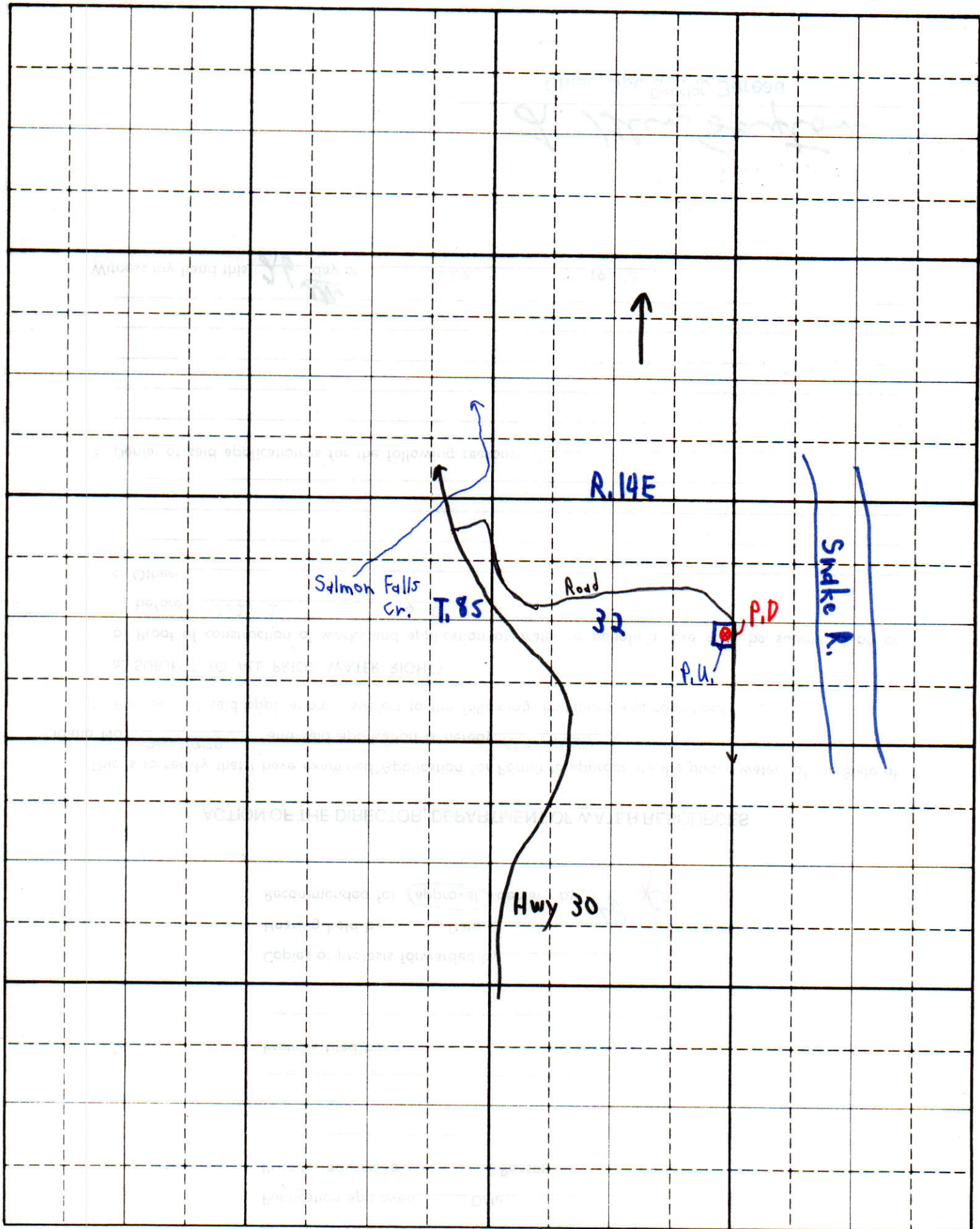


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

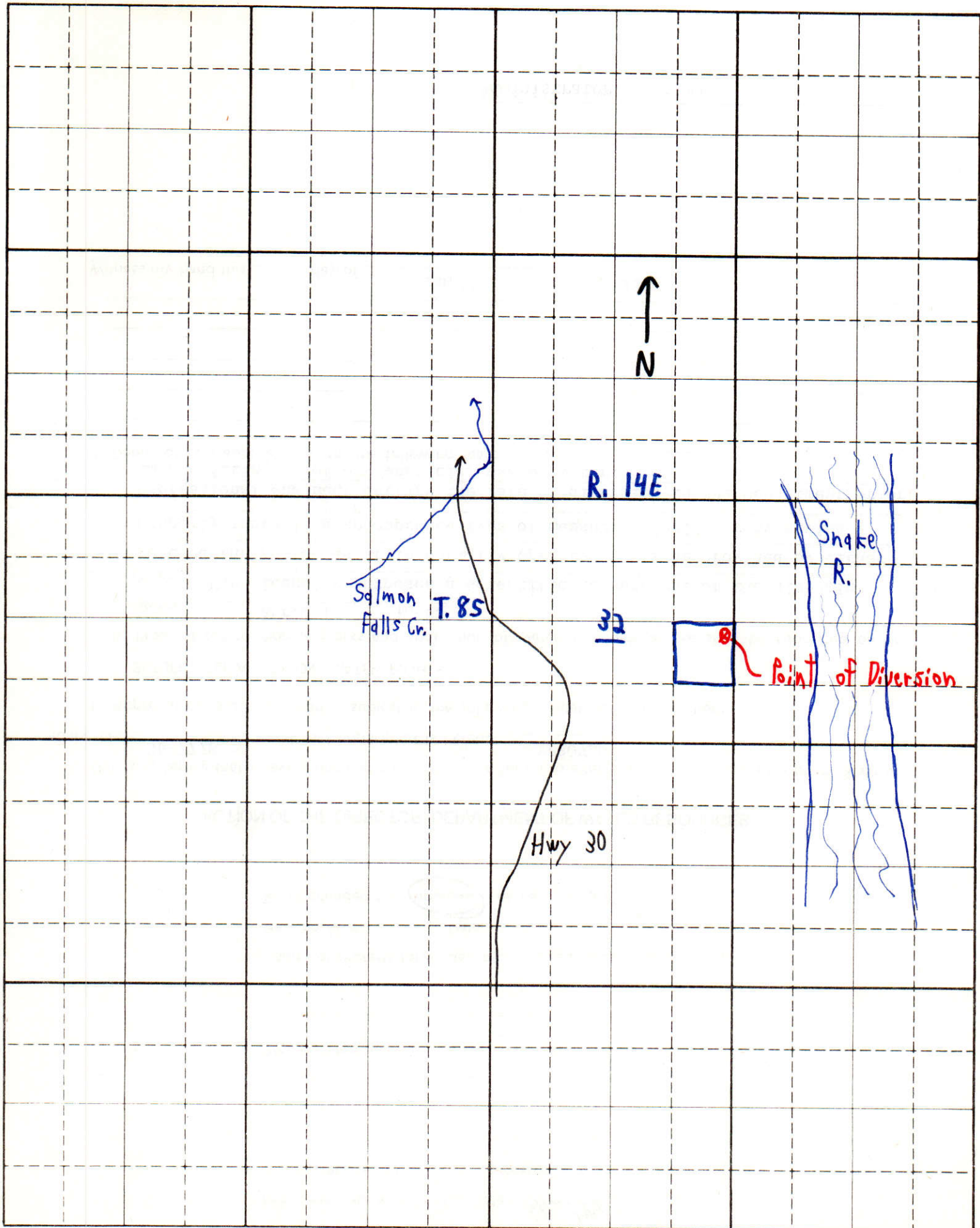


Scale: 2 inches equal 1 mile

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.

(Applicant)

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.

Vance Beutler
(Applicant)

OK
3/16/78

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Vance Butler &/or LeLand W. Foster, Buhl, Idaho 83316, has on 2/22/78 submitted Application No. 36-7778 for a permit to appropriate 2.0 cubic feet per second of water from ground water by means of hot-water well, pump, private greenhouse and swimming pool, heating for two homes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 8S, Rge. 14E., B.M. Twin Falls County to be used from Jan. 1 to Dec. 31 for recreation, home heating, greenhouse and swimming pool purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 8S, Rge. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 20, 1978.

C. STEPHAN ALLRED
Director

PUBLISH: March 2 and 9, 1978.

RECEIVED

MAR 14 1978

Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 6849

I, Maryne Kulhanek being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursday, commencing with the issue dated March 7, 1978, and ending with the issue dated March 9, 1978.

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, 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.

Maryne Kulhanek
Subscribed and sworn to before me on this 10th day of

March, 1978.

Carolene Jennings

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 12 1988

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-7814
Phone No. 543-4682

1. Owner: Leland W. Foster
Current Address: Rt 3 Box 411 Buhl ID 83316

2. Accompanied by: Owner EXAM. DATE: 8/26/86

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

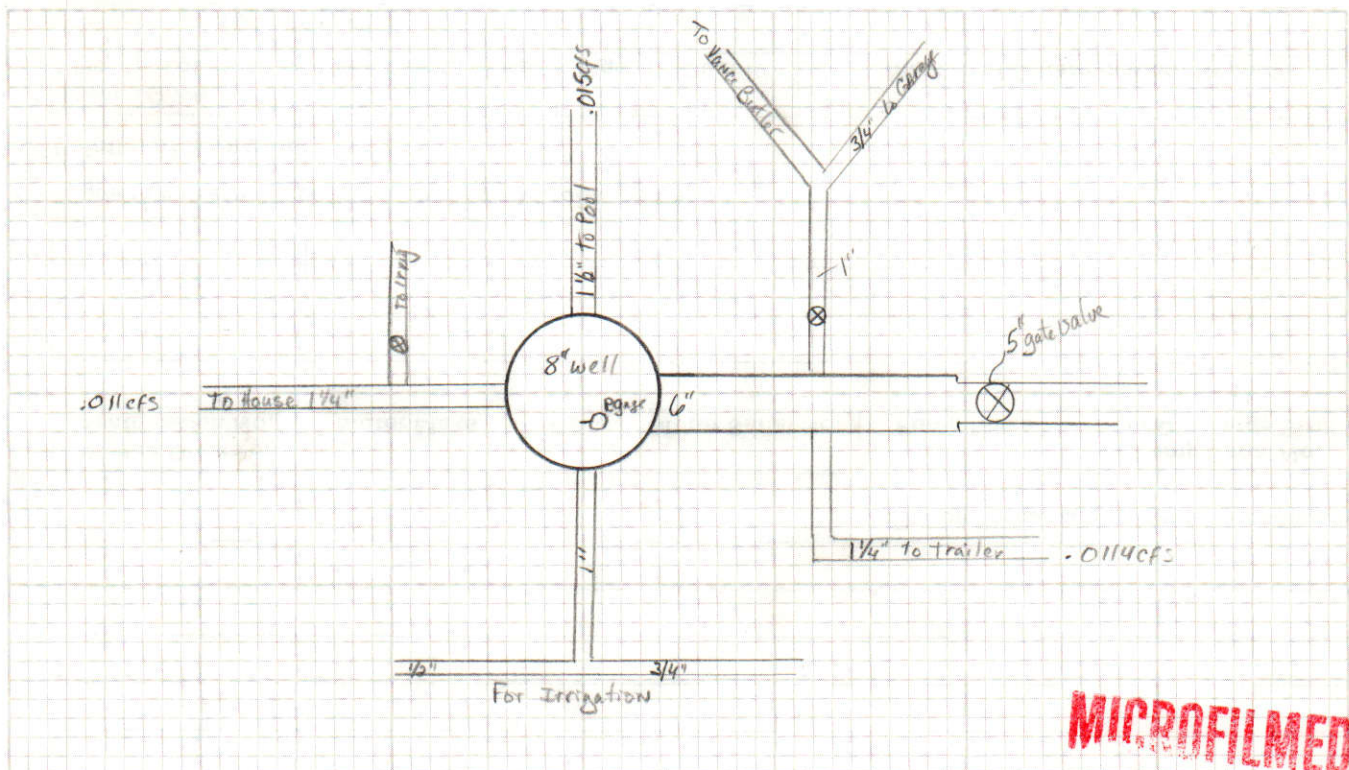
B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-2038, 36-4168, 36-8141
All from Rainbow Pipeline (spring water) ☒ Copies Attached

2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



MICROFILMED

Scale: 1" = NTS

JUL 27 1992

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

Attachment A 47-7814

29 28
32 33

T 8 S. R. 14 E.

RD. fish pond
AU meadow house



33
34
RECORDED
JUL 27 1992

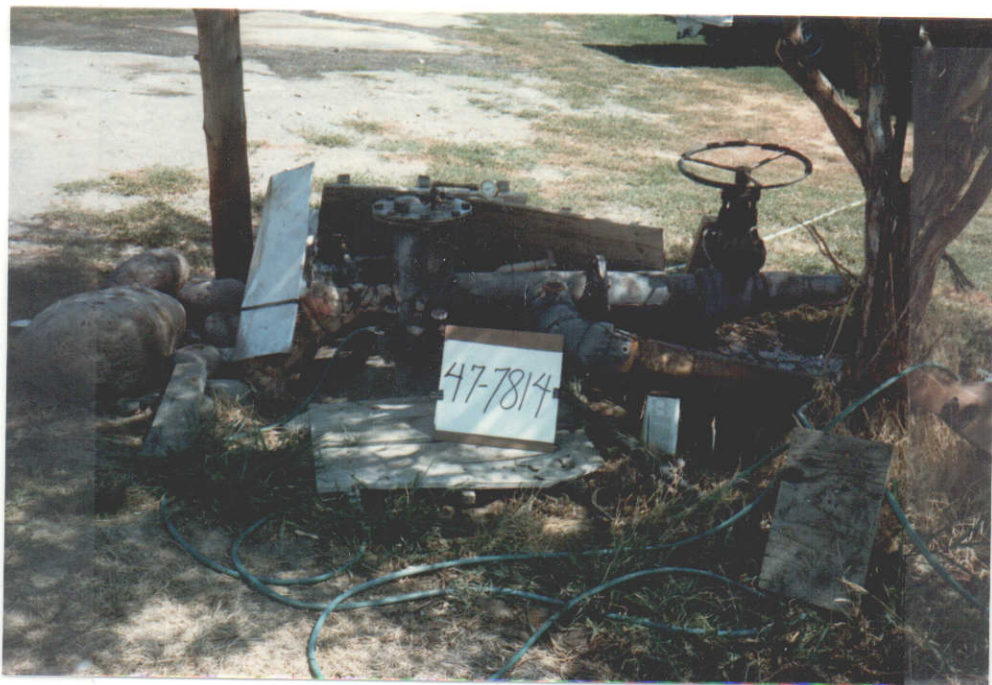
Attachment B

47-7814

T 8.S. R. 14E



JUL 27 1992



MICROFILMED

JUL 27 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07814

Priority: February 22, 1978

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

50.7 AF

This is to certify, that LELAND W FOSTER

RT 3 BOX 411

BUHL ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 22, 1978; and has submitted Proof of Beneficial Use on September 10, 1985. An examination indicates that the works have a diversion capacity of .070 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
HEATING	01/01 to 12/31	0.07 CFS	29.3 AF
RECREATION	01/01 to 12/31	0.06 CFS	43.5 AF
	Totals	0.07 CFS	50.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 32, Township 08S, Range 14E
TWIN FALLS County

PLACE OF USE: HEATING

TWN RGE SEC

08S 14E 32

NESE

PLACE OF USE: RECREATION, same as HEATING use

CONDITIONS/REMARKS:

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

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 25TH day of JUNE, 1992.

JUL 27 1992

Acting for R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE BANBURY HOT SPRINGS)
GROUNDWATER MANAGEMENT AREA)
_____)

ORDER SUPPLEMENTING
CONDITIONS OF APPROVAL FOR
PERMIT TO APPROPRIATE
GROUNDWATER NO. 47-7814

WHEREAS, on April 12, 1982, the Director of the Department of Water Resources created the Banbury Hot Springs Groundwater Management Area (BHSGWMA); and,

WHEREAS, reported problems have shown a need for increased regulation of existing and future wells within the boundaries of the BHSGWMA; and,

WHEREAS, Department records show a number of outstanding water right permits for which development has not yet occurred; and,

WHEREAS, the above-referenced Permit represents the potential for additional well drilling within the boundaries of the BHSGWMA; and,

WHEREAS, leakage and intermingling between groundwater aquifers within the BHSGWMA has been determined to be a significant problem for which careful monitoring and protection is required;

NOW, THEREFORE, the conditions of approval for Permit No. 47-7814 are hereby supplemented with the following additional conditions:

- 1) Thirty days prior to drilling or modification of a well, the permit holder shall notify the Department of Water Resources of who the driller will be and when drilling is proposed to commence.
- 2) Prior to drilling, the permit holder and/or driller shall submit to the Department a drilling prospectus which includes proposed casing and grouting procedures. The well shall not be drilled without approval of the prospectus.
- 3) For wells presently being constructed or modified, the permit holder shall immediately advise the Department of the name of the driller or drilling firm, proposed date of completion, and shall provide details of well construction to date for Department review and approval prior to removal of the drill rig from the site.
- 4) Prior to well completion, the permit holder and/or driller shall request inspection and approval of the well construction by the Department. Construction shall not be considered to be completed

RECORDED

until approved by the Department.

- 5) Failure to comply with any of the conditions identified above may result in cancellation of the permit.

Dated this 4 day of May, 1983.

by David R. Tuttle
for L. GLEN SAXTON
Chief, Operations Bureau

MINNAPATI

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Orginial Permit	36-7778	Vance Butler &/or Leland W. Foster	.20 cfs
Renumbered	47-7814		
Full Assignment	47-7814	Leland W. Foster	.20 cfs

MICROFILMED

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

OK to
process
RC 3/1/83

Vance Butler d/o-
I, Leland W. Foster, hereby assign to Leland W. Foster
of Route 3 Box 411, Burley, ID 83316
Address

NEW # 47-7814

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 36-7778
to appropriate the public waters of the State of Idaho.

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

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 24 day of February, 19 83.

Leland Foster
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 24 day of February, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Loren O. Palmer
Notary Public residing at
Twin Falls, ID

My commission expires:

LIFE

FILED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME**

To provide additional time in which to submit
proof of beneficial use on a water right permit

VANCE Butler ^{LELAND W.} ~~for Foster~~ of Rte 3 Buhl, IDA.
(Name) (Address)

State of IDA, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public Waters of the State of Idaho No. 47-7814 ~~36-7778~~.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 19 83.

That he has heretofore performed the following work described under said permit: Well
has been completed, 1 Green house
1 Fish Pond, 1 swimming pool, 3' (3) Hoses under
Heat. *Completed work*

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Financing has not been available.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to July 1, 19 88.

x Vance Butler
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to July 1, 1988.

Signed this 8th day of February, 19 83.

J. Glen Saxton
Chief, Operations Bureau

15.00 fee received by tg Date 1-21-83 Receipt # 25838

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 47-7814 }

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

RECEIVED
AUG 29 1978
WATER RESOURCES
DIVISION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 47-7814

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access 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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

RECEIVED
JUN 11 1981

Identification No. _____

Application No. 36-7778

47-7814

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Vance Butler &/or Leland W. Foster Phone: 543-5255
post office address Route #3, Buhl, ID 83316
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 8S
Range 14E., B.M. Twin Falls County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.20cfs for Recreation purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.2cfs for Home Htg. purpose from " to " (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.2cfs for Greenhouse purpose from " to " (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Hot-water well, pump, private green-
house and swimming pool, catfish pond (non-commercial), heating for two homes.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$5,000.00.
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 SE $\frac{1}{4}$ of Section 32 Township 8S
Range 14E., B.M. _____
(2) Amount of power to be generated: _____ hp 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: Recreational use includes swimming
pool and small catfish pond.

MICROFILMED

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

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. None

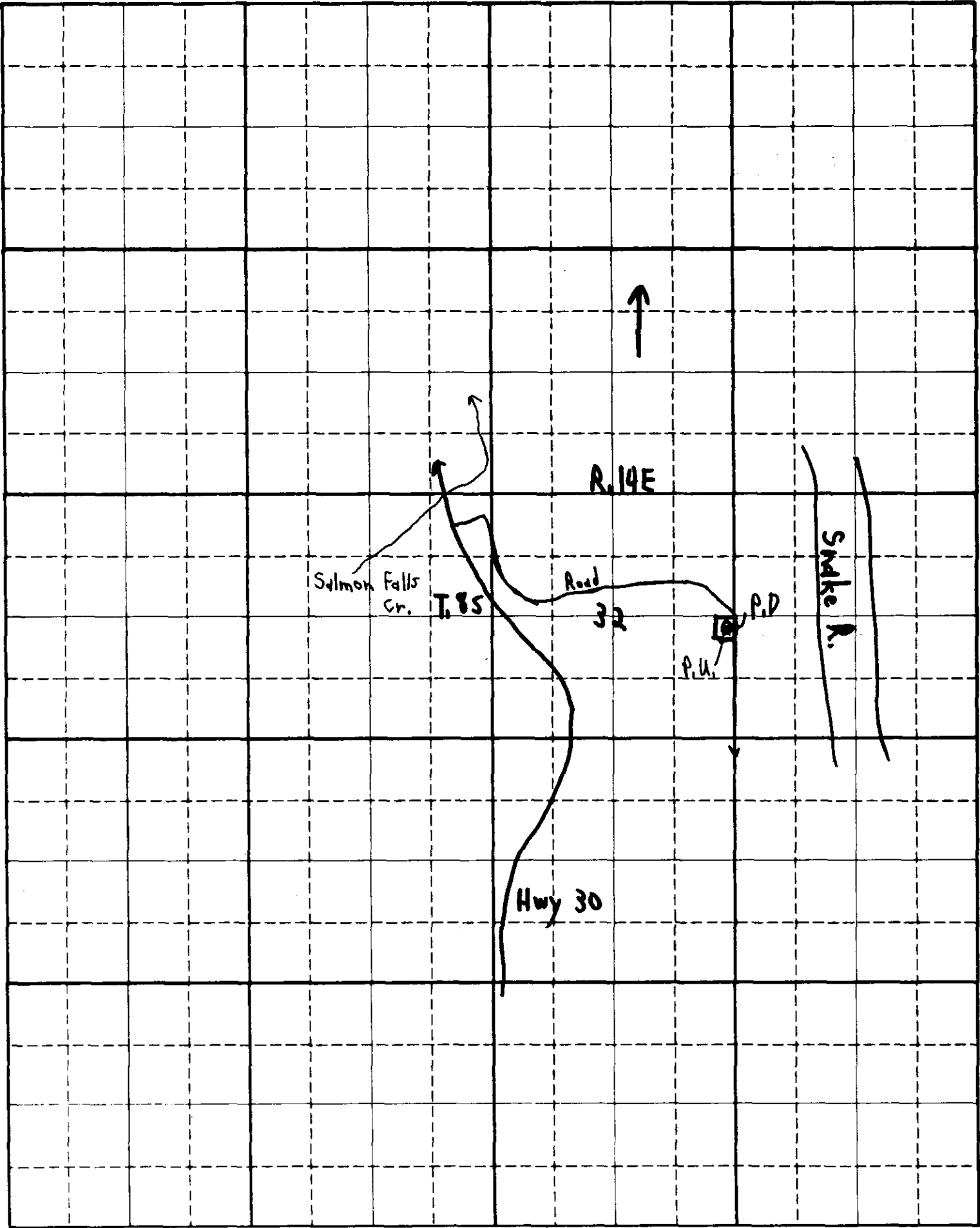
9. a. Who owns the property at the point of diversion Leland W. Foster

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

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 _____

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.

Vance Butcher
(Applicant)

Proposed Priority 5/03/78

Received by JA Date 5-3-78 Time 2:30 pm

Preliminary check by _____ Fee \$ 10.00 #10417

Receipted by Sm Date 5/3/78

Publication prepared by N/A per Bob Flemer Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by JA

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. 36-7778, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 83.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 26th day of July, 19 78.

L. Glen Saxton

Chief, Operations Bureau

Identification No. _____

Application No. 36-7778

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Vance Butler &/or Leland W. Foster Phone: 543-5255
post office address Route #3, Buhl, ID 83316
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32, Township 8S,
Range 14E., B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 cfs for Recreation purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.0 cfs for Home Heating purpose from " to " (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.0 cfs for Greenhouse purpose from " to " (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Hot-water well, pump, private
greenhouse and swimming pool, heating for two homes.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5,000.00.
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 SE $\frac{1}{4}$ of Section 32, Township 8S,
Range 14E., B.M.
(2) Amount of power to be generated: _____ hp 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: _____

NOT RECORDED

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

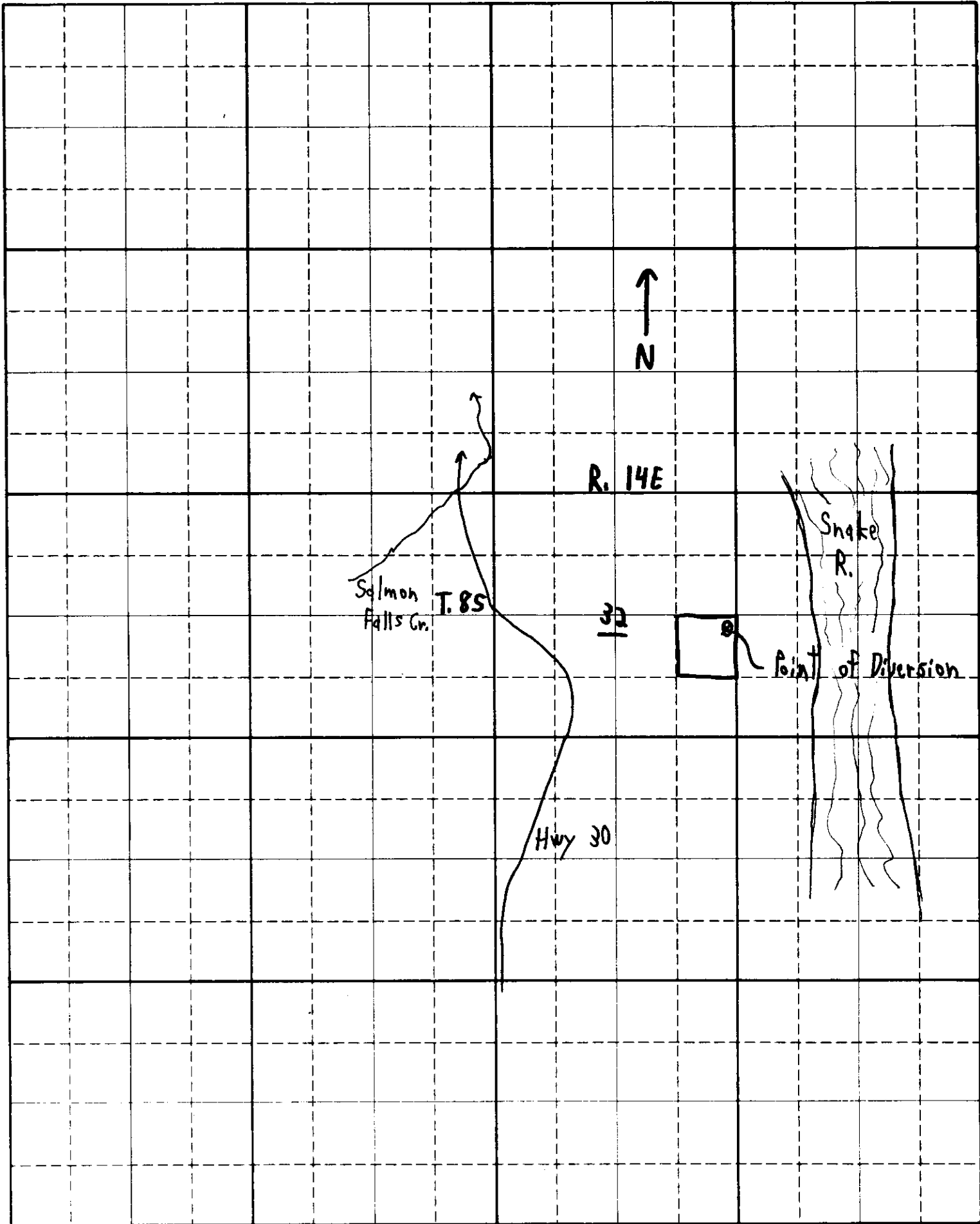
9. a. Who owns the property at the point of diversion Leland W. Foster

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

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 _____

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.

Vance Butler
(Applicant)

02-22-78

Proposed Priority _____

Received by JS Date 2-22-78 Time 9 am
Preliminary check by AS Fee \$ 35.00
Received by JS Date 2-22-78 # 7532
Publication prepared by OJ Date 2/24/78
Published in Times News
Publication dates 3/2 + 3/9/78
Publication approved OJ Date 3/16/78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls

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. 36-7778, 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 April 1, 19 83.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of April 19 78.

Administrator

OK
3/16/78

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

No. 6849

I, Margie Kulhanek, being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursday, commencing with the issue dated March 2, 1978, and ending with the issue dated March 9, 1978.

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, 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.

Subscribed and sworn to before me on this 10th day of

March, 1978
Carol Jean Jennings

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

MAR 14 1978

Department of Water Resources
Southern District Office

RECEIVED

June 29, 1992

LELAND W FOSTER
RT 3 BOX 411
BUHL ID 83316

RE: WATER RIGHT NO. 47-07814

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED

JUL 27 1992

May 20, 1992

LELAND W FOSTER
RT 3 BOX 411
BUHL ID 83316

RE: WATER RIGHT NO. 47-07814

Dear Water Right 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,

PAMELA SKAGGS
Technical Records Specialist

PS:cz

Enclosure

RECEIVED

JUL 27 1992

MEMORANDUM

TO: File 47-7814
FROM: Sharla
DATE: May 11, 1992
RE: License Issuance

✓ 8

This file is located within the Banbury Hot Springs Groundwater Management Area and therefore was included in the mailing of the order supplementing conditions of approval on May 2, 1983.

A well log located in the file states the well was drilled in 1979. Further, the permit holder stated that the well had been completed when a request for extension of time was approved in February of 1983.

Since the well in question was in place prior to the creation of the GWMA, the supplemental conditions are not applicable and a license can be issued.

RECEIVED

J

MEMORANDUM

TO: FILE

FROM: ROXANNE MCCARTHY

RE: VOLUME FOR HEATING AND RECREATION USES

DATE: 4-JAN-1990

The field examiner found 0.07 cfs being used for the combined heating uses under this Right. Assuming a heating period lasting from the first of October to the first of May the volume calculation would be:

$$V = 0.07 \text{ cfs} \times 1.9835 \times 211 \text{ days} = 29.3 \text{ afa}$$

This appears to be a reasonable figure and reflects the actual use of the water in question.

There are two components of the recreation use: a swimming pool connected directly to the well and a fish pond evidently fed by overflow from the other uses. Assuming a one-time yearly filling of the pool and daily use by 4 swimmers for a four-month season:

$$V = 0.072 + (10 \text{ gal/day})(4)(120 \text{ days})(1/325850)$$

$$V = 0.072 + 0.015$$

$$V = 0.087 \text{ afa}$$

All of the flow, except that for trailer heating, can be diverted to the pond: a total $Q = 0.06$ cfs. The volume for this use is calculated on the attached Memorandum:

$$V = 43.4 \text{ afa}$$

The total volume under this right is restricted to 50.7 afa by the diversion rate.

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JUL 27 1992

MEMORANDUM

TO: FILE

FROM: ROXANNE MCCARTHY

RE: ANNUAL VOLUME FOR FISH PROPAGATION

DATE: 7-SEP-1989

Per a memo dated 1-15-88, volume is calculated in this way:

1. calculate changes per hour:
total flow into facility x 3600/facility volume(cf)=changes
 2. calculate annual volume:
facility volume(AF) x changes x 8760=AFA
 3. calculate volume given by permitted flow:
flow rate(cfs) x 1.9835 x 365 days=AFA
 4. recommend lower figure
-

1. 0.06 cfs x 3600/ 125,600 cf= 0.002
2. 7.88 AF x 0.002 x 8760= 50.5 AFA
3. 0.06 cfs x 1.9835 x 365 days= 43.4 AFA

RECOMMENDATION:

43.4 AFA

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JUL 27 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 12 1988

Department of Water Resources

A. GENERAL INFORMATION

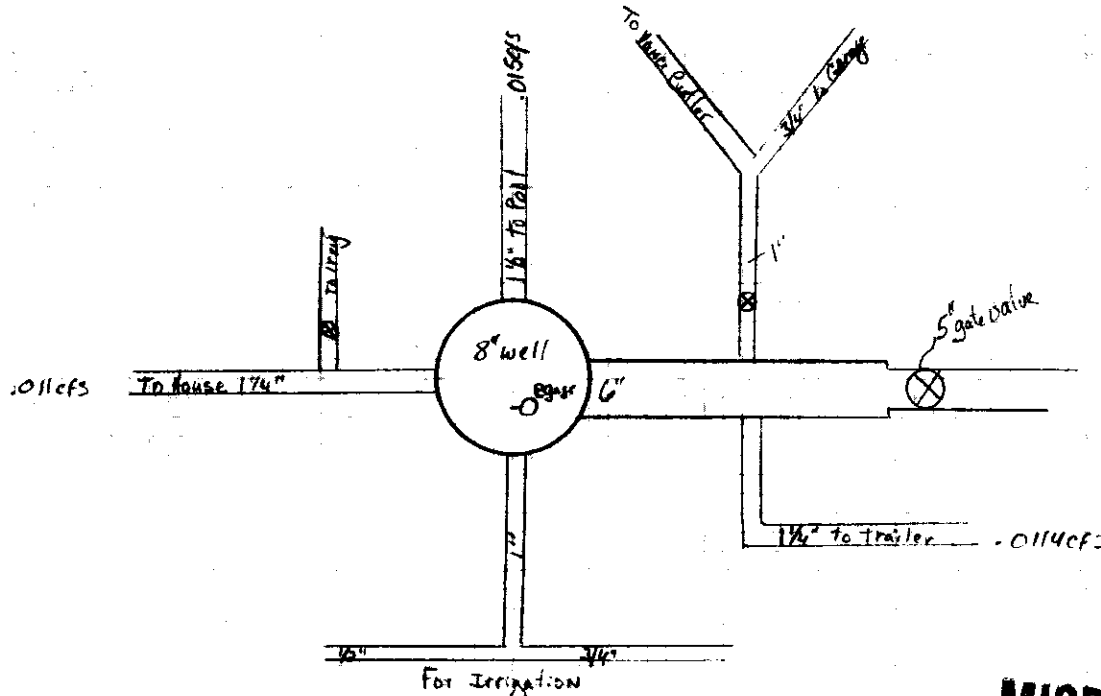
1. Owner: Leland W. Foster Permit No. 47-7814
Current Address: Rt 3 Box 411 2001 JD 73316 Phone No. 543-4622
2. Accompanied by: OWNER EXAM. DATE: 8/26/86
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-2038, 36-4168, 36-8141
All from Bannock Pipeline (Spring water) ☒ Copies Attached
2. Other water rights with same point of diversion: None
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NTS

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

System Description (continued)

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

8" well to 545' Then 16" to 645' delivers 118°F Water to
places of use as per Pipeline shown on diagram.

☐ See Remarks on page 4 for continuation

4.

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

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SE	32	8S.	14E.	Twin Falls	ASCS Aerial Photo

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S.	14E	32													R				
															H				

R = Recreation H = Heating

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JUL 27 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements: Garage heating 1 gal/sec = 0.019 cfs Butler House 1 gal/sec = 0.0134 cfs

FD 50v House Heating .576 cfs in 52.14 sec = 0.011 cfs
 Pool Flow thru winter .576 cfs in 38.18 sec = 0.015 cfs Flow thru Summer 1 gal 4 sec = 0.033422
 Green house .576 cfs in 18.49 sec = 0.073 cfs
 Heat exchanger & hot water house .576 cfs in 1 sec = 0.09 cfs
 Pool 20' x 35' 3 1/2' - 2 1/2' = 3150 ft³ x 7.48 gal/ft³ = 23,562 gal = 0.72 AF
 Trailer .576 cfs in 50.84 sec = 0.0114 cfs

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

All above flows go into Catfish Pond except Trailer heating

1. Measured Method:

Calibrated Container and stopwatch

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (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 = _____ (8)

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:

Pool Volume = See D. 2.

Fish Pond Approx 200' dia Ave Depth 4' = 2.88 AF

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JUL 27 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Foster House is heated by plastic pipe in concrete slab at 1' intervals heat exchanger 2 1/2' x 2 1/2' x 8" thick Copper coil with fan.

A Mobile home owned by Mr. Foster and a 2100 sq ft home owned by Mr. & Mrs. Vance Butler are also hooked up to this well. Butler home is heated by means of a finned coil retrofit in an existing forced air system.

Geothermal water is also used to supply hot domestic uses as well as to lengthen growing season by irrigation of garden during cold weather.

* Heating includes water used to heat the greenhouse. All water except that to mobile home is discharged to Fish pond.

Hoses are attached to well divert water for irrigation of lawn + garden However is not sole source has irrigation and domestic rights from Blind Spr. (Barbury Pipeline) 36-2308

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Recreation	1/1	12/31	0.09	N/A
* Heating	1/1	12/31	0.07	N/A
Totals:			0.09	

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

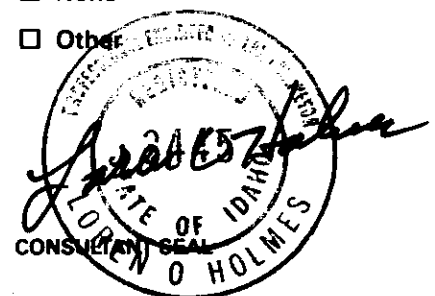
J. AUTHENTICATION

Field Examiner's Name TERRY BLAU

Signature Terry Blau

Certification Date 3/15/87

Field Report Preparation Date 3/27/87



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

When Possible The water used for heating shall also be used to supply as much of the recreation needs as possible

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MAR 27 1992

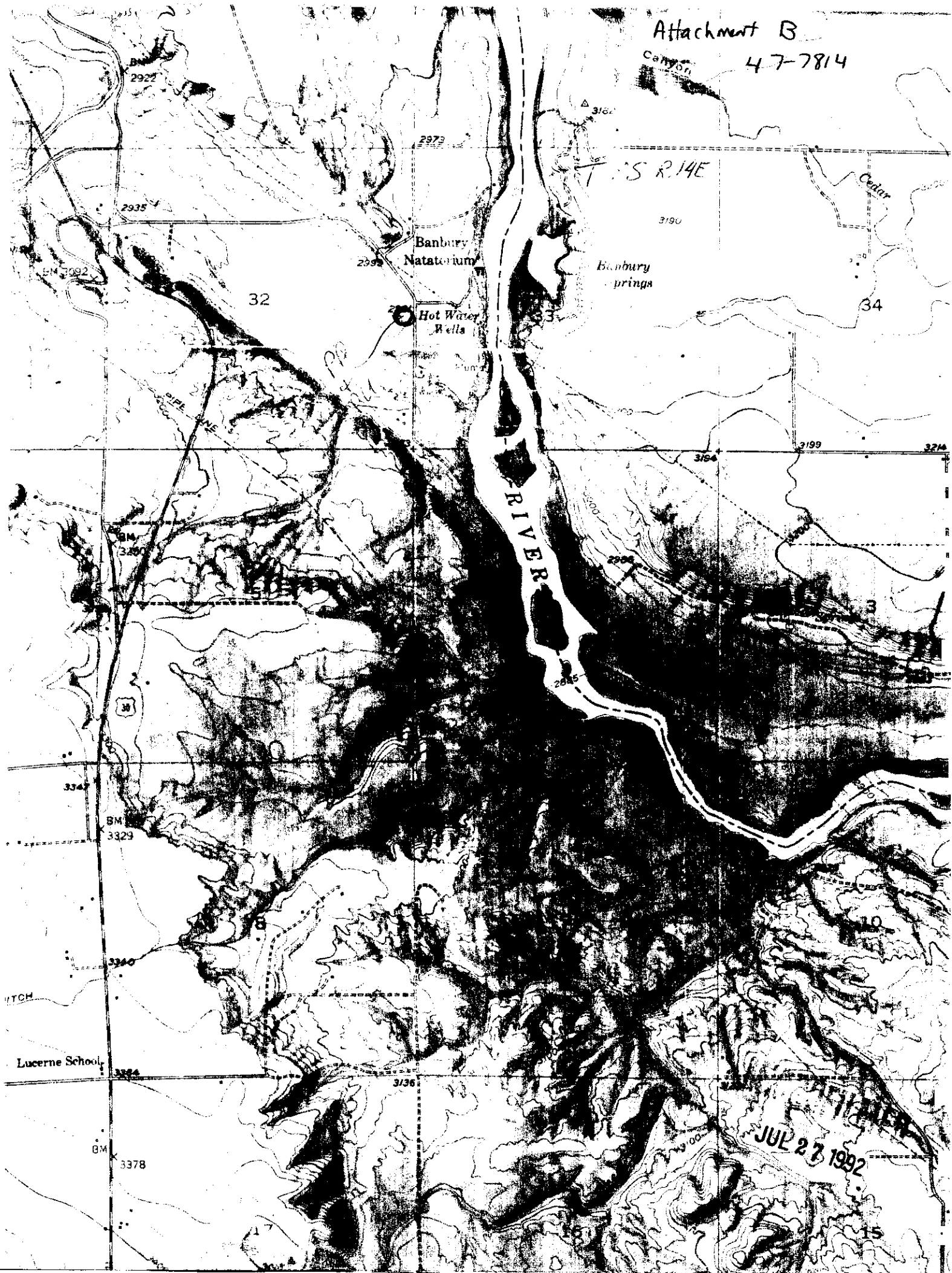
Attachment A 47-7814

T. 8 S. R. 14 E.



Attachment B

47-7814



Attachment C to Field exam # 47-2819

Heating:

Foster House .011 cfs Pipes in slab (Basement) Discharge into Pool

Butler House .0134 cfs

Garage .019

Heat exchanger .009 cfs Foster House upper level

Green House .0073 cfs discharges into pool

Trailer 0.0114

Total heating 0.0711 cfs

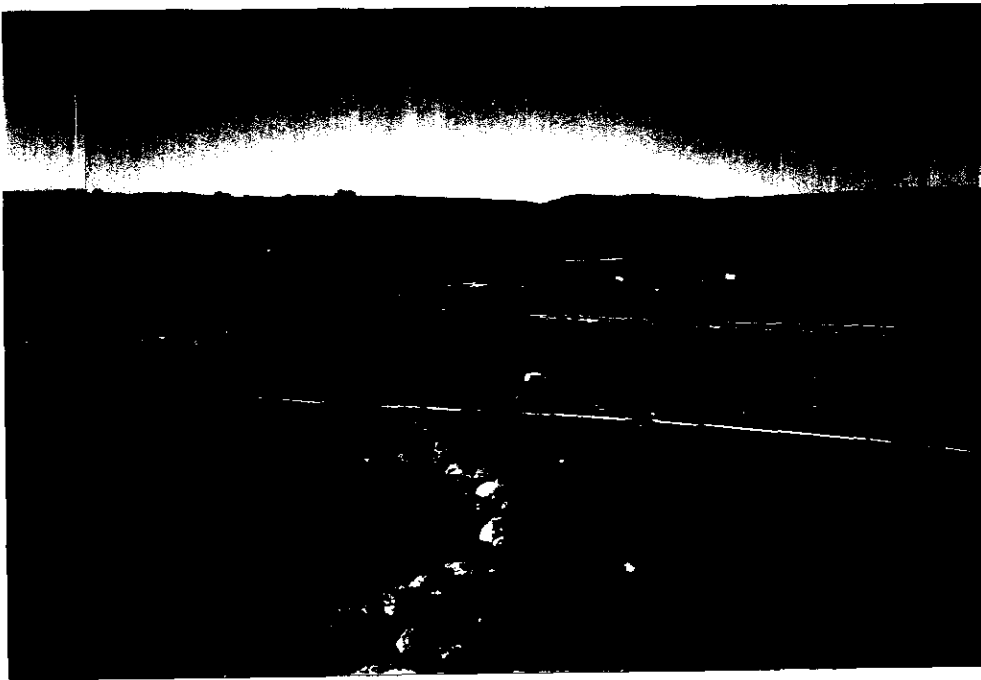
Recreation:

Pool Flow through max 0.6334 cfs

All above flows except Trailer heating can be diverted
into recreational Catfish pond = 0.0931

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JUL 27 1992



NOT RECORDED
JUL 27 1992

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 Vance Butler

Address Rt 3 Butte, Idaho

Owner's Permit No. _____

7. WATER LEVEL

Static water level _____ feet below land surface.

Flowing? ☒ Yes ☐ No G.P.M. flow 300

Artesian closed-in pressure 78 p.s.i.

Controlled by: ☒ Valve ☐ Cap ☐ Plug

Temperature 116 °F. Quality _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>300</u>		

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other geothermal (specify type) _____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Wa Yes
	From	To		
8	0	3	Brown sandy clay	
	3	30	Boulders	
	30	35	Grey sand	
	35	46	Boulders, cobbles, shales, gravel	
	46	52	Boulders	x
	52	58	Brown clay	
	58	64	Grey clay & gravel	
	64	76	Gravel	
	76	85	Brown clay & gravel	
	85	103	Grey basalt	
	103	108	Brown clay	
	108	113	Grey basalt	
	113	119	Brown clay	
	119	157	Grey basalt	
	157	161	Brown basalt	
	161	169	Red clay	
	169	195	Black basalt	
	195	210	Grey basalt	
	210	214	Grey basalt	
	214	225	Grey clay & basalt	
	225	241	Grey clay	
	241	284	Grey basalt	
	284	292	Dark grey clay	
	292	300	Grey shale & clay & sand	x
	300	312	Grey-black basalt	
	312	360	Dark grey clay	
	360	375	Black basalt	
	375	390	Sticky clay	
	390	407	Grey shale clay & rocks	x
	407	426	Green clay	
	426	428	Basalt	
	428	440	Grey clay & shale	
	440	471	Black & white	x
	471	511	Grey sand & shales	
	511	545	Grey-brown & hyaline	
	545		bkn grey sand & shales & chert	x

(Mark flow)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>250</u> inches	_____ inches	_____ feet	_____ 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 147-100 Material used in seal: ☒ Cement grout ☐ Puddling clay ☐ Well cuttings

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 flowing well

10. Work started 15 Feb 1979 finished June 1979

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name JUL 27 1982

Lot No. _____ Block No. _____

County Twins Falls

NE 1/4 SE 1/4 Sec. 32, T. 8 N/S, R. 14 E/W.

11. DRILLERS CERTIFICATION

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

Firm Name Boley & Henry Firm No. 86

Address Mountain, Ida Date 6 June 1979

Signed by (Firm Official) B. Boley

and (Operator) B. Boley

POOR QUALITY

RECEIVED

4/86

AUG 15 1986

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$50.
Date 8-15-86
Receipt # 38659
Receipt by JH
Sent to S.O. 8-15-86

RECEIVED

AUG 19 1986

1. Permit No. 47-7814

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

Department of Water Resources

☒ 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: Leland Foster

3. Post Office Address: Rt 3 Box 411 Buhl, Idaho 83316
Telephone No. 543-4682

4. Source of Water: Groundwater

5. Extent of Use:

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

Irrigation _____ (acres) Other/Remark recreation, heating, greenhouse

6. Total rate &/or volume for which proof is submitted 0.20 cfs _____ acre-feet

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

1979

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

Permit Holder

(Name)

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JUL 27 1992

(Address)

(Telephone Number)

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

Date

8-15-86

Leland Foster
Signature of Permit Holder (and title, if appropriate)

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. Evans
Governor

A. Kenneth Dunn
Director

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

47-7814
FOSTER, LELAND W.
RT. 3 BOX 411
BUHL, ID 83316

138157

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. A listing of certified water

NOTED

JUL 27 1992

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.

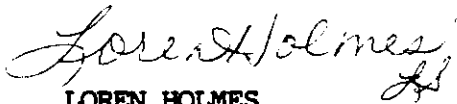
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

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
Southern Regional Manager

Enclosures

101 2/17 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

POOR QUALITY

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

NOVEMBER 19, 1985

LELAND W. FOSTER
RT. 3 BOX 411
BUHL

ID 83316

RE: Permit No. 47-7814

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

POOR QUALITY

MICROFILMED

JUL 27 1992

RECEIVED

SEP 12 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

SEP 10 1985

Department of Water Resources
Southern District Office

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. 47-7814

Name(s) of Permit Holder: Leland W. Foster

Post Office Address: Buhl, ID 83316
Route #3, Box 411, Twin Falls, ID 83301

Telephone No. 543-4682

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks recreation (swimming pool), home heating

Indicate the date water was first diverted and beneficially used under this permit: 1979

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:

Permit holder

(Name)

(Address)

(Telephone Number)

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

9-10-85
Date

Leland Foster
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

18



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 2, 1983

Dear Permit Holder:

Enclosed you will find an Order Supplementing Conditions of Approval for your permit to appropriate groundwater within the newly formed Banbury Hot Springs Groundwater Management Area.

Please be advised that there will be a meeting on Thursday, May 5, 1983 at 7:30 p.m. at Buhl Junior High School, 216 North 7th St., Buhl, Idaho to discuss the reasons for designation as a management area and potential impacts.

Sincerely,

for DAVID R. TUTHILL, JR.
Water Allocations Section Supervisor

DRT:rf

Enclosure

FORM DA-8 Rev. 7-1-77
WHITE - State Auditor
BLUE - Purchasing Copy
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

Document No.	
Pre-Audit	Date
Warrant No.	

1432		
Date		
3-14-83		
Code		
19-3002		

AGENCY NAME: Department of Water Resources

To: Jim J.

PAY Leland W. Foster
Route #3 Box 411
TO Buhl, Idaho 83316

CHECK ONE:

☒ MISCELLANEOUS EXPENDITURE
☐ STATE CONTRACT

☐ PURCHASE ORDER
☐ MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT: ☐ PARTIAL ☐ FINAL

Encumbrance Reference No.

LINE No.	PROGRAM			ACCT.	CLASS		DESCRIPTION (Include Quantity)	COMPLETE ONE		AGENCY USE
	Maj	Min	Ele		Maj	Min		%	LINE AMOUNT	
1	09	20	010	3909	8831		refund for request for extension of time #47-7814		15.00	
TOTAL								100%=	15.00	

NOTE: Final payment must be accompanied by a receiving copy

TOTAL 100%= 15.00

TO STATE AUDITOR

AUDITOR'S CERTIFICATE

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date: 3-14-83 M. Russell Royal
Head of Agency or Institution

State Auditor

March 15, 1983

RE: Permit No. 47-7814

Leland W. Foster
Route #3, Box 411
Buhl, ID 83316

Dear Mr. Foster:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

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

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosure

March 10, 1983

RE: Permit No. 47-7814

Leland W. Foster
Route #3, Box 411
Buhl, ID 83316

Dear Mr. Foster:

Enclosed is your request for extension of time form. It is being returned because an extension of time had already been granted allowing until July 1, 1988 in which to submit proof to beneficial use of water under this permit. A refund of \$15.00 will be sent under separate cover.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

February 9, 1983

Vance Butler and/or Leland W. Foster
Rt. 3
Buhl, ID 83516

Gentlemen:

Re: Permit No. 47-7814

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to July 1, 1988.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

January 24, 1983

Vance or Helmi Butler
Route 3
Buhl, ID 83316

PERMIT NO. 47-7814, Vance Butler &/or Leland W. Foster

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 25838.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED
JAN 27 1983
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 25, 1983

Dear Water user:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have already installed the measuring device, the field examination can be more quickly conducted by the Department's field examiner. You will also derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or one of our regional offices.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosure

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

RECEIVED

JAN 17 1983

Department of Water Resources
State Capitol Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 47-7814

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access 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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

INTER-DEPARTMENT MEMO — 1

FROM Loren Holmes - Southern

DATE 1/18/83

TO Glenn Saxton

SUBJECT Permit 47-7814 (Formerly Numbered 36-7778)

Vance Butler &/or Leland Foster

Mr Butler came in to ask about the Attached Order, which is apparently based on the original Permit approved in 4/78.

The Application was amended 5/3/78 to 0.2 cfs & Approved 7/26/78

It appears that No Access Port or M.D. should be required for the Amended Permit.

Removal order sent 1/25/83
DLH



SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 13, 1983

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

July 28, 1978

Re: Permit No. 36-7778

Vance Butler &/or Leland W. Foster
Route #3
Buhl, ID 83316

Dear Sirs:

Your approved copy of Application for Permit No. 36-7778 is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

MICROFILMED

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED
JUN 10 1964
U.S. DEPT. OF WATER RESOURCES
WASHINGTON, D.C.

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 5-4-78

TO File

SUBJECT Amendment of Application 36-7778

Per telephone conversation w/Bob Fleenor this date, the above-numbered application for permit will be amended to reduce the amount of water diverted from an artesian hot-water well. Also, recreation use will include a swimming pool and a non-commercial fish pond. Bob stated that it was not necessary to re-advertise the application.

MICROFILMED



SIGNATURE

FROM

Men Saxton

DATE

4-27-78

TO

Southern Region

SUBJECT

app 36-7778

It is difficult to believe that 2 cfs
are req'd for the proposed use.

I recommend you contact the
applicant and ask that he supply
design criteria and or plans to justify
2. cfs.

JYJ

SIGNATURE

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Vance Butler &/or Leland W. Foster
Ruhl, Idaho 83316
has on 2/22/78 submitted Application No. 36-7778
for a permit to appropriate 2.0 cubic feet per second ~~XXXXXX~~
of water from ground water
by means of hot water well, pump, private greenhouse and swimming pool,
within the heating for two homes
NE1/4 Sec. 32, Twp. 8S, Rge. 14E, B.M. Twin Falls County

to be used from Jan. 1 to Dec. 31 for recreation, home heating, and greenhouse
for ~~XXX~~ and swimming pool purposes

within the NE1/4 Sec. 32, Twp. 8S, Rge. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 20, 1978.

C. STEPHEN ALLRED

Director

Published in the Times News
on 3/2 and 3/9/78

MICROFILMED

February 24, 1978

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

Re: Application for Permit No. 36-7778 - Vance Butler &/or Leland Foster W.

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 publication dates allowing ample time for you to submit us 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.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:dj

Bill submitted: _____

MICROFILMED