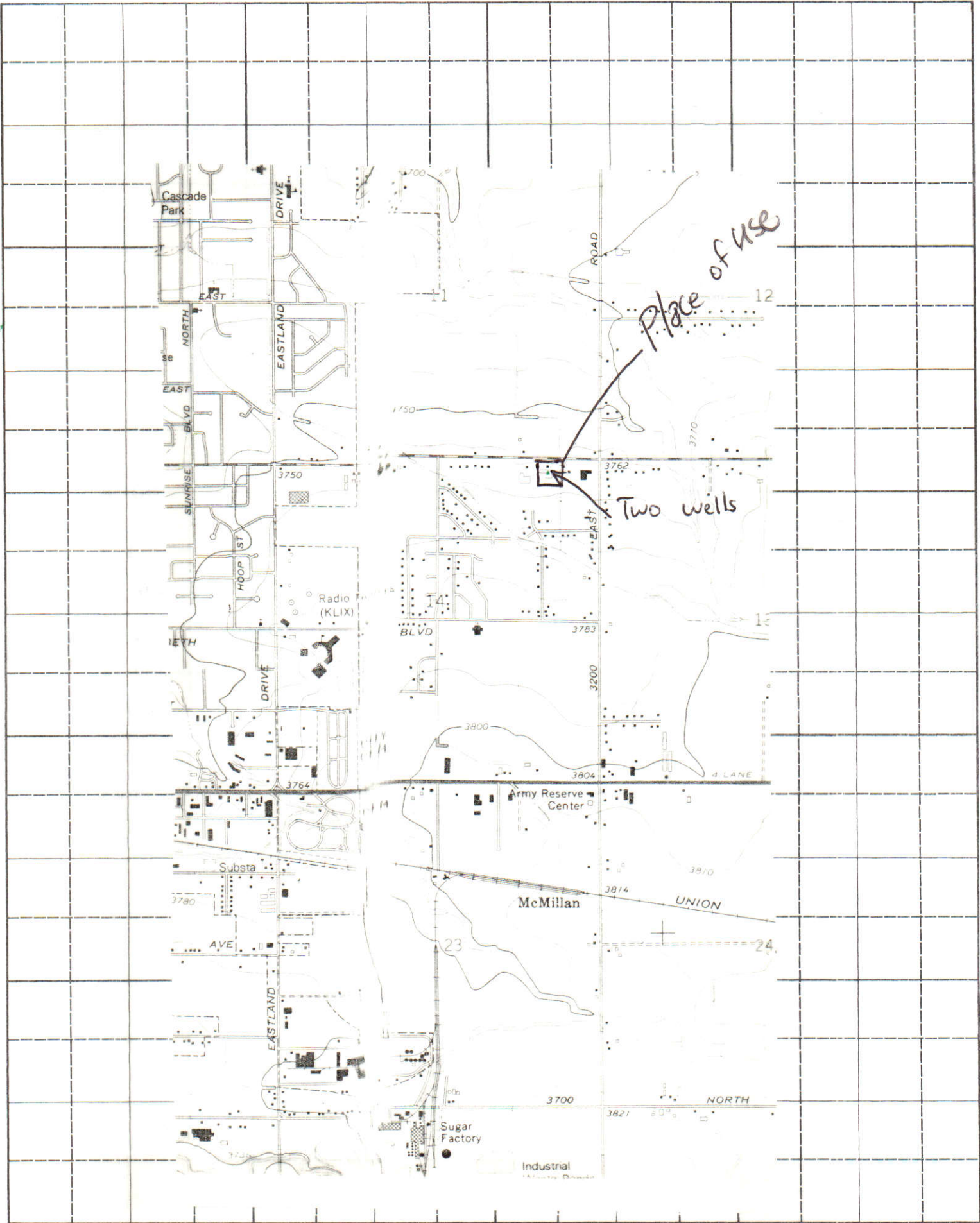


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Kimberly Hunsicker
(Applicant)
Jack W. Wright
PRESIDENT

MICROFILMED

Affidavit of Publication

N^o 9726

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McBaine 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 March 12, 1981, and ending with the issue dated March 19, 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 McBaine
Subscribed and sworn to before me on this 24 day of March, 1981.

Department of Water Resources
Southern District Office

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

47-7703
KIMBERLY NURSERIES
RT. 3, ADDISON AVE. E.,
TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 02/11/1981
Amount: 0.20 CFS
Diversion Point: NENE Sec
14 T 10S R 17E, TWIN
FALLS Co.
Use: COMMERCIAL (0.20
CFS) from 01/01 to 12/31
Place of Use: NENE Sec 14 T
10S R 17E
Diversion Means: EXISTING
WELLS & PUMPS

MICROFILMED

RECEIVED

APR 1 1981

MODIFIED

Twp 10S., Rge 17E, B.M.

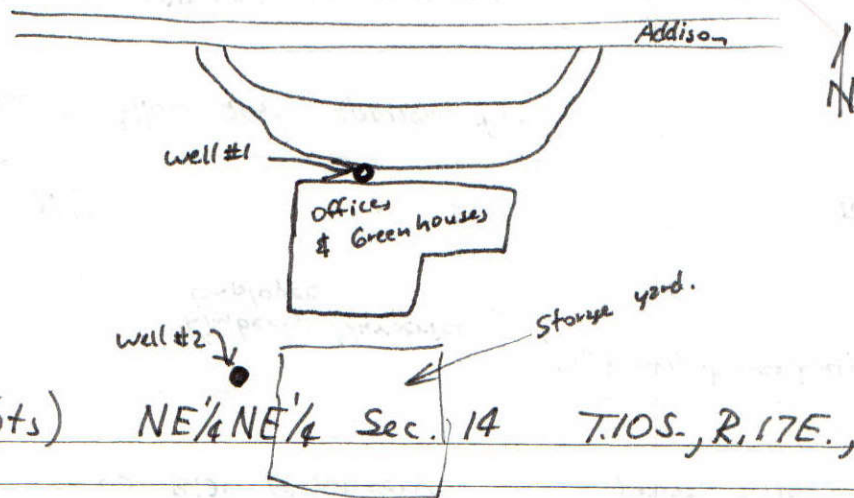
Addison Ave E.

P/D & P/U

14

MICROFILMED

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



Point(s) of diversion: 2 (pts) NE 1/4 NE 1/4 Sec. 14 T.10S., R.17E., D.M.

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above ☒ None

☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 6/12/81

Date 6-17-81

Date 11/6/81

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7703 Priority February 11, 1981 Amount .20 cfs

THIS IS TO CERTIFY, that Kimberly Nurseries
of Twin Falls, ID, has complied with the terms and conditions of Permit
No. 47-7703 issued pursuant to Application for Permit dated February 11, 1981,
and has submitted proof to the Department of Water Resources on June 8, 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 .20 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
Commercial	from Jan 1 to Dec 31	at .20 cfs and	48.2 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than .20 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
48.2 acre feet per year, said waters to be diverted within the (2 pts) NENE Section 14,
Twp 10S, Rge 17E in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	17E	14	X																

Total number of acres irrigated _____

Commercial use is greenhouses and a Tree Nursery Operation.

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 81.

Acting for the Director

Norman 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 Kimberly Nurseries Phone 733-2717

Post office address Rt. 3, Addison Ave. E., Twin Falls, Idaho, 83301

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

3. Location of point of diversion is ^(2 pts.) NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 10S

Range 17E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 for Commercial purposes from Jan. 1 to Dec. 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. 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. Two existing wells deliver water to pressure system. First well drilled in 1967. Second well drilled in 1977. Both wells can be connected together however usually each system is separate.

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.
Two existing wells 8 (Month/Day) 155 (Month/Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 175 feet.

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

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 10S
Range 17E 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 _____

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

Commercial Use: Used for watering of plants in greenhouse plus water for toilet facilities at offices.

RECEIVED
JAN 10 1978

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 Applicant

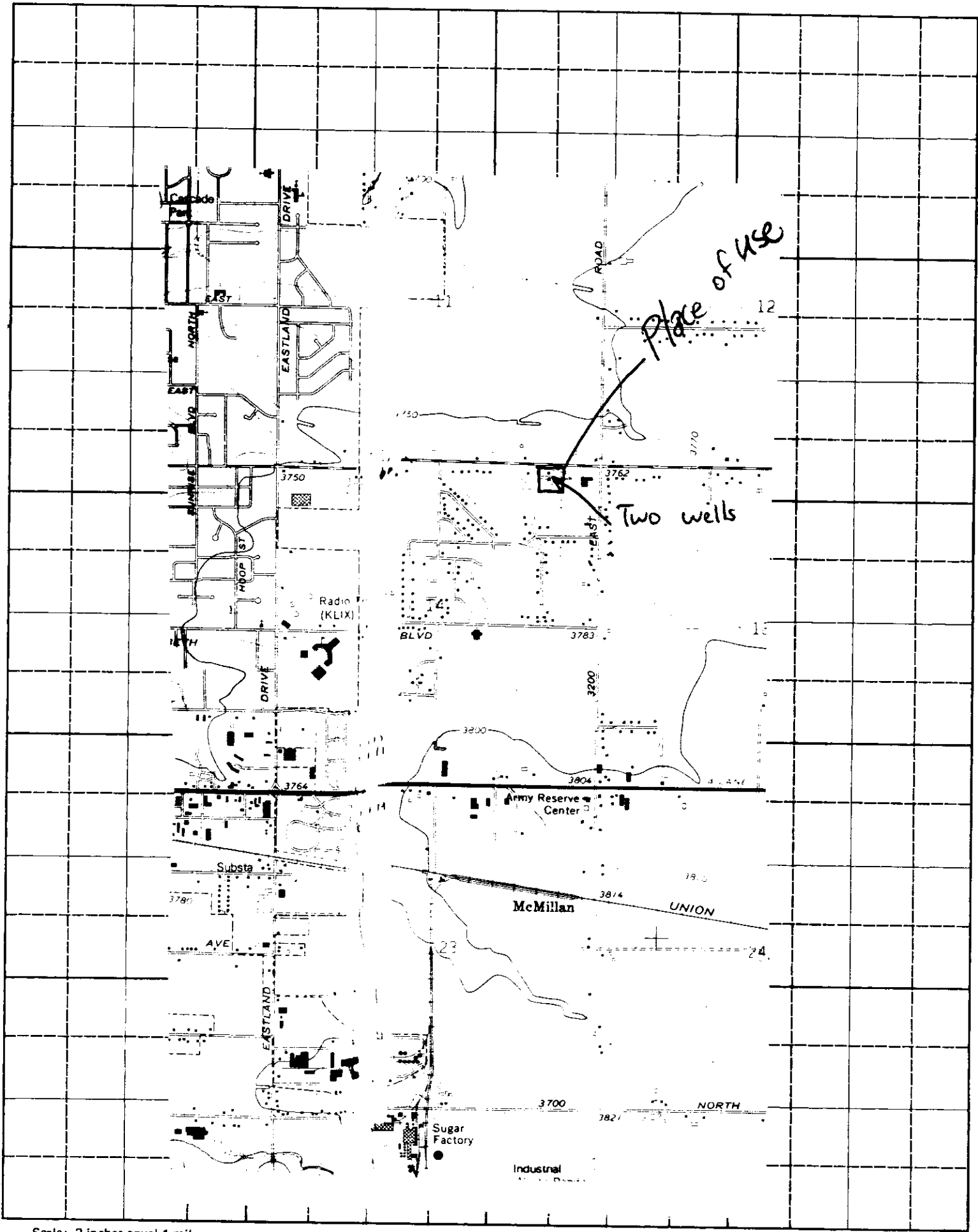
b. Who owns the land to be irrigated or place of use Applicant

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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



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.

RECEIVED

Kimberly Nurseries
Applicant
for 2 Wells
McMillan

Proposed Priority 2/11/81

Received by ADM Date 2/11/81 Time 3:00 p.m.

Preliminary check by JP Fee \$ 30⁰⁰ # 16816

Receipted by ADM Date 2/11/81

Publication prepared by adm Date 2/25/81

Published in 3/12 + 3/19/81 times news

Publication dates _____

Publication approved maup Date 3/9/81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LD RH

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. 47-7703, 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 86.
- 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:

Witness my hand this 23rd day of April, 1981.

J. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

Nº 9726

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

I, Ronda Copps McBuire being first duly sworn upon oath, depose and say that I am Bruce Clark 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 March 12, 1981, and ending with the issue dated March 19, 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 the lead of the editorial column of said combined newspapers, and in each issue thereof, the day is announced as the day on which said legal notices will be published.

RECEIVED

APR 1 1981

Department of Water Resources
Southern District Office

Ronda Copps McBuire Subscribed and sworn to before me on this 24 day of

March, 1981

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

RECEIVED



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

December 1, 1981

RE: Permit No. 47-7703

Kimberly Nurseries
Route #3, Addison Ave. E.
Twin Falls, ID 83301

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

MICROFILMED

At present the wells are operated separately however they can be connected.

MAP (Attach Aerial Photo)

MICROFILMED

TwP 10S., Rge 17E, B.M.

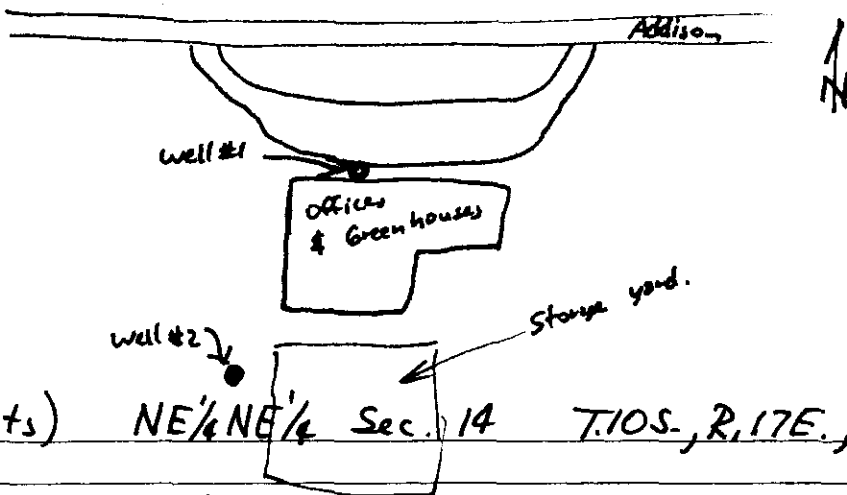
Addison Ave E.

P/D & P.M.

14

SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: 2 (pts) NE 1/4 NE 1/4 Sec. 14 T.10S., R.17E., B.M.

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	
10S.	17E.	14	X																

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

Examiner's Signature John J. Morrill Date 6/12/81

Checked by J. J. Morrill Date 6/12/81

Approved by R. J. Morrill Date 11/6/81

November 2, 1981

Kimberly Nurseries
Route 3, Addison Avenue E.
Twin Falls, ID 83302

Gentlemen:

Re: Permit No. 47-7703

This office acknowledges receipt of the statement of beneficial use postcard submitted to this office on June.

Also, it is my understanding that a field examination of your water use has been completed by a representative of our Southern Regional office. A water right license will be forthcoming based upon his recommendation.

If you have any questions concerning this permit, please feel free to contact us or the regional office.

Sincerely,

RITA I. FLECK
Sr. Secretary



MAIL ROOM

RECEIVED

JUN 8 1981
Department of Water Resources
Southern District Office



RECEIVED

JUN 15 1981

Department of Water Resources

PLACE
TEN CENT
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources considers this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7703.

Name(s) of Permit Holder: Kimberly Nurseries

Post Office Address: RT. #3 ADDISON A. EAST

Twins Falls, Idaho 83301 Tel. No. 783-2717

Source of Water: Well

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☒ Irrigation <u>Greenhouse</u>	(acres)
☐ Other	

Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No
Access Port:	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.

6-8-81
Date

Jack Wright
Signature of Permit Holder

INTER-DEPARTMENT MEMO — 1

FROM Allen Merritt

DATE 6/12/81

TO

Department of Water Resources

SUBJECT

Field Exam for permit 47-7703 was
conducted 6/12/81. It was sched. when
Mr. Wright came in and made proof.

AMC

SIGNATURE

AMC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KIMBERLY NURSERIES
RT. 3
ADDISON AVE. E.
TWIN FALLS, ID 83301

MAY 05, 1981

RE: PERMIT NO. 47-7703

DEAR PERMIT HOLDER:

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

WE HAVE ENCLOSED A FORM ENTITLED "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. TOTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED
MAY 11 1981

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:

42-2203-

KIMBERLY NURSERIES

RT. 3, ADDISON AVE. E., TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 02/11/1981

Amount: 0.20 CFS

Diversion Point: NENE Sec 14 T 10S R 17E, TWIN FALLS Co.

Use: COMMERCIAL (0.20 CFS) from 01/01 to 12/31

Place of Use: NENE Sec 14 T 10S R 17E

Diversion Means: EXISTING WELLS & PUMPS.

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 MARCH 30, 1981.

C. STEPHEN ALLRED

Director

Published 3/12 & 3/19/81.

47-7783
KIMBERLY NURSERIES
RT. 3, ADDISON AVE. E.,
TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 02/11/1981
Amount: 0.20 CFS
Diversion Point: NENE Sec
14 T 10S R 17E, TWIN
FALLS Co.
Use: COMMERCIAL (0.20
CFS) from 01/01 to 12/31
Place of Use: NENE Sec 14 T
10S R 17E
Diversion Means: EXISTING
WELLS & PUMPS

OK
maga
3/9/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 25, 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 galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 30, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED