question, please feel free to contact me at (208) 327-7944.

Sincerely,

Cindy Zimmerman

CINDY ZIMMERMAN
Water Resource Agent

c: Eastern Region

JUN 29 1994

RECEIVED
DEC 02 1993
Department of Water Resources
Southern Region Office

March 11, 1992

To Whom It May Concern:

Loughmiller Farms, Inc. has changed their name to LOUGHMILLER, INC. effective December 9, 1991.

Our mailing address has also changed due to the use of an actual grid address. Please address all correspondence, payments, statements, etc. to the following effective immediately.

Loughmiller, Inc.
Rt 1 3170 Hwy 93
Twin Falls, ID 83301

(208) ~~734-2412~~ 733-5761
FAX (208) 734-4923

JUN 29 1994

NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 47-08011A

Notice is hereby given that LOUGHMILLER FARMS, INC. is the holder of Approved Permit No. 47-08011A with a priority date of 07/01/1985 authorizing the diversion of 2.5 cubic feet per second of water from groundwater in the SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 146 acres within SW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:
Amount: 2.5 cfs

Period of Use:
04/01 to 10/31

Point of Diversion:
NWSE, SESE, S12, T12S, R16E; Twin Falls County.

Place of Use: 146 acres within S1/2NE, NENW, SE, S13, T12S, R16E.
Any protest against approval of the amending of Permit No. 47-07011A as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

Published in the Times News on 12/9 & 12/16/93.

Affidavit of Publication

№ 25477

STATE OF ID O
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Busns Mgr. 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 December 9, 1993, and ending with the issue dated December 16, 1993.

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.

OK MB 1/4/94

STATE OF IDAHO
COUNTY OF TWIN FALLS

JUN 29 1994

On this 29 day of December in the year of 1993, before me, a Notary Public, personally appeared Linda Capps McGuire, 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.

Trieva K. Feltman
Notary Public for Idaho
Residing at Twin Falls
My commission expires: 5/19/94

RECEIVED
JAN 03 1994
Department of Water Resources
Southern Region Office

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 543
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
25477	545	12/30/93

INDEXING TERM
047-GOUTA

START DATE	TELEPHONE NO.
12/09/93	736-3033

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
78	2		56.16	56.16
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT ▶			58.16	58.16

GROSS AMT DUE AFTER 01/14

[redacted]

25477 5216

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E
TWIN FALLS ID
83301

JUN 29 1994

NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 47-08011A

Notice is hereby given that LOUGHMILLER FARMS, INC. is the holder of Approved Permit No. 47-08011A with a priority date of 07/01/1985 authorizing the diversion of 2.5 cubic feet per second of water from groundwater in the SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 146 acres within SW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 2.5 cfs

Period of Use:
04/01 to 10/31

Point of Diversion: NWSE, SESE, S12, T12S, R16E; Twin Falls County.

Place of Use: 146 acres within S1/2NE, NENW, SE, S13, T12S, R16E.

Any protest against approval of the amending of Permit No. 47-07011A as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson,
Director

Published in the Times News on 12/9 & 12/16/93.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Dec-1993

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-08011A

Notice is hereby given that LOUGHMILLER FARMS, INC. is the holder of Approved Permit No. 47-08011A with a priority date of 07/01/1985 authorizing the diversion of 2.5 cubic feet per second of water from groundwater in the SENWSE, S12, T12S, R16E; NWSWNW, SWSWSW, S17, T12S, R17E; SESESE, S18, T12S, R17E; County of Twin Falls, to be used for irrigation of 146 acres within SW, S12, T12S, R16E.

This Application for Amendment proposes to change point(s) of diversion and to change place of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 2.5 cfs

Period of Use: 04/01 to 10/31

Point of Diversion: NWSE, SESE, S12, T12S, R16E; Twin Falls County.

Place of Use: 146 acres within S1/2NE, NENW, SE, S13, T12S, R16E.

Any protest against approval of the amending of Permit No. 47-07011A as set forth above must be filed with the applicant and with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 27, 1993.

R. Keith Higginson, Director

Published in the Times News on 12/9 & 12/16/93.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

01-Dec-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

WILLIAM J LOUGHMILLER
LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

Re: Application for Amendment, 47-08011A

Dear Mr. Loughmiller:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office has scheduled advertising the application in the Times News on 12/9 & 12/16/93. 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. 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,

Mel Schulte
Water Right Agent

MS:MB

1994

State of I ho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 4, 1993

LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

RE: Permit No. 47-08011 Renumbered to 47-08011A

Dear Water Rights Holder:

We acknowledge receipt of the correspondence assigning portions of the above referenced water right. We have modified our computer records to reflect these changes in ownership. Your remaining portion has been re-numbered to 47-08011A. Please refer to the new number in any future correspondence with us.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

[illegible]

OCT 2 1 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 3, 1992

Loughmiller Farms
3170 Hwy 93
Twin Falls, ID 83301

Re: Permit No. 47-08011

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to April 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED
APR 08 1992

January 31, 1992

LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08011

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 April 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED
APR 08 1992

CERTIFIED MAIL
NO. 13470

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 2, 1992

RE: Permit No. 47-08011

Loughmiller Farms Inc.
3170 Hwy 93
Twin Falls, ID 83301

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED
APR 08 1992

LOUGHMILLER FARMS, Inc.

ROUTE ONE
TWIN FALLS, IDAHO 83301

(208) 733-5761
FAX (208) 734-4923

July 23, 1991

RE: Application for Amendment, 47-08011

RECEIVED

JUL 24 1991

Department of Water Resources
Southern Region Office

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

Dear Mr. Jones:

In response to your letter of May 29, 1991, the corporate officers are as follows:

William J. Loughmiller/ President
Susan E. Loughmiller/Vice President

I am also attaching the 1990 Consolidated Tax Notice for the purpose of evidence of ownership.

If we can be of further assistance, please let me know.

Sincerely,

Alexis Billman

Alexis Billman/Bookkeeper

Attachments (2)

MICROFILMED

APR 08 1992

CONSOLIDATED TAX NOTICE AND RECEIPT

TWIN FALLS COUNTY TREASURER 1990

BONNIE BRUNING, BOX 88

TWIN FALLS, ID 83303 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
31762	16-00	RP12S16E122400A	26293

SEC 12 T 12 R 16
W1/2 OF SECTION

L 31762

320.000 TOT ACRES

DELINQUENT CERT

LOUGHMILLER FARMS INC
2411 E 2900 N
TWIN FALLS, ID 83301

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.005568	176.86
SCHOOL DIST 413	.007078	224.82
TWIN FALLS-HGWY	.001290	40.98
TOTAL	.013936	442.66

RECEIPT

FULL PAYMENT
TAX 442.66
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 221.33
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 221.33
PEN.
SUB TOT.
INT.
TOT.

*** YOUR CHECK IS ***
*** YOUR RECEIPT ***

ADDRESS CHANGE _____

MIC. APR 08 1992

CONSOLIDATED TAX NOTICE AND RECEIPT
TWIN FALLS COUNTY TREASURER 1990
BONNIE BRUNING, BOX 88
TWIN FALLS, ID 83303 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
135284	16-00	RP12S16E120000A	26291

SEC 12 T 12 R 16
NE NE; S1/2 NE; SE1/4, EXC
L 91627 S 5A
I 43657

WAC 3.640

271.360 LOUGHMILLER FARMS INC
TOT ACRES 2411 E 2900 N
DELINQUENT CERT. TWIN FALLS, ID 83301

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.005568	753.26
SCHOOL DIST 413	.007078	957.54
TWIN FALLS-HGWY	.001290	174.52
TOTAL	.013936	1,885.32

RECEIPT

FULL PAYMENT
TAX 1,885.32
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 942.66
PEN.
SUB TOT.
INT.
TOT

2ND INSTALLMENT
TAX 942.66
PEN
SUB TOT
INT.
TOT.

*** YOUR CHECK IS ***
*** YOUR RECEIPT ***

ADDRESS CHANGE _____

MICROFILMED
APR 08 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

29-May-1991

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
APR 08 1992

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-08011

Notice is hereby given that Loughmiller Farms Inc. of Twin Falls, ID is the holder of Approved Permit No. 47-08011 authorizing the diversion of 5.50 cubic feet per second of water from groundwater in the NW1/4SE1/4, S12, T12S, R16E, County of Twin Falls, to be used for irrigation on 320 acres acres within W1/2, S12, T12S, R16E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No changes.

Period of Use: 3/15 to 11/15

Point of Diversion: SE1/4NW1/4SE1/4, S12, T12S, R16E; NW1/4SW1/4NW1/4, S17, T12S, R17E; SW1/4SW1/4SW1/4, S17, T12S, R17E; SE1/4SE1/4SE1/4, S18, T12S, R17E; Twin Falls County.

Place of Use: No changes.

Any protest against approval of the amending of Permit No. 47-08011 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before June 24, 1991.

R. Keith Higginson, Director

Published in the Times News on 6/6 & 6/13/91.

MICROFILMED
APR 08 1992

OK
MB
6-10-9

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-08011 ✓

Notice is hereby given that Loughmiller Farms Inc. of Twin Falls, ID is the holder of Approved Permit No. 47-08011 authorizing the diversion of 5.50 cubic feet per second of water from groundwater in the NW¼SE¼, S12, T12S, R16E, County of Twin Falls, to be used for irrigation on 320 acres within W½, S12, T12S, R16E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No changes
Period of Use: 3/15 to 11/15
Point of Diversion: SE¼ NW¼ SE¼, S12, T12S, R16E; NW¼ SW¼ NW¼, S17, T12S, R17E;SW¼ SW¼ SW¼, S17, T12S, R17E; SE¼ SE¼ SE¼, S18, T12S, R17E; Twin Falls County.
Place of Use: No changes

Any protest against approval of the amending of Permit No. 47-08011 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before June 24, 1991.

R. Keith Higginson,
Director
PUBLISH: Thursday, June 6 and 13, 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08268
ANDERSON, RANDY
WRIGHT, JACK
623 ADAMS ST
KIMBERLY, ID 83341
Source: GROUNDWATER
Diversion pt: SESWSE Sec 21 T 10S R 18E
Use: IRRIGATION (1.140 CFS)
Total Diversion: (1.140 CFS)
Date Filed: 3/5/1991
In: T10S R18E S21 NWSE SWSE
57.0 ACRES TOTAL

47-08269
COURTNAY, MIKE
COURTNAY, DEBRA
RT. 1 BOX 4657
TWIN FALLS, ID 83301
Source: GROUNDWATER
Diversion Pt: NENENE SEc 35 T 12S R 16E
NWNENE Sec 35 T 12S R 16E
NWNW Sec 36 T 12S R 16E
Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)
Date Filed: 3/25/1991
In: T12S R16E S35 NENE SENE
S36 NWNW SWNW
153.0 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, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before June 24, 1991.

R. KEITH HIGGINSON,
Director
PUBLISH: Thursday, June 6 and 13, 1991.

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-08270
WILLIAMS FAMILY PARTNERSHIP
RT 1 BOX 13-A
BUHL, ID 83316
Source: UNNAMED STREAM
Tributary: CEDAR DRAW CREEK
Diversion Pt: LOT 3 (SWNENW) Sec 2 T 10S R 15E
Use: FISH PROPAGATION (2.000 CFS)
Total Diversion: (2.000 CFS)
Dated Filed: 5/1/1991
In: T10S R15E S02 Lot 3 (NENW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before JUNE 24, 1991.

R. KEITH HIGGINSON,
Director
PUBLISH: Thursday, June 6 and 13, 1991.

S e of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-May-1991

ATTN WILLIAM LOUGHMILLER PRES
LOUGHMILLER FARMS INC
3170 HWY 93
TWIN FALLS ID 83301

Re: Application for Amendment, 47-08011

Dear Mr. Loughmiller:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office will be advertising the application in the Times News on 6/6 & 6/13/91. 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. A typical processing time for an unprotested application is about eight weeks.

Final regional review cannot be completed until we receive a list of company officers, including the title of your position and evidence of ownership of the place of use.

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

RECEIVED
APR 08 1992

Sincerely,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 11, 1991

LOUGHMILLER FARMS INC.
RT. 1 BOX 4421
TWIN FALLS, ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08011

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.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

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.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

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APR 15 1991

Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

APR 15 1991

ACTION REQUIRED

FROM: Tim 3-19-91

TO: Pam

RE: App No. 47-8011 (Trust App)

Pam,

This App. is now ready for final Approval.
Please note the special conditions of Approval which I've recommended per my letter of 2-26-91.

Thx
Tim

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 26, 1991

Oran Jones
Jones Corporation
Rt. 1, Box 4631
Twin Falls, ID 83301

RE: Application for Permit No. 47-8011/Loughmiller Farms, Inc.

Dear M. Jones:

On November 28, 1990, the department received a letter from you which raised concerns about a proposed water right for an irrigation well owned by Loughmiller Farms, Inc. Your concerns were made in response to a legal notice describing the proposed water right application. Your immediate concern was that the Loughmiller well might be drilled deep enough to tap the thermal resource to which you have certain water rights. You had also asked questions about whether the department checks water temperature in wells. I had responded to the latter question via my letter to you dated December 3, 1990. I hope that response was adequate. In that same letter I had advised that I would need to obtain some additional information from Loughmiller in order to address your concerns. I have received this additional information and now wish to finally address your immediate concern.

I have enclosed a copy of the well log for the well described in the water right application. You will note that the well was originally drilled as a stock and domestic well back in 1979. Mr. Loughmiller confirmed with me that the actual location of the well is in section 12, T12S, R16E. The well driller apparently put down Township 17E instead of Township 16E. Loughmiller told me that the upper 200 feet of the well was later widened from 8 inches to 12 inches. I believe this work was done sometime between 1979 and 1984. Loughmiller has actually operated the well in the past for irrigation to supplement his surface water diversions. Information in the water right application file indicates that Loughmiller commingles the groundwater with his surface water in a storage pond. By letter of February 22, 1991, Loughmiller stated that he annually diverts about 70 acre-feet of groundwater to supplement approximately 450 acre-feet of surface water. Loughmiller has also informed me that he has thus far only diverted cold water from this particular well. He also stated that he intends to deepen the well some 300 feet, but that he does not anticipate extracting thermal water.

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I have reviewed your concerns about the Loughmiller well with Steve Baker, a staff hydrogeologist who has completed some geothermal investigations in Twin Falls County. Steve has explained to me that groundwater in the Rogerson-Hollister-Twin Falls area generally moves to the north and northwest. In the area north of Hollister, water from the geothermal system may leak upwards and mix with cold water in overlying strata. Some wells north of Hollister may extract cold water which mixes with thermal water, thereby causing the temperature in those wells to be warmer than expected. The limited data in this area seems to support this mixing concept. Several wells north and east of Hollister have reported temperatures ranging from about 50 degrees to 80 degrees Fahrenheit, and at least one or two wells have actually fluctuated within this range. There is some belief that the wells in your area and south of Hollister may tap the thermal resource more directly.

We have noted that the Loughmiller well is actually located about five to five and one-half miles north of your wells in T13S, R16E and R17E. While deepening and continued use of the Loughmiller well will probably have some physical impact on water levels and hydraulic gradient, we do not believe that this impact would really be measurable. Impacts on levels in your wells would not likely be noticeable since your well is up gradient and five miles away from the Loughmiller well. Furthermore, the Loughmiller well will only be used during the irrigation season and will continue to be used as a supplemental supply of water for irrigation and not a primary source.

In order to further address your concerns about potential extraction of thermal water from the Loughmiller well and use of thermal water for irrigation, I will recommend the conditions below as a conditions of approval of the application. The first condition below is also a standard condition used in the issuance of any drilling permit, which will be required of Loughmiller if he does deepen the well. If water legally defined as low a temperature geothermal resource is encountered, drilling is to cease and the department is to be contacted. The well owner would then have to meet a number of requirements before proceeding with the thermal development, including bonding requirements and submittal of a drilling prospectus. Pursuant to Section 42-233, Idaho Code, the owner may be prohibited from using a low temperature geothermal resource for irrigation purposes only. If the owner intends to use the resource for heat value, a new water right application would have to be filed and would then be subject to protest.

Proposed Condition of Approval:

1) If a bottom hole temperature of 85 degrees or greater is encountered, well construction shall cease and the well driller and well owner shall immediately contact the Department.

2) Well water having a temperature of 85 degrees or greater shall not be diverted for irrigation use under this permit unless the

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director of the department provides an exemption pursuant to Section 42-233, Idaho Code.

I hope that this letter helps to clarify information about the proposed development and potential impacts represented by the application. I further hope that this correspondence along with the proposed conditions of approval adequately addresses and satisfies your concerns. I believe that the proposed conditions should insure that only cold water will be used under this permit. Since your letter of November 26, 1990 did not represent a formal protest as long as the applicant diverts only cold water, I believe that we can go ahead with the approval of this application with the above conditions included.

Unless you have some particular objection to these proposed conditions, I will recommend that the application be approved. I will allow you 15 days in which to submit additional comments or information concerning the Loughmiller application. Please feel free to contact me directly at 327-7864 if you have further questions concerning this matter.

Sincerely,

Tim Luke

Tim Luke
Sr. Water Resource Spec.

cc: William J. Loughmiller
Southern Region

Enclosures

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APR 15 1991

LOUGHMILLER FARMS, Inc.

ROUTE ONE
TWIN FALLS, IDAHO 83301

February 22, 1991

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Application for permit no. 47-8011

Dear Mr. Luke:

In response to your questions originally contained in the December 3, 1990 letter, the amount of surface water used is approximately 450 acre feet. The amount of ground water used is approximately 70 acre feet, which is used as a supplemental supply.

If you have any further questions feel free to contact me.

Sincerely,

Alexis Billman Jr.

William J. Loughmiller

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LOUGHMILLER FARMS, INC.
ROUTE 1, 3170 HIGHWAY 93
TWIN FALLS, IDAHO 83301

TWIN FALLS, ID 833
PM
24 OCT.
1990

USE ZIP CODE

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APR 15 1991

Department of Water Resources
State House
Boise, Id. 83720

Form 238-
1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

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 BILL LOU [illegible]

Address HOUSTON, IL

Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☒ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness		Diameter		From		To	
.250	inches	8	inches +	1	feet	20	feet
	inches		inches		feet		feet
	inches		inches		feet		feet
	inches		inches		feet		feet

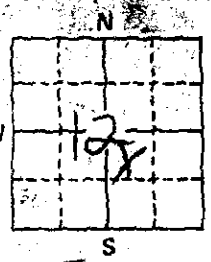
Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number		From		To	
	perforations		feet		feet
	perforations		feet		feet
	perforations		feet		feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 18' Material used in seal: ☒ Cement grout ☒ Well cuttings ☐ Puddling clay
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County TWIN FALLS

¼ SE ¼ Sec. 12, T. 12 N/S, R. 17 E/W.

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7. WATER LEVEL

Static water level 'C 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 _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
	0	5	TOPSOIL		
	5	18	DECOMPOSED LAVA		
	18	60	SOLID GRAY LAVA		
	60	65	RED SANDSTONE		
	65	75	GRAY LAVA		
	75	78	CINDERS		
	78	90	GRAY LAVA		
	90	97	LARGE RED CINDERS		
	97	125	GRAY LAVA		
	125	165	REDISH BROWN LAVA & TALC		
	165	170	HARD GRAY LAVA		
	170	190	RED LAVA & SLIGHT AMT CLAY		
	190	240	SOFT TAN LAVA - LAVA ASH		
	240	250	BROKEN & WATER TALC		
	250	260	LAVA AS & TALC		
	260	285	MED. HARD LAVA		
	285	330	SANDSTONE		
	330	340	ROCK		

10.

Work started 10-13-79 finished 10-20-79

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name ELSING DRILLING Firm No. 31
Address P.O. BOX 919 T.F. Date Jan 4, 80
Signed by (Firm Official) [signature]
and
(Operator) Gene Gillespie

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 8, 1991

William Loughmiller
Loughmiller Farms, Inc.
Rt. 1, 3170 Highway 93
Twin Falls, ID 83301

RE: Application for Permit No. 47-8011

Dear Mr. Loughmiller:

I have received a copy of the well log for the groundwater well which is described under the above referenced application. I appreciate your cooperation in submitting this requested documentation.

Enclosed is a copy of my letter to you dated December 3, 1990. This is the letter which requested a copy of the well log. You will notice that this letter also asked several questions relating to the use of the well. I did not receive any answers to these questions when receiving the copy of the well log. I believe that we may have discussed your groundwater use when you originally called me back in December. If we did discuss this before, I think perhaps we talked in general terms and I unfortunately did not take specific notes.

Before I can continue to process your application and address the potential protest against the application, I must ask you again to answer the questions presented in my last correspondence. These questions are highlighted on the attached letter. Please provide a response at your earliest convenience. I have tried to call you several times but have not been able to reach you. Any further delay in resolving this matter will delay approval of the application. Use of the groundwater without an approved permit may be cause for the department to issue an order which directs you to cease and desist from further use of the well.

Sincerely,

Tim Luke

Tim Luke
Sr. Water Resource Spec.

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APR 15 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 3, 1990

William Loughmiller
Loughmiller Farms, Inc.
Rt. 1, 3170 Highway 93
Twin Falls, ID 83301

RE: Application for Permit No. 47-8011

Dear Mr. Loughmiller:

In response to the public notice which was recently given for the above referenced application, the department has received an inquiry about your proposed groundwater use.

The inquiry comes from a geothermal water user in your local area who is concerned about the depth of your well and potential impacts your use may have on nearby geothermal wells.

Information in your application file indicates that the well described under your application was completed and in use since 1984. I have checked the department's records for a well log on this particular well and have been unable to find one. I have only found a log for a stock well owned by you and located just north of the irrigation well described in this application. This log shows that the stock well was completed in 1986. The only other well log I find in this area under your name is for an uncompleted well which was drilled in about 1959 and produced no water.

I can not adequately address the questions raised about your well until I at least review the appropriate well log. Since it does not appear that we have the well log, I must ask you to submit the log for this well. If you do not have a copy of the log, you will have to contact the well driller.

In addition to the well log information, I have developed several questions of my own which relate to the inquiry we received. Other information available to the department indicates that you have been irrigating about 590 acres within section 12, T12S, R16E as early as 1984. Both your application and the returned trust water information questionnaire indicate that you use surface water from Salmon Falls Creek and own shares with the Salmon Falls Canal Co. How much surface water from Salmon Falls Creek do you typically use or divert, and how much groundwater is used on the above 590 acres? Is the groundwater source m[illegible] a supplemental supply of water, or is it used as a primary s[illegible]rtion of the 590 acre development?

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Answers to these additional questions and the well log should be submitted to the department at your earliest convenience. The department will not take further action on either this application or your second groundwater application filed in June of 1990 until this information is obtained.

You may contact me directly at 327-7864 if you have questions about this matter.

Sincerely,

Tim Luke
Sr. Water Resource Spec.

cc: Region

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APR 15 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 3, 1990

Oran Jones
Jones Corp.
Rt. 1, Box 4631
Twin Falls, ID 83301

RE: Application for Permit No. 47-8011 in name of Loughmiller Farms

Dear Mr. Jones:

I have received your letter dated November 26, 1990 expressing your concerns about potential impacts to your water use from a well developed under the above application. The department appreciates your concern and I hope I can adequately address your questions.

In regard to the depth of Mr. Loughmiller's well, I can not report to you that I have any specific information about the well. I have checked for a well log on file with the department but was not able to find one for this well . I did find a well log for a stock water well owned by Loughmiller just north of the irrigation well. The depth of this stock well was 350 feet with a static water level of 126 feet below land surface.

Since we have a lack of specific information about the Loughmiller irrigation well and since you have raised questions, I will attempt to obtain information about the well by contacting Loughmiller and/or the well driller. Your concerns about potential impacts can not be adequately addressed until we obtain more information.

I do want to take this opportunity to notify you that Mr. Loughmiller's application contains no reference or proposal to develop geothermal water. Loughmiller filed this application with the department in July of 1985. The application is for irrigation of 320 acres in section 12, T12S, R16E. Loughmiller also has another application on file with the department for irrigation of another 275 acres within section 12. The well location described under this second application is the same location given for application no. 47-8011. The priority date of the second filing is in June of 1990.

According to information in our file, it appears that the well described under application no. 47-8011 was actually completed in about 1984. While I am not certain about the extent of Loughmiller's past groundwater use, it appears that he has been using this well for irrigation purposes since at least 1984. The well was originally developed under an earlier priority permit

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which has since lapsed. We have data which shows that a total of about 595 acres owned by Loughmiller in section 12, T12S, R16E, were irrigated as early as 1984. Loughmiller has indicated that surface water from Salmon Falls Creek is also used on this land. The groundwater therefore is commingled with or supplemental to the surface water.

I also want to take this opportunity to address other points and questions raised by your letter. Your letter states that the Loughmiller well has an elevation that is 500 feet lower than your wells which you say are located in section 12, T13S, R16E. According to our USGS topographic maps, Loughmiller's well is only about 350 feet lower than the location of your wells.

You also state in your letter that you are of the belief that thermal water can not be used for irrigation. The department does prohibit the use of thermal water if it is to be used primarily for irrigation. However, irrigation may be permitted if the thermal water is first used for its heat value (i.e.; the heat value is first extracted for some beneficial purpose other than irrigation). The Loughmiller filings do not identify uses other than irrigation.

Finally, I wish to inform you that when a project authorized by a permit is completed, the department does conduct a field examination of the use and water diversion system. It is during this field inspection that the department would measure the water temperature. If we found a user to be diverting thermal water primarily for irrigation, then that user may be forced by the department to cease and desist from further withdrawal of the resource.

The department will not take any further action on the Loughmiller applications until we obtain additional information about the well and have addressed your concerns. I will contact you as soon as I receive more information.

Sincerely,

Tim Luke
Sr. Water Resource Spec.

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APR 15 1991

Jones Corporation
Route 1, Box 4631
Twin Falls, Idaho 83301

RECEIVED
NOV 28 1990
Department of Water Resources

November 26, 1990

Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Attention: Mr. Tim Luke

Dear Sir:

This is in regard to Application for Trust Water Right **# 47-08011** in the name of Loughmiller Farms, Inc.

We have wells in the NWNE Sec 12 T 13 R 16 and SW¼ Sec 6 T 13 R 17. These wells are approximately 600 - 800 ft. deep and have a temperature of approximately 97°. Our family drilled the first one in 1902, and we have used the water since that time for irrigation.

There is a warm well owned by Schull Enterprises about 1½ miles straight north of our wells in Sec 12 T 13 R 16, and the Nat Soo Pah warm well is located 1½ miles north of our wells in Sec 6 T 13 R 17.

We are concerned because Mr. Loughmiller's well will be located approximately 4 miles straight north of our wells in Sec. 12 T 13 R 16 and approximately 500 feet lower in elevation.

We are worried that he may drill deep enough to tap the warm water. We were under the impression that warm water can no longer be used for irrigation.

We have no problem or protest with a cold water well, but we are greatly concerned if he should get hot water.

We do not have the financial means to drill deeper or pump from a greater depth. Since the Nat Soo Pah drilled a new well in 1986 or 1987 and he lets it flow all year long, a well here used to flow in the spring. After that, the first spring it lacked 8 ft. from the surface, and the next spring

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it was 14 ft. from flowing. At that time we contacted the US Geological Survey in Boise; they have installed a measuring devise in a well of ours. They are recharging less every year.

Therefore, we feel we would be definately affected adversely by another warm water well. Also, we wonder if the Water Dept. checks the temperature or takes the word of the well driller?

Thank you.

Respectfully,

Oran Jones

Oran Jones
for Jones Corporation

APR 15 1991

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

NOVEMBER 7, 1990

Times News
P.O. Box 548
Twin Falls, ID 83301

Dear Legal Dept.:

Enclosed you will find legal notices 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 DECEMBER 3, 1990.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

APR 15 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

47-08011

LOUGHMILLER FARMS INC.
RT. 1 BOX 4421
TWIN FALLS, ID 83301

Source: GROUNDWATER

Diversion Pt: NWSE Sec 12 T 12S R 16E

Use: IRRIGATION (5.500 CFS)
Total Diversion: (5.500 CFS)

Date Filed: 7/ 1/ 1985

In: T12S R16E S12 NENW NWNW SWNW SENW
NESW NWSW SWSW SESW

320.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before DECEMBER 3, 1990.

R. KEITH HIGGINSON, Director

Published 11/15/1990 & 11/22/1990

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PAGE: 1

PLACE OF USE 1/4 1/4 OVERLAP REPORT

10/25/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
							NE				NW				SW				SE				
4708011																							
4708011	LOUGHMILLER FARMS INC.	A	GROUNDWATER	12S	16E	12					40	40	40	40	40	40	40	40					320
4708238	LOUGHMILLER FARMS INC.	A	GROUNDWATER	12S	16E	12	40		40	40	40	40	40	40	40	40	40	40	40	40	40	35	595
	1986 MAPPING DATA	---	- COUNTY 83 QUAD CC 22	12S	16E	12	28	28	40	28	38	40	42	38	41	41	42	39	34	37	42	32	590

P/O = SE¼ NW¼ SE¼ sec 12

1984 photo confirms IRRIG of all of W½ except ≅ 12 ACRES

'84 photo shows 2 center pivots in W½.

Count 12 ACRES AS TRUST ACRES

MICROFILMED
APR 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 47-8011

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No_____
b. If you are not the propoerty owner, please descibe the arrangement enabling you to develop the proposed project.

_____

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No_____
b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

_____

_____

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. _____

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. _____

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.
Salmon Falls Canal Co

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant W. Thomas Lamb Date 10-24-90

RECEIVED

APR 15 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 22, 1990

RE: APPLICATION FOR PERMIT NO. 47-8011

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

FILED
APR 15 1991

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

APR 15 1991