

Affidavit of Publication

Nº 10380

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:

47-7733
SCHNELL, RALPH &/or
HAZEL
P.O. BOX 122, ROGERSON,
ID 83302
Source: GROUNDWATER
Date Filed: 05/08/1981
Amount: 3.00 CFS
Diversion Point: SWSE Sec
16 T 14S R 15E, TWIN FALLS
Co.
Use: FISH PROP. (3.00 CFS)
from 01/01 to 12/31
Place of Use: SWSE Sec 16 T
14S R 15E
Diversion Means: FLOWING
WELL.

STATE OF IDAHO,
COUNTY OF TWIN FALLS) ss.

I, Hinda Capps McBaine being first duly sworn upon
oath, depose and say that I am Princ 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
May 21, 1981, and ending with the issue dated
May 28, 1981.

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

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

Hinda Capps McBaine
Subscribed and sworn to before me on this 28 day of

May, 1981.
Melba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED
JUN 8 1981

Department of Water Resources
Southern District Office

DEPT. OF WATER RESOURCES

MAP (Attach Aerial Photo)

MICROFILMED

RANGE 15 EAST

16 16

TOWNSHIP 14 SOUTH

16 16

✓

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SW 1/4 SE 1/4 Sec. 16 TOWNSHIP 14 South
RANGE 15 East.

Place(s) of Use ✓

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	
14S	15E	16																	

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other

Examiner's Signature

Checked by

Approved by

Date

ate

Date

Terry A. Blum

Ray Walker

11/2/1981

11-16-81

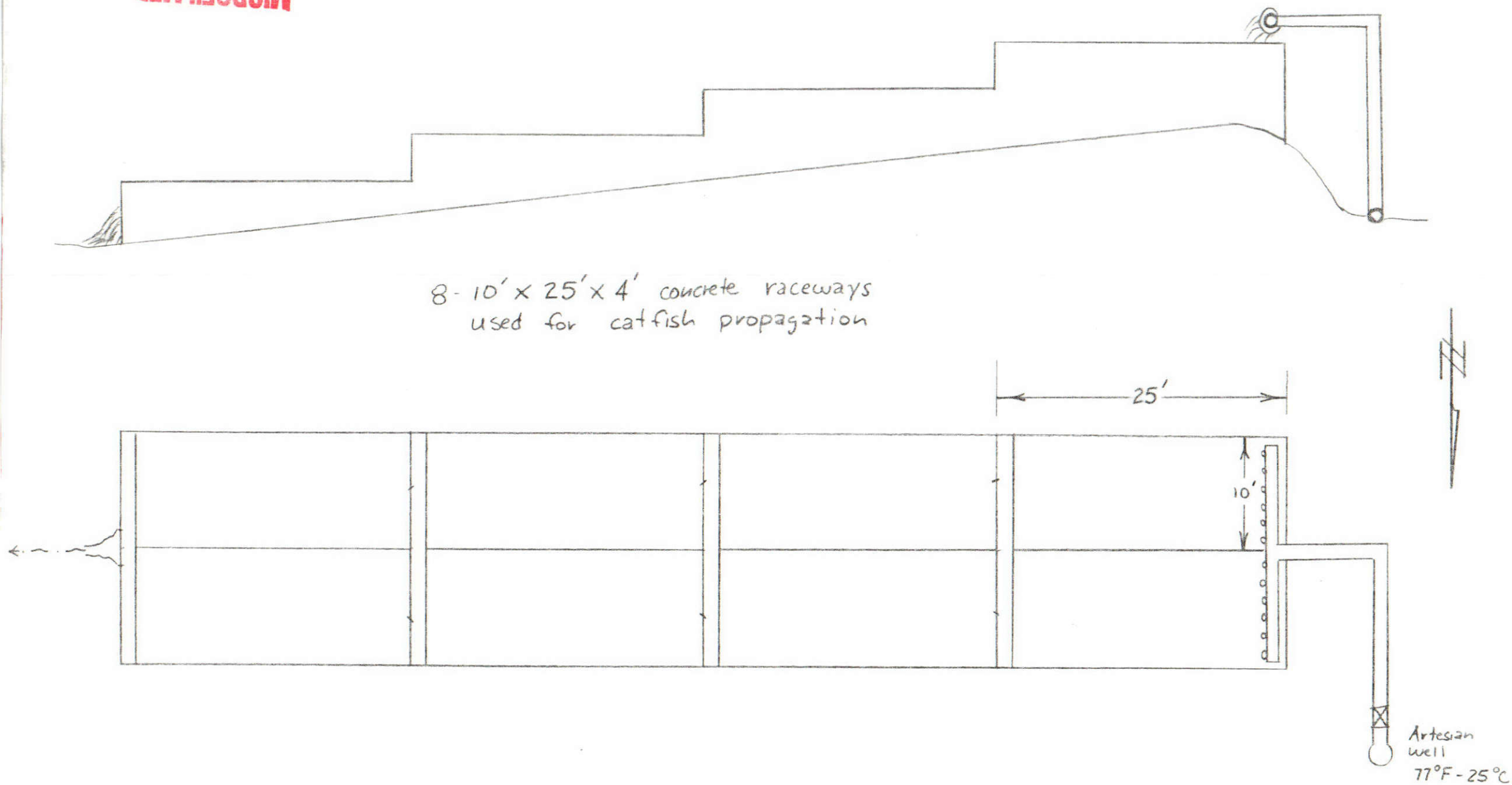
2-17-84

MICROFILMED

ADM
6/23/81

8 - 10' x 25' x 4' concrete raceways
used for catfish propagation

Ralph Schnell
Fish Ponds
47-7733



As built meas. by G.L.F.
ADM
6/23/81

MICROFILMED

8 - 10' x 25' x 4' concrete raceways
used for catfish propagation

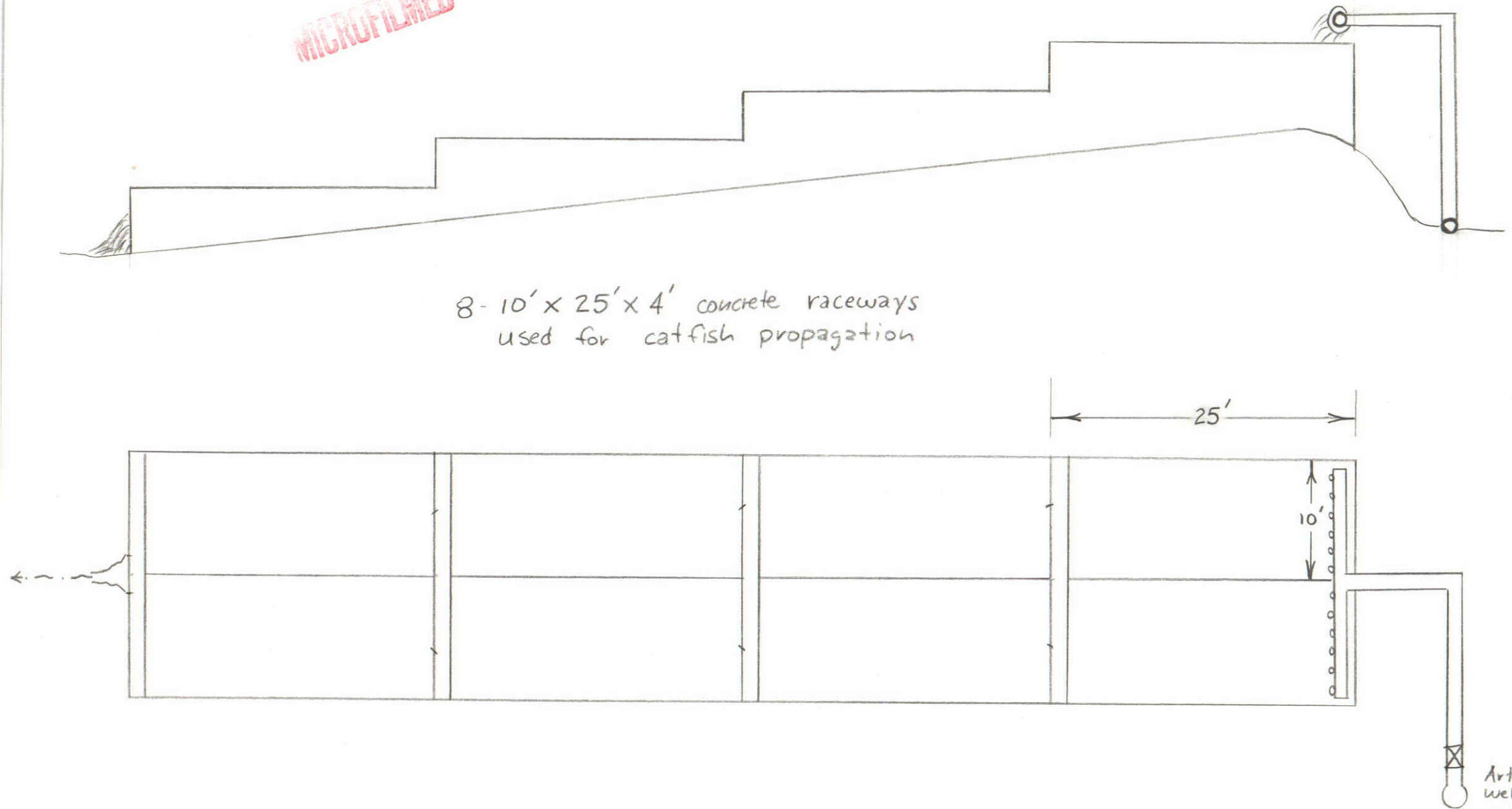
Ralph Schnell
Fish Ponds
47-7733



25'

10'

Artesian
well
77°F - 25°C



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7733 Priority May 8, 1981 Amount 1.94 cfs

THIS IS TO CERTIFY, that Ralph Schnell &/or Hazel Schnell
of Rogerson, Idaho, has complied with the terms and conditions of Permit
No. 47-7733 issued pursuant to Application for Permit dated May 8, 1981,
and has submitted proof to the Department of Water Resources on June 29, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.94 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from <u>January 1</u> to <u>December 31</u> at <u>1.94</u> cfs and _____		<u>n/a</u>
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.94 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16,
Twp 14S, Rge 15E in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Section	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NW $\frac{1}{4}$	
14S	15E	16													

Total number of acres irrigated _____

Facility Volume = 0.18 AF.

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30TH day of MARCH, 19 84.

Acting for the

Director

Roman C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Ralph Schnell &/or Hazel Schnell Phone 655-4276

Post office address Box 122, Rogerson, Idaho 83302

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 Township 14S

Range 15E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.0 for Fish purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 3.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. flowing well

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 8 inches; proposed depth of well is 1620 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: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 Township 14S

Range 15E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Commercial catfish production

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JAN 10 1979

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.

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

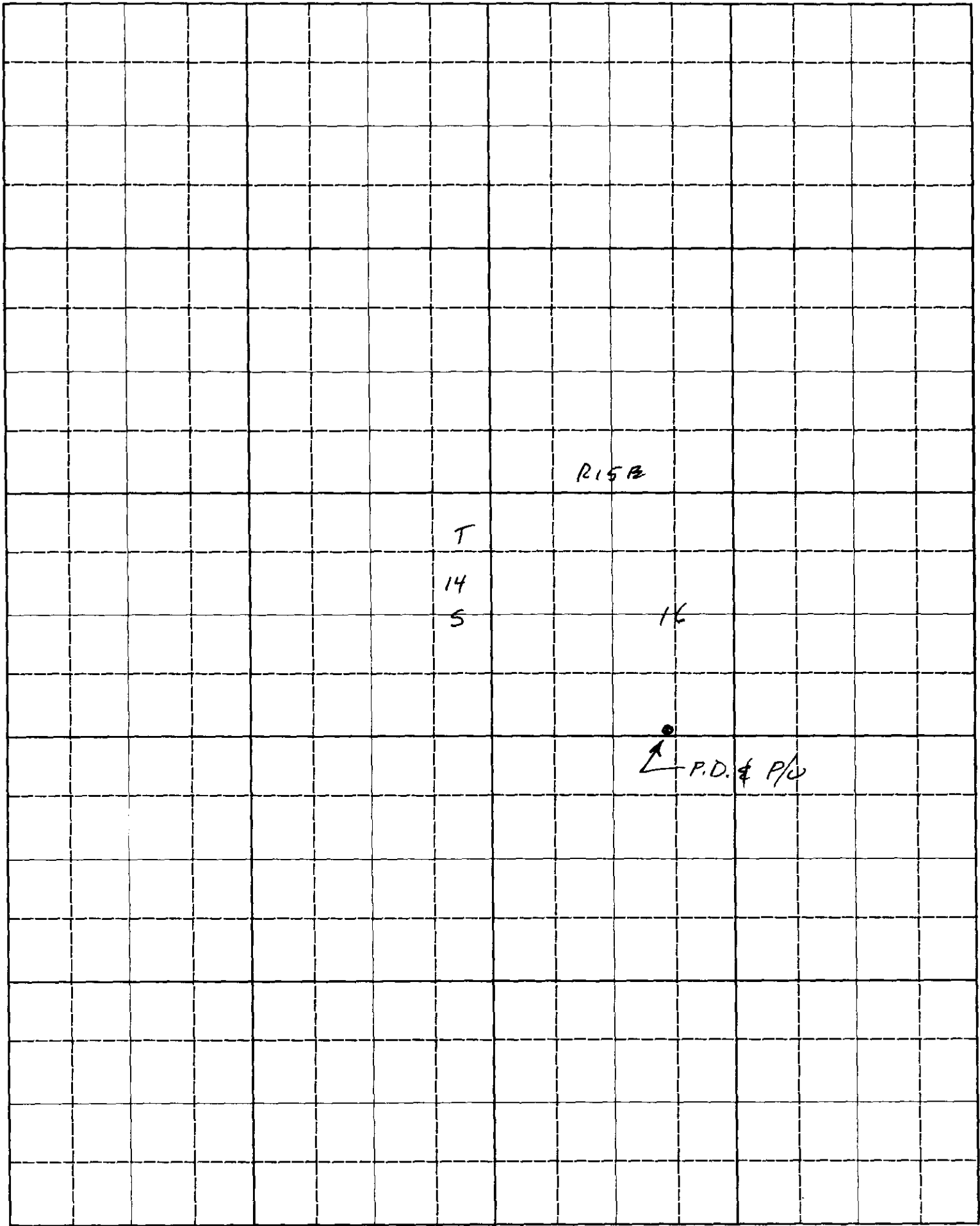
b. Who owns the land to be irrigated or place of use applicant

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

10. Remarks well was drilled for irrigation under Permit 47-7627 - Catfish production was
added after flowing hot water was discovered

THE UNIVERSITY OF CHICAGO

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.

Ralph Schreell
(Applicant)

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JUN 13 1966

Proposed Priority 5/8/1981

Received by Sh Date 5/5/81 Time 2:00 pm
Preliminary check by jo Fee \$ 85.00 416999
Receipted by maria Date 5/8/81
Publication prepared by adm Date 5/13/81
Published in Times news
Publication dates 5/21 + 5/28/81
Publication approved maria Date 5/19/81
Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM SC

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. 47-7733, 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 September 1, 19 82.

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: 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.

The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.

Witness my hand this 26th day of August, 1981.

J. Glen Saylor
Chief, Operations Bureau

Affidavit of Publication

Nº 10380

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McQuire 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
May 21, 1981, and ending with the issue dated
May 28, 1981.

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

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

Linda Capps McQuire
Subscribed and sworn to before me on this 28 day of

May, 1981

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

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JUN 8 1981

Department of Water Resources
Southern District Office

WILSON

MICROFILMED

JUN 29 1988



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

AUG 3 1982

Department of Water Resources

PLACE
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-7733
Name(s) of Permit Holder(s): Ralph Schnell
Post Office Address: Bojersen IDA
Tel. No. 55-4276

☒ I hereby certify that construction of diversion works for the above referenced permit began on 1980 Sum I understand that I must
(date) continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

7/30/82
Date

Ralph Schnell
Signature of Permit Holder



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

July 16, 1985

Ralph &/or Hazel Schnell
Rogerson,
Idaho 83302

Re: Water Right Identification No. 47-7733

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

- ☒ Proof of beneficial use has already been submitted for the water right.
- ☐ Proof of beneficial use is not applicable for existing licensed rights.
- ☐ Proof of beneficial use is not applicable for existing decreed rights.
- ☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.
- ☐ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

RECORDED

JUN 29 1988

April 4, 1984

REkL Permit No. 47-7733

Ralph &/or Hazel Schnell
Box 122
Rogerson, ID 83302

Dear Mr. and Mrs. Schnell:

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

February 27, 1984

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

RE: Permit No. 47-7733

Ralph &/or Hazel Schnell
Box 122
Rogerson, ID 83302

Dear Mr. and Mrs. Schnell:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7733, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.94 cfs ✓ Source: groundwater

The maximum quantity diverted shall not exceed n/a acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Twp 14S, Rge 55E ✓

Beneficial Use: Fish Propagation within SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, Twp 14S, Rge 15E

Priority date established: May 8, 1981 ✓

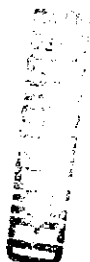
Conditions (if any): Facility Volume = 0.18 AF. ✓

If you do not concur with these findings, please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc



Remarks This water runs thru the fish ponds
and Rediverted to lands for irrigation 47-7627
Allen Merritt was present during the exam.

מגזר

MICRO LINE

TOWNSHIP 14 SOUTH

RANGE 15 EAST

16

16

✓

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion:

SW 1/4 SE 1/4 Sec. 16 TOWNSHIP 14 South
RANGE 15 East.

Place(s) of Use

[illegible]☐ 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

Examiner's Signature

Checked by _____

Approved by _____

Date _____

ate

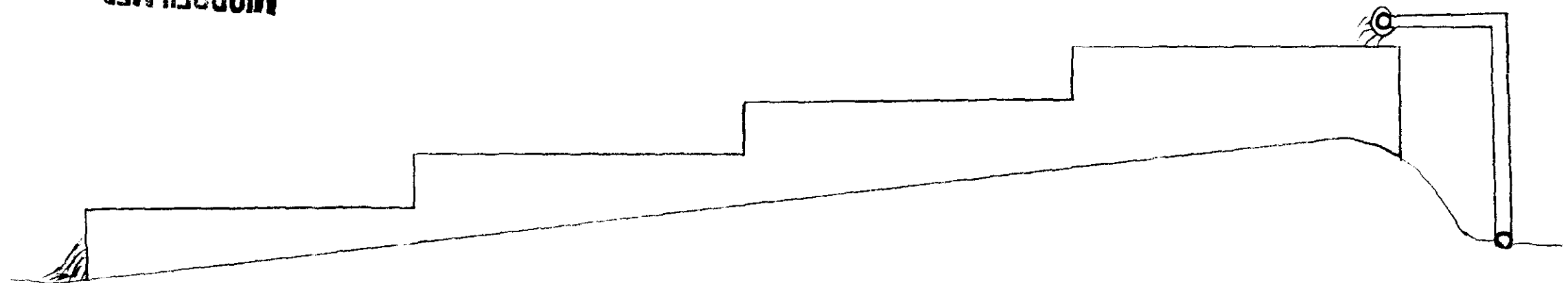
Date _____

ADM
6/23/81

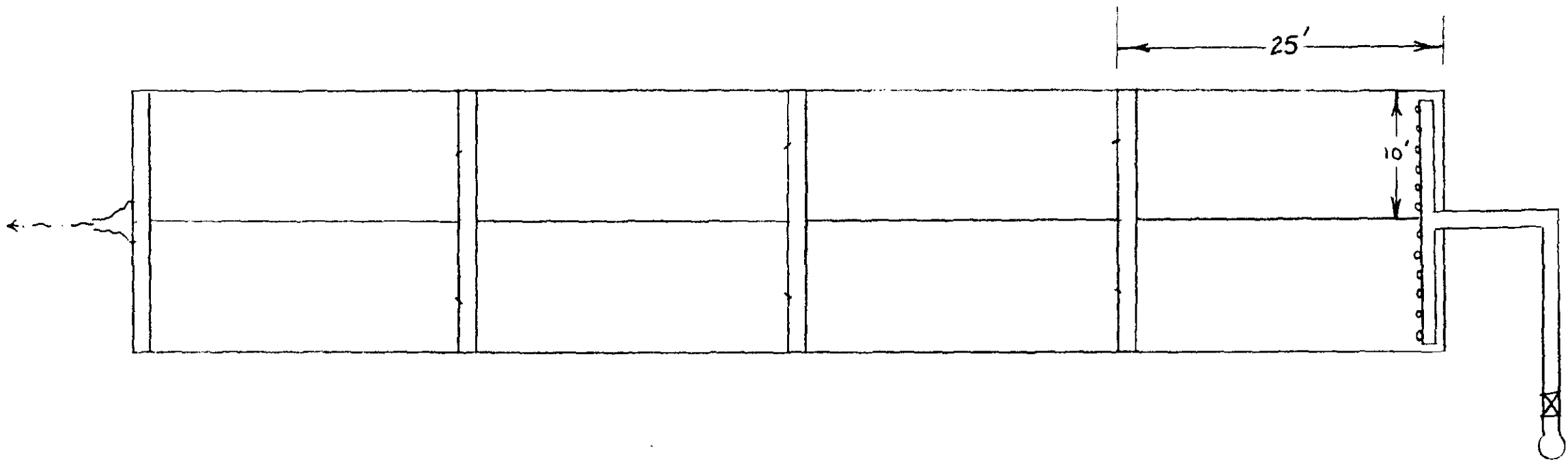
Ralph Schnell
Fish Ponds
47-7733



Artesian
well
77°F - 25°C



8- 10' x 25' x 4' concrete raceways
used for catfish propagation



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

September 19, 1981

Ralph &/or Hazel Schnell
Box 122
Rogerson, Idaho 83302

Re: Permit No. 47-7733

Dear Mr. & Mrs. Schnell:

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

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

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

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

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

RECEIVED

PLACE
TEN CENT
STAMP
HERE



RECEIVED
JUN 29 1981
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-771³³

Name(s) of Permit Holder: Ralph & Hazel Schnell

Post Office Address: Bx 122 Rogerson, IDA

Tel. No. 655-4276

Source of Water: GROUNDWATER

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other FISH PROPAGATION

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

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

6-23-1981
 Date

Ralph Schnell
 Signature of Permit Holder

September 3, 1981

RE: Permit No. 47-7733

Ralph &/or Hazel Schnell
Box 122
Rogerson, ID 83302

Dear Mr. and Mrs. Schnell:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or an access port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and apacifications for the installation of the access port.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.'

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

DRT:kw
Enclosures

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SEP 10 1981
FBI - BOISE

INTER-DEPARTMENT MEMO — 1

FROM Allen Merritt

DATE 7/23/81

TO File 47-7733

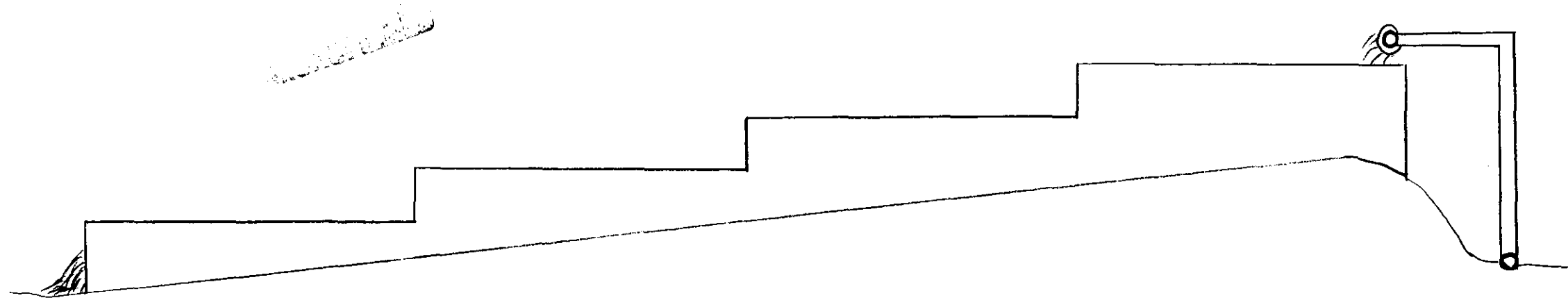
SUBJECT Check of ownership

On this day I phoned the Twin Falls County Assessor's Office and confirmed that Ralph and Hazel Schnell own the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T.14S., R.15E., B.M. Actually it is recorded that they own the whole section.

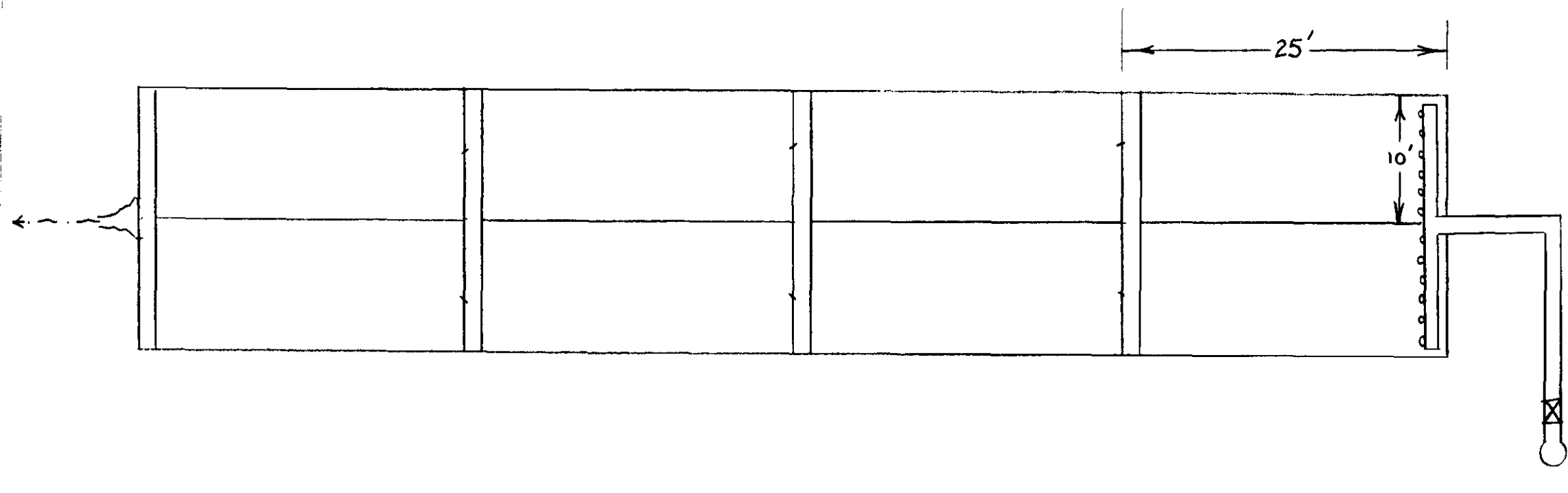
ADM

SIGNATURE

As built meas. by GLF
ADM
6/23/81



8-10' x 25' x 4' concrete raceways
used for catfish propagation



Ralph Schnell
Fish Ponds
47-7733

INTER-DEPARTMENT MEMO — 1

FROM GARY

DATE

JUN 29 1961

TO File

Department of Water Resources

SUBJECT 47-7733

Field EXAM has been completed, and the File has been forward to Boise. for Approval on the permit we will send EXAM as soon as Boise approves permit.

SIGNATURE

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:

42-2233-

SCHNELL, RALPH &/or HAZEL

P.O. BOX 122, ROGERSON, ID 83302

Source: GROUNDWATER

Date Filed: 05/08/1981

Amount: 3.00 CFS

Diversion Point: SWSE Sec 16 T 14S R 15E, TWIN FALLS Co.

Use: FISH PROP. (3.00 CFS) from 01/01 to 12/31

Place of Use: SWSE Sec 16 T 14S R 15E

Diversion Means: FLOWING WELL.

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 JUNE 8, 1981.

A. KENNETH DUNN

Director

Published 5/21 & 5/28/81.

Legal Notice to Start
Thursday, May 21, 1981.

**NOTICE OF
APPLICATION FOR
WATER RIGHT**

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that the following applica-
tion(s) have been submitted
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public waters of the State of
Idaho:

47-7733
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16 T 14S R 15E, TWIN FALLS
Co.
Use: FISH PROP. (3.00 CFS)
from 01/01 to 12/31
Place of Use: SWSE Sec 16 T
14S R 15E
Diversion Means: FLOWING
WELL

*ok
mcreya
5/19/81*

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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

MAY 13, 1981

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 sales 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 JUNE 8, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

May 13, 1981

Mr. Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 37-7911 - 47-7723

Dear Mr. Bell:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED