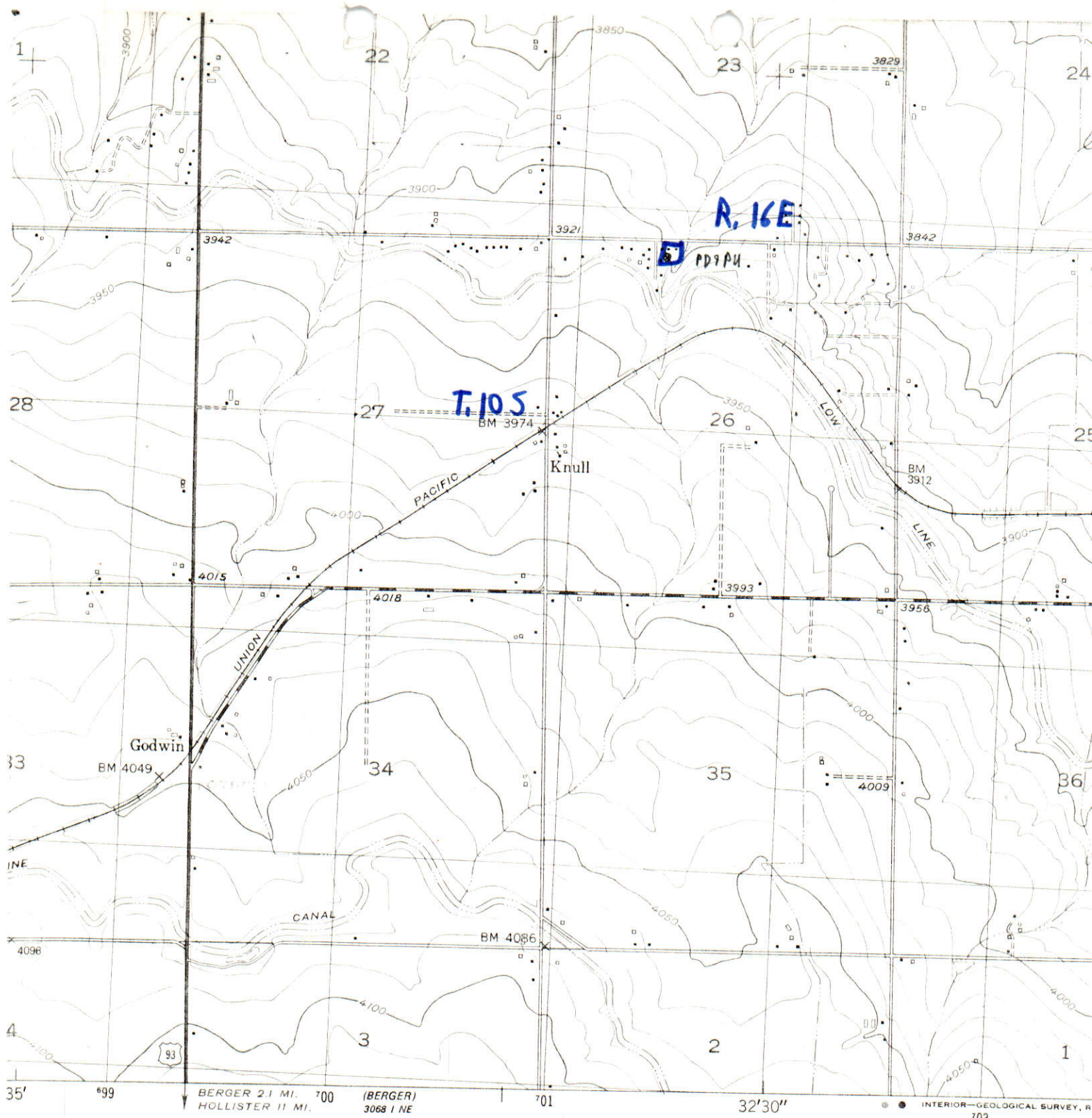


CONTOUR INTERVAL 10 FEET
CONTOUR INTERVAL ON RIVER SURFACE 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS 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

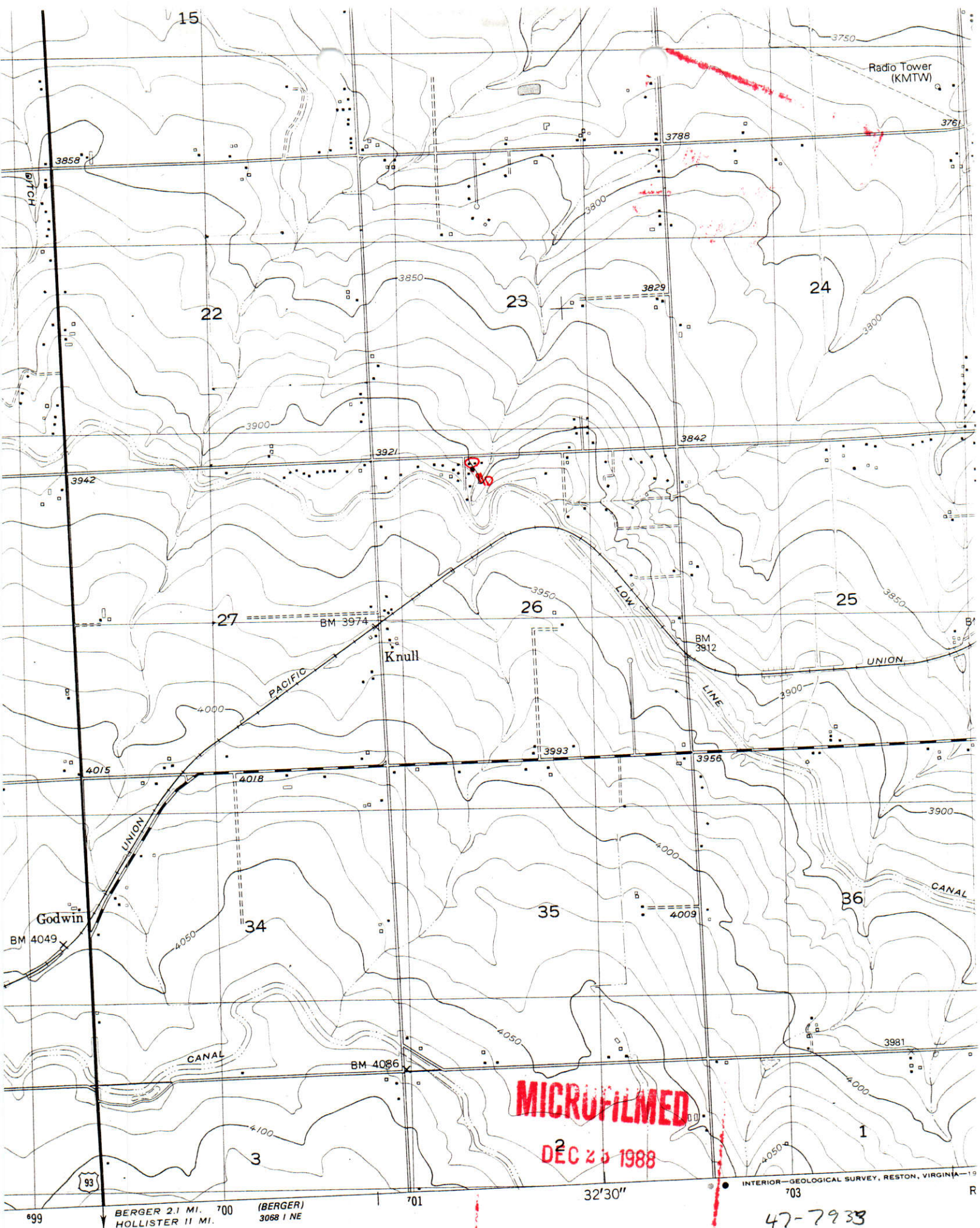


QUADRANGLE LOCATION

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.

Marvin L. Fouts
(Applicant)

MICROFILMED



Heavy-duty.....



Common point of diversion for the
2 separate houses

MICROFILMED

DEC 26 1966



Place of use (Zouts)

Place of use
(Burkhalter)

notice well house
in the background

MICROFILMED

DEC 23 1988



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07933

Priority: June 27, 1983 Amount: 0.04 CFS 1.2 AFA

This is to certify, that ROCKY BURKHOLTER
MARVIN L. FOUTS

RT. 2 BOX 5780

TWIN FALLS, ID 83301

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 27, 1983, and has submitted proof to the Department of Water Resources on January 20, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .060 cfs of water from a GROUNDWATER source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA

LOCATION OF POINT OF DIVERSION(S): NENW , Sec. 26, Township 10S, Range 16E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 16E 26 NENW

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 2 homes.

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 12TH day of DECEMBER, 1988.

Acting for ISS

Director

MICROFILMED

DEC 15 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marvin L. Fouts &/or Rocky Burkholter Phone 733-5957

Post office address Route #2, Twin Falls, ID 83301

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

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26 Township 10S

Range 16E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 cfs* for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

*kw 11/15/1985

a. Allow 0.07 cfs* cubic feet per second and/or b. _____ acre-feet per annum.
~~--0.00--~~

6. Proposed diverting works:

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

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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

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 1 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: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26 Township 10S

Range 16E 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 two.

(5) If water is to be used for other purposes describe: _____

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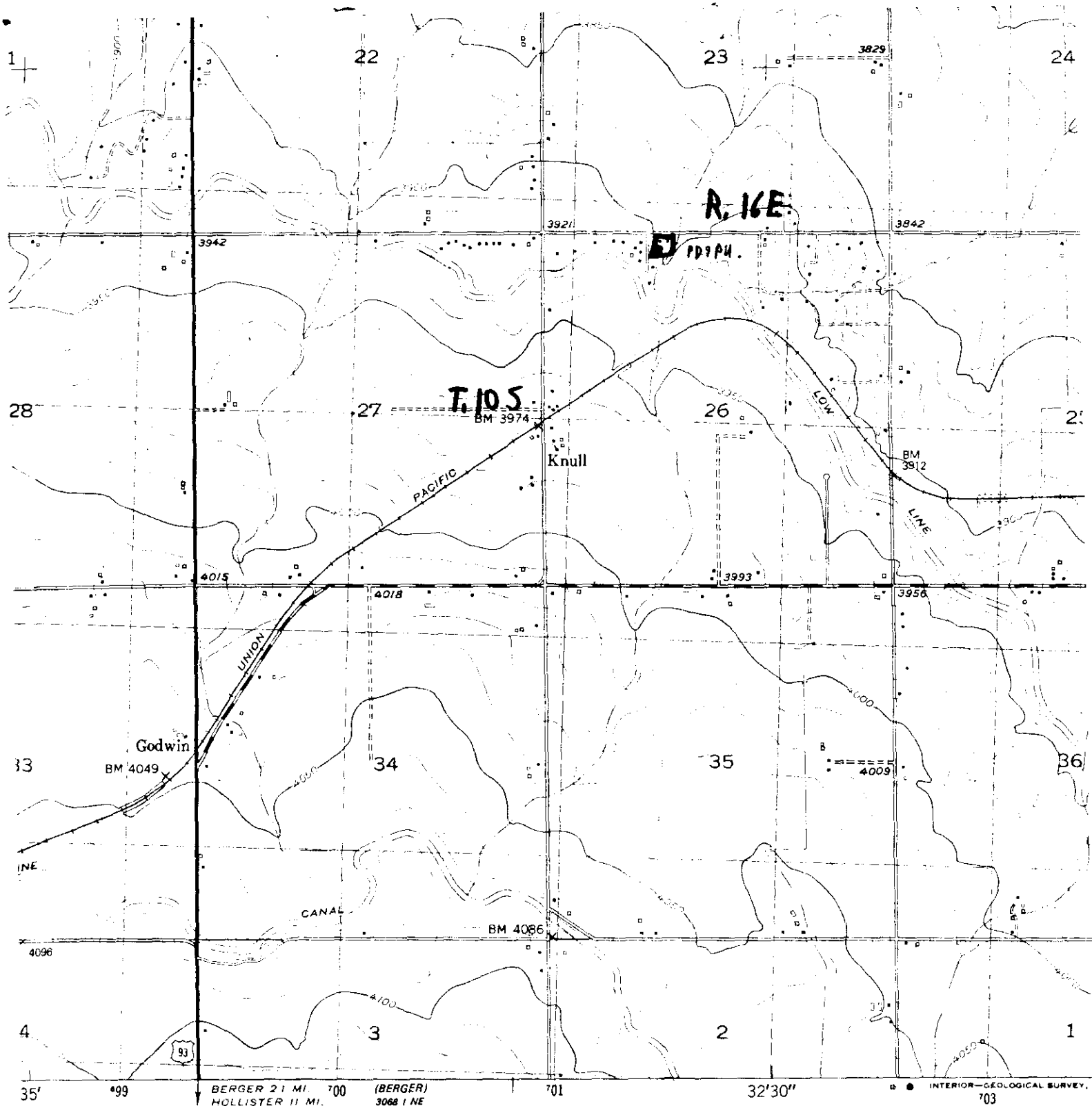
b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

Total number of acres to be irrigated 1/4

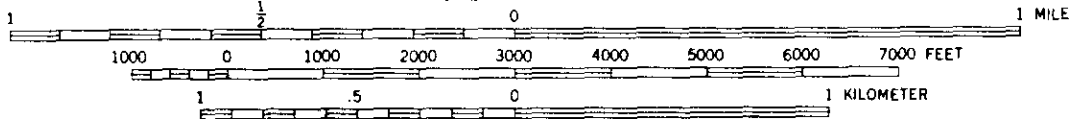
Twin Falls Canal Co. shares

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 Point of diversion is jointly owned by applicants. Place of use is owned
separately (1 home & grounds for each owner).



SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
CONTOUR INTERVAL ON RIVER SURFACE 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS 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



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.

Harvey L. Louts
(Applicant)

MICROFILMED

6/27/83

Proposed Priority

Received by JS Date 6-27-83 Time 2:25 pm
 Preliminary check by ADM Fee \$ 30.00
 Receipted by JS Date 6-27-83 # 29020
 Publication prepared by merya Date 1/4/85
 Published in Times News
 Publication dates 1/31 + 2/7/85
 Publication approved merya Date 1/22/85
 Protests filed by: None

Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by ADM JS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7933, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 87.
- 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: The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.01 cfs.

Witness my hand this 4th day of December, 1985.

J. Glen Saxton
 Chief, Operations Bureau

LEGAL NOTICE

LEGAL NOTICE

47-7880
SAGRI-CHEMICALS
S FARM SERVICE
INTER, P.O. Box 7,
er, ID 83328
Source: Ground Water
Date Filed: 05/02/1983
Diversión Pdt: NESE
c 02 T 10S R 15E
Jse: Commercial (1.00
S)
NESE Sec 02 T 10S R
47-7881
SAGRI-CHEMICALS
S FARM SERVICE
INTER, P.O. Box 100,
sen, ID 83334
Source: GROUND
TER
ate Filed: 05/02/1983
Diversión Pdt: NENW
26 T 10S R 18E
se: COMMERCIAL
J CFS)
: NENW Sec 26 T 10S
E
47-7887
OLBERG, JAMES M.
THERESA M.
3 Box 7, Buhl, ID
6
Source: Ground water
ate Filed: 05/12/1983
Diversión Pdt: NESE
35 T 09S R 14E
se: IRRIGATION (0.03
)
Domestic (0.02 CFS)
: NESE Sec 35 T 09S
E FOR 1 ACRES
47-7880
ER, ROBERT &/or
JAE
4 Box 7752, Twin
s, ID 83301
Source: Ground water
ate Filed: 05/23/1983
Diversión Pdt: NENE
26 T 10S R 16E
se: Irrigation (0.03
)
Domestic (0.04 CFS)
: NENE Sec 26 T 10S
E FOR 1 ACRES
47-7891
ING, DAVE
4 Box 263, BUHL, ID
8
Source: Ground water
ate Filed: 05/23/1983
Diversión Pdt: NENE
24 T 09S R 14E
se: Irrigation (0.06
)
Domestic (0.06 CFS)
: NENE Sec 24 T 09S
4E FOR 2 ACRES 2
ies
47-7893
CAN, BURL E. &/or
INL
1. 2, Kimberly, ID
11
Source: Ground water
ate Filed: 05/24/1983
Diversión Pdt: NESE
20 T 11S R 18E
se: Irrigation (0.06
)
Domestic (0.06 CFS)
: NESE Sec 20 T 11S
8E FOR 2 ACRES 2
ies
47-7898
TH, CLINTON &/or
NINE BLADES,
DA MARY
O Nelda M. Blades,
Box 53, Filer, ID
28
Source: Ground water
ate Filed: 06/08/1983
Diversión Pdt: SWSE
c 07 T 10S R 16E
Jse: Irrigation (0.03
S)
Domestic (0.04 CFS)
: SWSE Sec 07 T 10S
3E
47-7897
S. CHURCH
BERLY IDAHO
AKE, 50 EAST NORTH
MPLE ST., SALT
KE CITY, UT 84150
Source: Ground water
ate Filed: 05/31/1983
Diversión Pdt: SENE
c 17 T 10S R 18E
Jse: Irrigation (0.02
S)
Domestic (0.09 CFS)
In: SENE Sec 17 T 10S
18E FOR 0.5 ACRE

Diversión Pdt: N
Sec 09 T 10S R 16E
Use: Irrigation (0.08
CFS)
Domestic (0.02 CFS)
In: NWNW Sec 09 T 10S
R 16E FOR 2.5 ACRES
47-7922
ANDES, BRADLEY D. &/
or JENNIFER
Rt 3 Box 275, Buhl, ID
83316
Source: Ground water
Date Filed: 06/23/1983
Diversión Pdt: NWSW
Sec 22 T 09S R 14E
Use: Irrigation (0.07
CFS)
Domestic (0.04 CFS)
In: NWSW Sec 22 T 09S
R 14E For 2.5 Acres
47-7928
HARTWELL, DARLENE
HAMILTON
PO BOX 1172, Challis, ID
83226
Source: Ground water
Date Filed: 06/28/1983
Diversión Pdt: SENW
Sec 36 T 10S R 17E
Use: Irrigation (0.09
CFS)
Stockwater (0.02 CFS)
Domestic (0.08 CFS)
In: NENW SENW Sec
36 T 10S R 17E FOR 3
ACRES 3 homes
47-7929
EUGENE W. WALKER
624 Pierce St., Twin
Falls, ID 83301
Source: Ground water
Date Filed: 06/29/1983
Diversión Pdt: SENE
Sec 04 T 10S R 17E
Use: Irrigation (0.02
CFS)
Heating (0.02 CFS)
Cooling (0.02 CFS)
Domestic (0.04 CFS)
In: SENE Sec 04 T 10S
R 17E FOR .05 ACRES
47-7930
GRINDSTED, E. CARL &/
or BOBETTE
Rt. 1, Filer, ID 83328
Source: Ground water
Date Filed: 06/28/1983
Diversión Pdt: NWNW
Sec 09 T 10S R 16E
Use: Irrigation (0.03
CFS)
Domestic (0.04 CFS)
In: NWNW Sec 09 T 10S
R 16E FOR 1 ACRES
47-7932
FISHER, JAMES &/or
NINA
Pt. 2 Box 214A, FILER,
ID 83328
Source: Ground water
Date Filed: 06/22/1983
Diversión Pdt: Lot 04
Sec 01 T 11S R 15E
Use: Irrigation (0.14
CFS)
Domestic (0.08 CFS)
In: Lot 04 (NWNW) Sec
01 T 11S R 15E FOR 5
ACRES 2 Homes
47-7933
FOOTS, MARVIN L.
BURKHOLTER, ROCKY
Rt. 2, Twin Falls, ID
83301
Source: Ground water
Date Filed: 06/27/1983
Diversión Pdt: NENW
Sec 26 T 10S R 16E
Use: Irrigation (0.02
CFS)
Domestic (0.06 CFS)
In: NENW Sec 26 T 10S
R 16E FOR 0.25 ACRES-2
homes
47-7934
KILLINGER, CARTER
DBA Highway 30
garage, Box 1019, Twin
Falls, ID 83301
Source: Ground water
Date Filed: 07/01/1983
Diversión Pdt: SESE
Sec 11 T 10S R 16E
Use: Irrigation (0.02
CFS)
Commercial (0.10 CFS)
Domestic (0.08 CFS)
In: SESE Sec 11 T 10S
R 16E FOR 1/2 Acre- 3
homes

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

Nº 14738

I, Linda Capps McBurn 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
January 31, 1985, and ending with the issue dated
January 7, 1985.

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.

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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 13 day of
February, 1985.

Linda Capps McBurn
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

NOTICE OF
APPLICATION FOR
WATER RIGHT

Notice is hereby given
that the following ap-
plication(s) have been
submitted for permit to
appropriate the public
waters of the State of
Idaho:

47-7857
INCHAUSTI, MARIE
Rt. 1, Castleford, ID 83321
Source: Ground water
Date Filed: 02/08/1983
Diversión Pdt: NWNE
Sec 11 T 11S R 13E
Use: Irrigation (0.02
CFS)
Domestic (0.06 CFS) 2
HOMES
In: NWNE Sec 11 T 11S R
13E FOR 1 ACRES

47-7880
SORENSEN, JOHN
Rt. 1, Twin Falls, ID
83301
Source: Groundwater
Date Filed: 02/25/1982
Diversión Pdt: NENE
Sec 17 T 11S R 16E
Use: IRRIGATION (0.10
CFS)
Domestic (0.04 CFS) 2
Homes
In: NENE Sec 17 T 11S
R 16E FOR 5 ACRES

47-7888
Stansell, Earl R.
Rt. 4, Twin Falls, ID 83301
Source: Ground water
Date Filed: 03/02/1983
Diversión Pdt: SWSE
Sec 23 T 10S R 16E
Use: Irrigation (0.06 CFS)
Domestic (0.02 CFS)
In: SWSE Sec 23 T 10S
R 16E FOR 2 ACRES

47-7871
MONROC, INC.
P.O. Box 274, Twin Falls,
ID 83301
Source: Ground Water
Date Filed: 04/05/1983
Diversión Pdt: SWSE
Sec 07 T 10S R 17E
Use: INDUSTRIAL
(0.20 CFS)
In: SWSE Sec 07 T 10S
R 17E

47-7898
L.D.S. CHURCH FILER
STAKE
RT. 1, FILER, ID 83328
Source: Ground water
Date Filed: 06/09/1983
Diversión Pdt: SWNW
Sec 27 T 12S R 18E
Use: Irrigation (0.02
CFS)
Domestic (0.04 CFS)
In: SWNW Sec 27 T 12S
R 18E FOR 0.25 ACRES

47-7902
TEATER, J. DAVID
RT 1, FILER, ID 83328
Source: Groundwater
Date Filed: 06/14/1983
Diversión Pdt: NWNE
Sec 32 T 09S R 16E
Use: Irrigation (0.08
CFS)
Domestic (0.04 CFS)
In: NWNE Sec 32 T 09S
R 16E FOR 2.5 ACRES

47-7906
REIS, GERALD L. &/or
MARY R.
Rt. 4 Box 7754, Twin
Falls, ID 83301
Source: Ground water
Date Filed: 06/09/1983
Diversión Pdt: NENE
Sec 26 T 10S R 16E
Use: Irrigation (0.02
CFS)
Domestic (0.04 CFS)
In: NENE Sec 26 T 10S
R 16E FOR 1 ACRES

47-7908
JONES, RODGER &/or
LORAIN
Rt. 4 Box 7539, Twin
Falls, ID 83301
Source: Groundwater
Date Filed: 05/31/1983
Diversión Pdt: NESE
Sec 11 T 10S R 16E
Use: Irrigation (0.02
CFS)
Domestic (0.02 CFS)
In: NESE Sec 11 T 10S
R 16E FOR 1 ACRES

47-7921
DUNLAP, CLAYTON L.
&/or BLANCHE
Rt. 1, FILER, ID 83328
Source: Ground water
Date Filed: 06/24/1983

47-7935
KOFFER, MARK &/or
CYNTHIA G.
1068 Wirsching Ave.
West, Twin Falls, ID
83301

Source: Ground water
Date Filed: 06/29/1983
Diversión Pdt: SWNE
Sec 07 T 10S R 17E
Use: Irrigation (0.02
CFS)
Heating (0.02 CFS)
Domestic (0.04 CFS)
In: SWNE Sec 07 T 10S
R 17E FOR 0.5 Acres

47-7938
COUNTRY ACRES
WATER CO.
C/O ARNOLD ALGER,
Rt. 3, Filer, ID 83328
Source: Ground water
Date Filed: 07/01/1983
Diversión Pdt: SESE
Sec 15 T 10S R 16E
Use: Irrigation (0.03
CFS)
Domestic (0.11 CFS)
In: SESE Sec 15 T 10S
R 16E FOR 1 ACRES 5
Homes

47-7988
STAFFORD, DAVID J. &/
or CORALL
RT. 3, WOOD RIDGE
ESTATES, TWIN FALLS,
ID 83301
Source: Ground water
Date Filed: 08/01/1984
Diversión Pdt: SESW
Sec 13 T 10S R 17E
Use: Stockwater (0.02
CFS)

Commercial (0.04 CFS)
In: SESW Sec 13 LKT
10S R 17E
If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of
any permit must be filed
with the Director of the
Idaho Department of
Water Resources, 1041
Blue lakes Blvd North,
Twin Falls, Idaho 83301
and received on or be-
fore FEBRUARY 18, 1985.
A. KENNETH DUNN
Director
PUBLISH: Thursday,
January 31, and February
7, 1985.

MICROFILMED

December 13, 1988

ROCKY BURKHOLTER
MARVIN L. FOUTS
RT. 2 BOX 5780
TWIN FALLS, ID 83301

RE: PERMIT NO. 47-07933

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

DEC 26 1988

November 16, 1988

ROCKY BURKHOLTER
MARVIN L. FOUTS
RT. 2 BOX 5780
TWIN FALLS, ID 83301

RE: PERMIT NO. 47-07933

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MicroFILMED

DEC 23 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

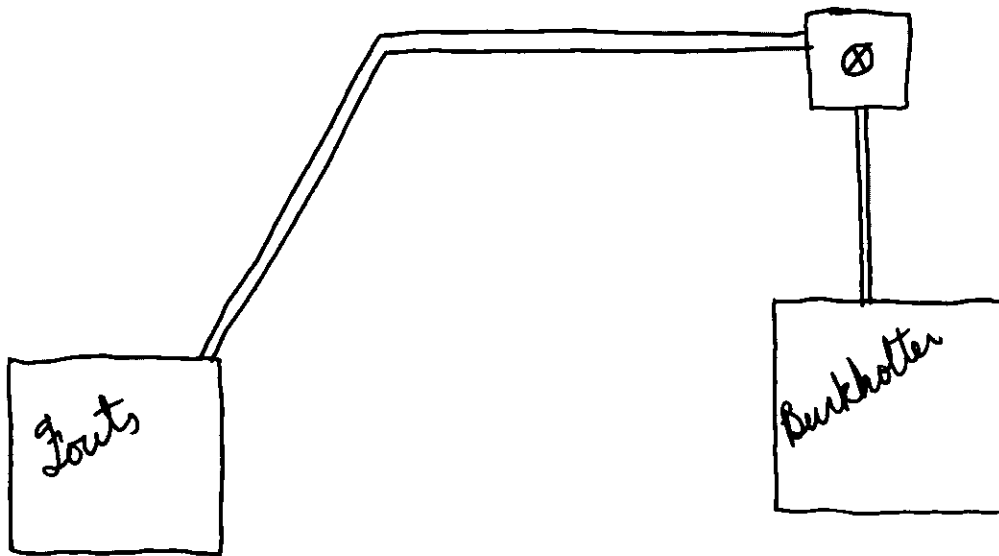
1. Owner: Maurin L. Louts +/or Rocky Burkholter Permit No. 47-7933
Current Address: Route 2 Twin Falls Idaho 83301 Phone No. 733-5957
2. Accompanied by: Mrs Louts EXAM. DATE: 8-10-87
Address: same Phone No. 733-5957
Relationship to Permit Holder: wife
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: no overlap ☐ Copies Attached
2. Other water rights with same point of diversion: no overlap ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

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

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

from Appendix IV
2 houses $\Rightarrow Q = 0.06$ cfs
 $Q = 0.06$ cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2 domestic allowance $Q = 0.06$

2. Alternate Method for Checking Purposes:

$$\frac{(2)(.5)(.7)}{245.5} = 0.05 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 50 psi x 2.31 = 115.5 ft (1); Dynamic pumping level: 130 ft (2)

Total Head: (1) + (2) = 245.5 (3); Flow rate: .06 cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = 1.7 (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

Domestic $(2)(.6) = 1.2 \text{ Afa}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

the permit stated there would be irrigation take place. there is no irrigation done with water from the well, just the 2 houses

NO exam fee paid - limit to 0.04 cfs. kw 11/10/88

I. RECOMMENDATION

1. Recommended /

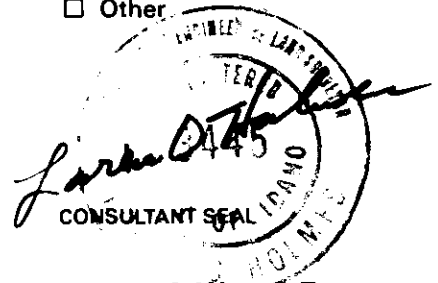
Beneficial Use	of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
domestic	12-31	0.06	1.2 Afa
Totals:		0.06	1.2 Afa

2. Recommended Amendments

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

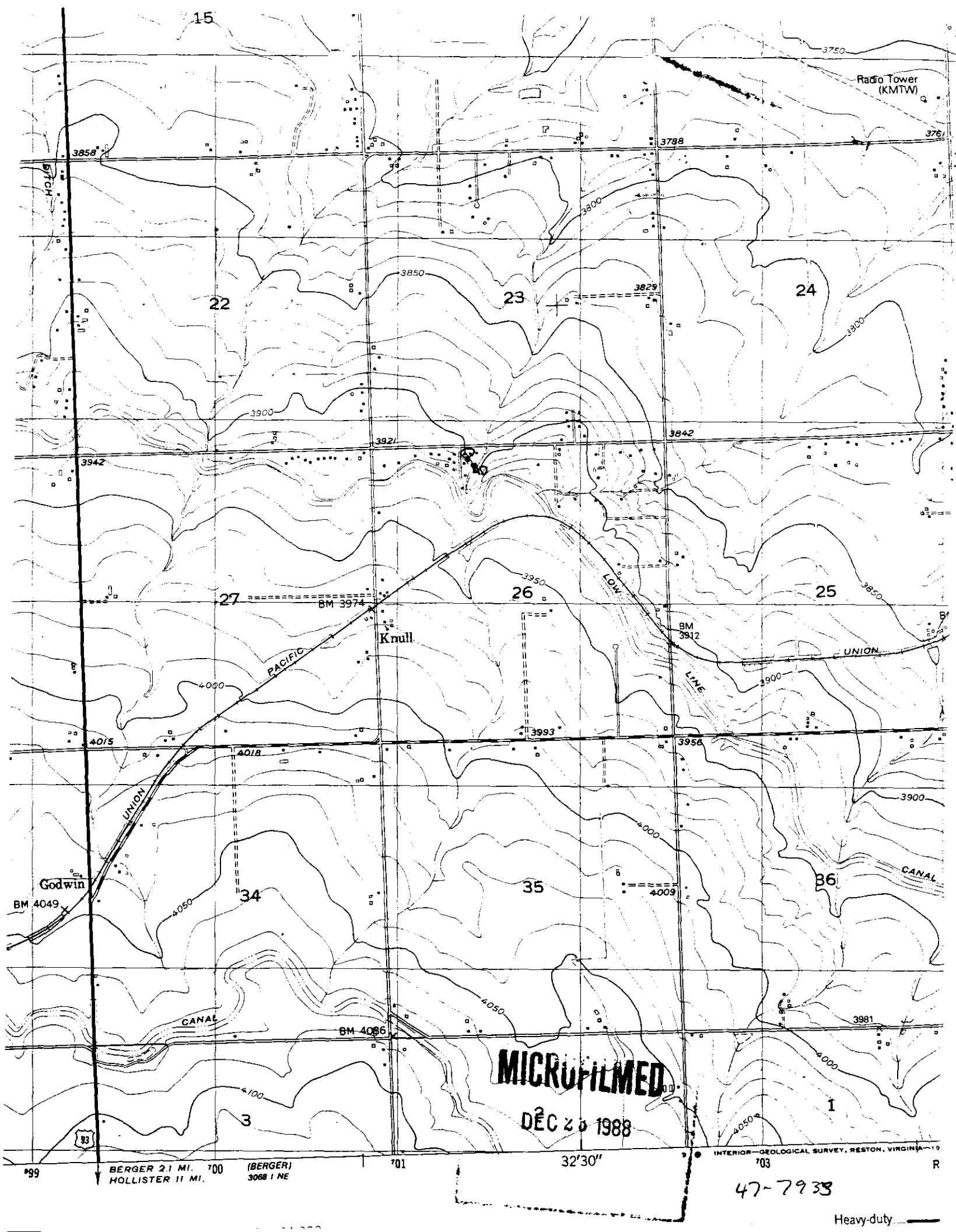
J. AUTHENTICATION

Field Examiner's Name Darren Knuteson
 Signature Darren Knuteson
 Certification Date 5/15/87
 Field Report Preparation Date 9/11/87



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

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 DEC 21 1988



Radio Tower (KMTW)

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DEC 20 1988

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA

47-7933

Heavy duty



Common point of diversion for the
2 separate houses

MICROFILMED

DEC 20 1966



Place of use (Loats)

Place of use
(Burkhalter)

notice well house
in the background

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DEC 25 1988



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4/86

OCT 10 1986

Department of Water Resources
Southern Region Office

RECEIVED

OCT 14 1986

STATE OF ~~Idaho~~ Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received N/A

Date 10/10/86

Receipt # N/A

Receipt by N/A

Sent to S.O. 10/10/86

RECEIVED

OCT 9 1986

no lend. ss

1. Permit No. 47-7933

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: MARVIN L. Fouts & Rocky Burkholder

3. Post Office Address: Route 2 Box 5780

Twin Falls, Idaho 83301 Telephone No. 208-733-5957

4. Source of Water: Domestic well

5. Extent of Use:

Domestic 2 (No. of households) Stockwater 0 (No. and type of stock)

Irrigation 0 (acres) Other/Remark Originally to

water by acre, now just household water

6. Total rate &/or volume for which proof is submitted .04 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1970

8. Person to contact to accompany the department representative during the field examination:

MARVIN L. Fouts (Name)

Route 2 Box 5780 Twin Falls, Id 83301 (Address) 208-733-5957 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date 10/7/86

MARVIN L. Fouts
Signature of Permit Holder (and title, if appropriate)

DEC 22 1986

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State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Eysa
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

47-7933
FOOTS, MARVIN L.
RT. 2 BOX 5780
TWIN FALLS, ID 83301

138169

August 12, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. **NOT RECORDED** certified water

DEC 25 1986

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department office.

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Sincerely,

Loren Holmes
LOREN HOLMES
Southern Regional Manager

Enclosures

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DEC 23 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MARCH 13, 1986

MARVIN L. FOUTS
RT. 2 BOX 5780
TWIN FALLS ID 83301

RE: Permit No. 47-7933

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

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DEC 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JAN 21 1988

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 47-7933

Name(s) of Permit Holder: MARVIN L. FOUTS & OR ROCKY BUCKHOLTER

Post Office Address: Box 5780 Route 2 Twin Falls ID 83301

Telephone No. 208-733-5957

Source of Water: Groundwater

Extent of Use:

Domestic 2 (number of households)

Stockwater 0 (number and type of stock)

Irrigation 1/4 acre (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 1970

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

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

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

MARVIN L. FOUTS (Name) 733-5957
Box 5780 Route 2 Twin Falls, ID 83301 (Address) 733-4812
(Telephone Number)

The above information is a true statement of the extent to which the above number of acres has been developed.

1/15/86
Date

MARVIN L. FOUTS
Signature of Permit Holder (and Title, if appropriate)

DEC 20 1988

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2822

Mervin Fauts
RD 2, Box 5280
Twin Falls ID 83301



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

- S T A T E O F I D A H O -

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
DECEMBER 05, 1985

FOUTS, MARVIN L.
RT. 2
TWIN FALLS, ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-7933

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

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DEC 9 1985

INTER-DEPARTMENT MEMO — 1

FROM

Loren Holmes

DATE

12/3/85

Department of Water Resources

TO

Glenn Saxton — File 47-7933, Fouts/Buttkhutter

SUBJECT

As far as I can determine from well logs, there are no hot water wells in the P/D tract. There are several domestic wells that average 160 feet deep. I was unable to reach the applicant by phone to check.

To my knowledge, nobody has attempted to drill for hot water in this area, which is southeast of Fillet.

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM *Glen*

DATE 12-3-85

TO File 47-7933

SUBJECT - Since app is within the boundaries of the Twin Falls Ground-water management area, S. Region has reviewed well logs and has determined the domestic water from the existing well likely is cold water since well depths in the area are approx 160'.

- Recommend approval.

VJ

SIGNATURE

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INTER-DEPARTMENT MEMO — 1

FROM Allen

DATE 11/6/85

TO File 47-7933

SUBJECT

Fact Sheet has not been returned. Recommend
Irrig. use be reduced to 0.01 cfs.
Total to be 0.07 cfs.

ADM

MICROFILMED

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

May 17, 1985

Marvin L. Fouts &/or Rocky Burkholter
Rt. 2
Twin Falls, Idaho 83301

RE: Application for Permit 47-7933

Dear Applicants:

Your application was released for processing under the first dismissal in the Idaho Power (Swan Falls) lawsuit. Our office has completed advertising of your application and no protests were filed. During final staff review a small error was found in the amount being requested for irrigation of 1/4 acre.

Our guidelines dictate that the maximum allowable diversion rate for acreages under 5 acres in size shall be determined at a rate equal to 0.03 cfs per acre; unless, justification is submitted by the applicant showing the requirement for a larger than normal diversion rate. Your application seeks a diversion rate of 0.02 cfs for your 1/4 acre to be irrigated which is greater than the normal 0.03 cfs/acre rate. Under our guidelines we would normally allow 0.01 cfs for the irrigation of 1/4 acre.

Please find enclosed a fact sheet to be completed and returned to our office to justify a greater diversion rate than that normally allowed. Our office will hold your application until June 1, 1985 before sending it to our State Office for approval. If the fact sheet is not returned by June 1, 1985 we will reduce your irrigation diversion rate to 0.01 cfs, if the fact sheet is returned your diversion rate will be determined on the merits of the information included in the fact sheet.

If you have any questions please feel free to contact our office.

Sincerely,

Allen Merritt
Water Resource Engineer

ADM:adm
Encl.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JANUARY 17, 1985

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 FEBRUARY 18, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

42-2933-

FOUTS, MARVIN L.
BURKHOLTER, ROCKY

RT. 2, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 06/27/1983

Diversion Pt: NENW Sec 26 T 105 R 16E

Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.06 CFS)

In. NENW Sec 26 T 105 R 16E FOR ~~XXXXXX~~ 0.25 ACRES - 2 HOMES

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 18, 1985.

A. KENNETH DUNN

Director

Published 1/31 & 2/7/85.

RECEIVED

ok
max
1/2/85

47-7933

FOUTS, MARVIN L.

BURKHOLTER, ROCKY

Rt. 2, Twin Falls, ID

83301

Source: Ground water

Date Filed: 06/27/1983

Diversion Pdt: NENW

Sec 26 T 10S R 16E

**Use: Irrigation (0.02
CFS)**

Domestic (0.06 CFS)

In: NENW Sec 26 T 10S

R 16E FOR 0.25 ACRES- 2

homes