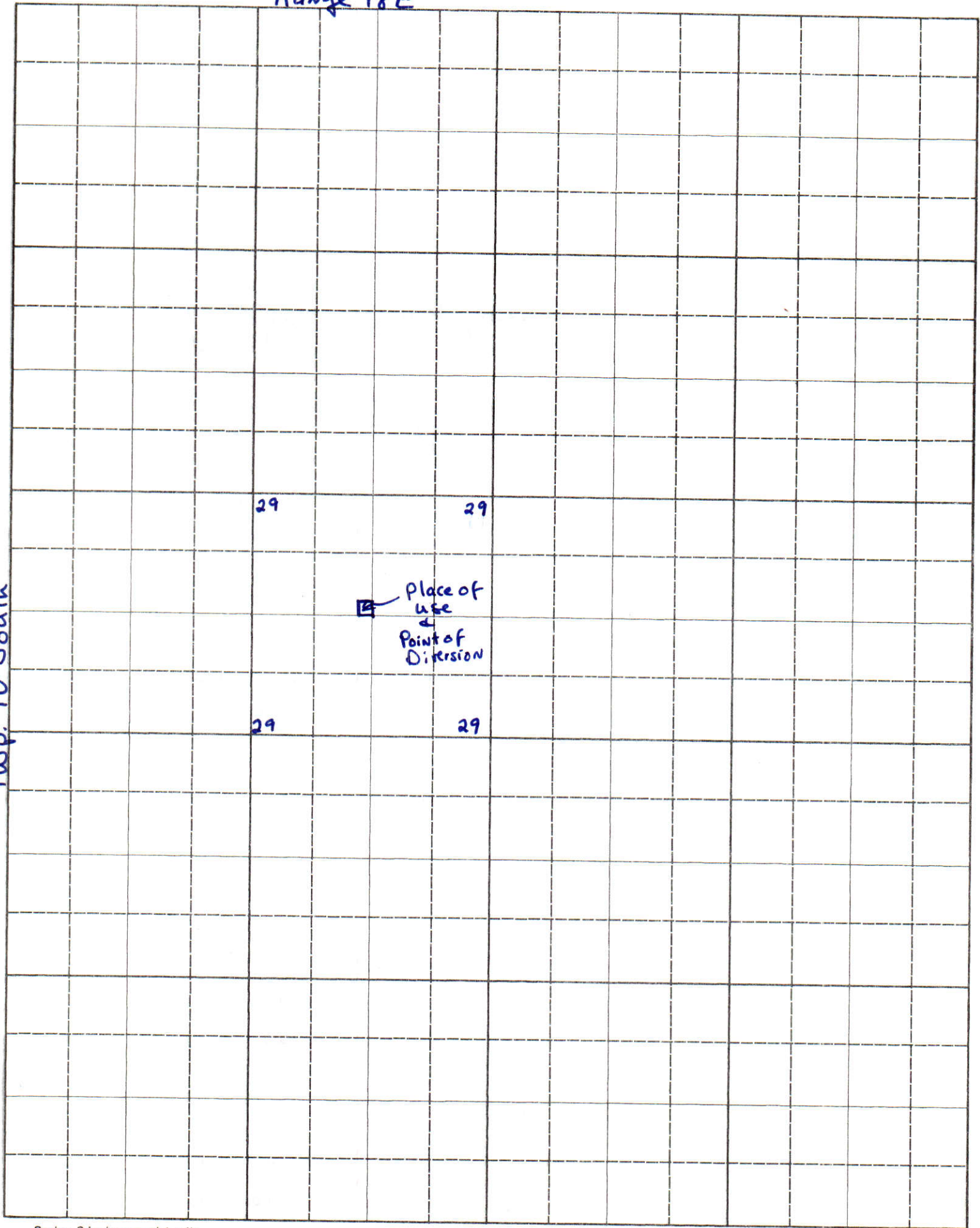


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Range 18E

Twp. 10 South



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.

Jack Schmidt  
(Applicant)

RECEIVED

RECEIVED

No 9972  
MAR 16 1981

# Affidavit of Publication

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

Department of Water Resources  
Boise, Idaho

I, Linda Capps McBuire being first duly sworn upon oath, depose and say that I am Public 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 5, 1981, and ending with the issue dated March 12, 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.

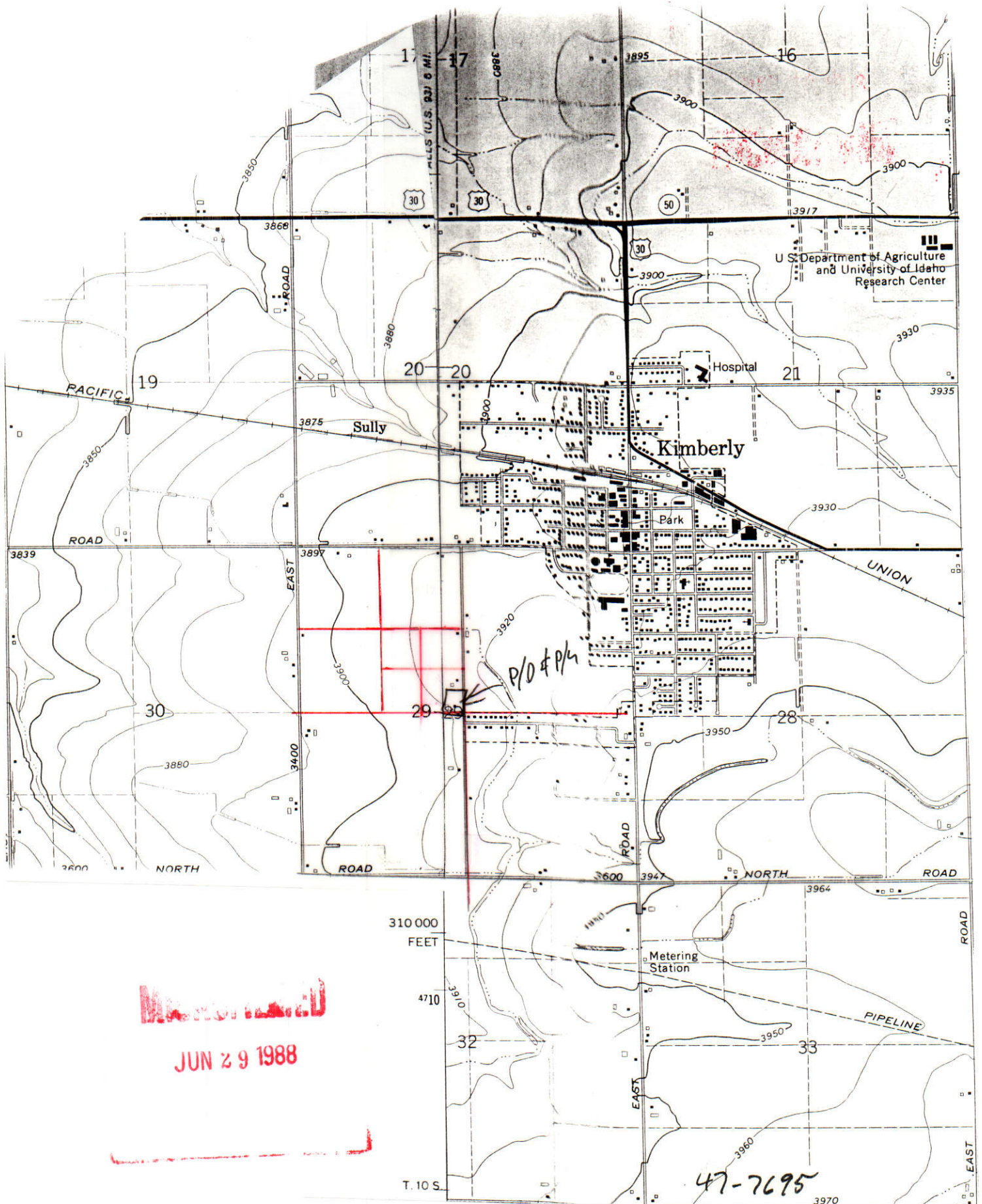
Linda Capps McBuire  
Subscribed and sworn to before me on this 12 day of March, 1981.

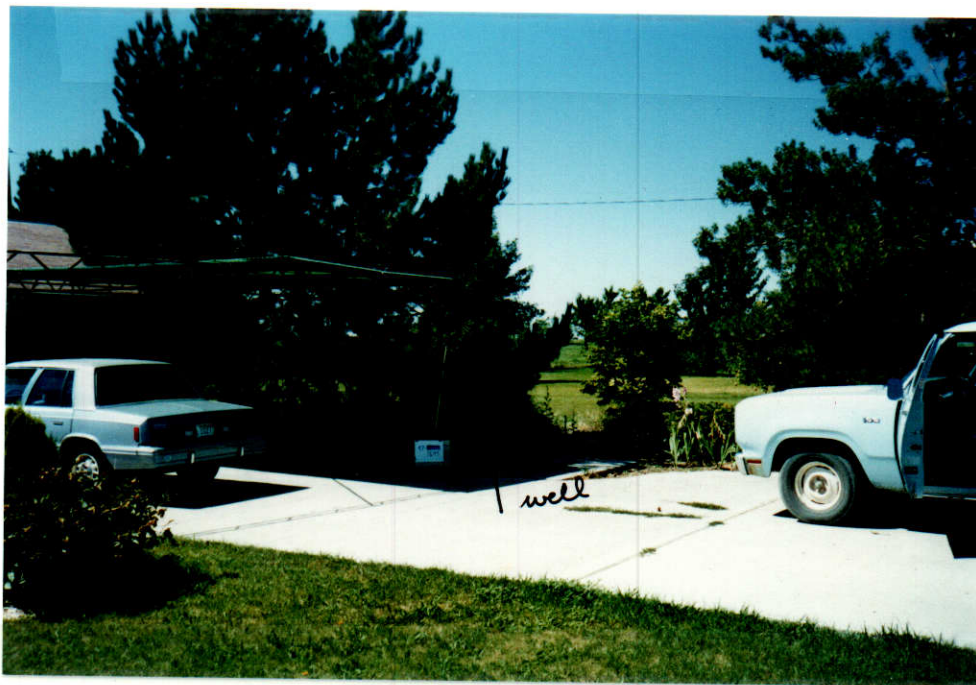
Thelma Rowlett-Smith  
Notary Public in and for the County of Twin Falls,  
State of Idaho, residing at Twin Falls, Idaho

## LEGAL NOTICE

47-7695  
SCHMIDT, JACK &/or  
LUELLA  
RT. 2, KIMBERLY, ID 83341  
Source: GROUNDWATER  
Date Filed: 01/30/1981  
Amount: 0.09 CFS  
Diversion Point: SENW Sec  
29 T 10S R 18E, TWIN  
FALLS Co.  
Use: IRRIGATION (0.03 CFS)  
from 03/15 to 11/15  
DOMESTIC (0.06 CFS)  
from 01/01 to 12/31  
Place of Use: SENW Sec 29  
T 10S R 18E FOR 1 ACRES  
Diversion Means: WELL  
PUMP PIPELINE  
SPRINKLER

RECORDED





Point of Diversion  
well head is about 6' down underneath  
the driveway in a concrete box structure.  
Place of use is the lawn in the back and  
foreground, and house

**MICROFILMED**

**JUN 29 1988**

47-7095

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 47-7695

Priority: April 20, 1981 Amount: .04 CFS 1.2 AFA

This is to certify, that JACK SCHMIDT  
LUELLA SCHMIDT

RT. 2

KIMBERLY, ID 83341

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 30, 1981, and has submitted proof to the Department of Water Resources on September 10, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic              | 01/01 to 12/31       | .04 cfs                  | 1.2 afa       |

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 29, Township 10S, Range 18E  
Twin Falls County

PLACE OF USE: Domestic

TWN RGE SEC

10S 18E 29 SENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 13<sup>th</sup> day of April, 1988.

NOTARIZED

Director

JUN 29 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                             |   |                  |
|-----------------------------|---|------------------|
| IN THE MATTER OF PERMIT     | ) |                  |
|                             | ) |                  |
| NO. 47-7695 IN THE NAME     | ) | ORDER ADVANCING  |
|                             | ) | DATE OF PRIORITY |
| OF JACK &/OR LUELLA SCHMIDT | ) |                  |
| _____                       | ) |                  |

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 47-7695 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. On April 9, 1981 the Department approved Application for Permit No. 47-7695 to appropriate the public waters of the State of Idaho with a priority of January 30, 1981.

2. On August 12, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.

3. The fee was due on October 11, 1986, 60 days from the date of the notice; however, the fee was not received until December 30, 1986, 80 days late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

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JUN 29 1988

2. The date of priority of Permit No. 47-7695 should be advanced 80 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 47-7695 is advanced to April 20, 1981.

Dated this 18<sup>th</sup> day of February, 1988.

J. Glen Saxton  
Chief, Operations Bureau

MAILED

JUN 29 1988

JIM

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 Jack &/or Luella Schmidt Phone 423-4094

Post office address Rt 2 Kimberly, Idaho 83341

2. Source of water supply groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 29 Township 10S

Range 18E B.M. Twin Falls County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .06 for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .03 for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. .09 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well w/3hp submersible pump  
pipeline to underground sprinkler system & houses

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 6 inches; proposed depth of well is \_\_\_\_\_ feet.

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

8. Description of proposed uses:

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

(1) Give the place of use of water: SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 29 Township 10S  
Range 18E B.M.

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

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

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

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

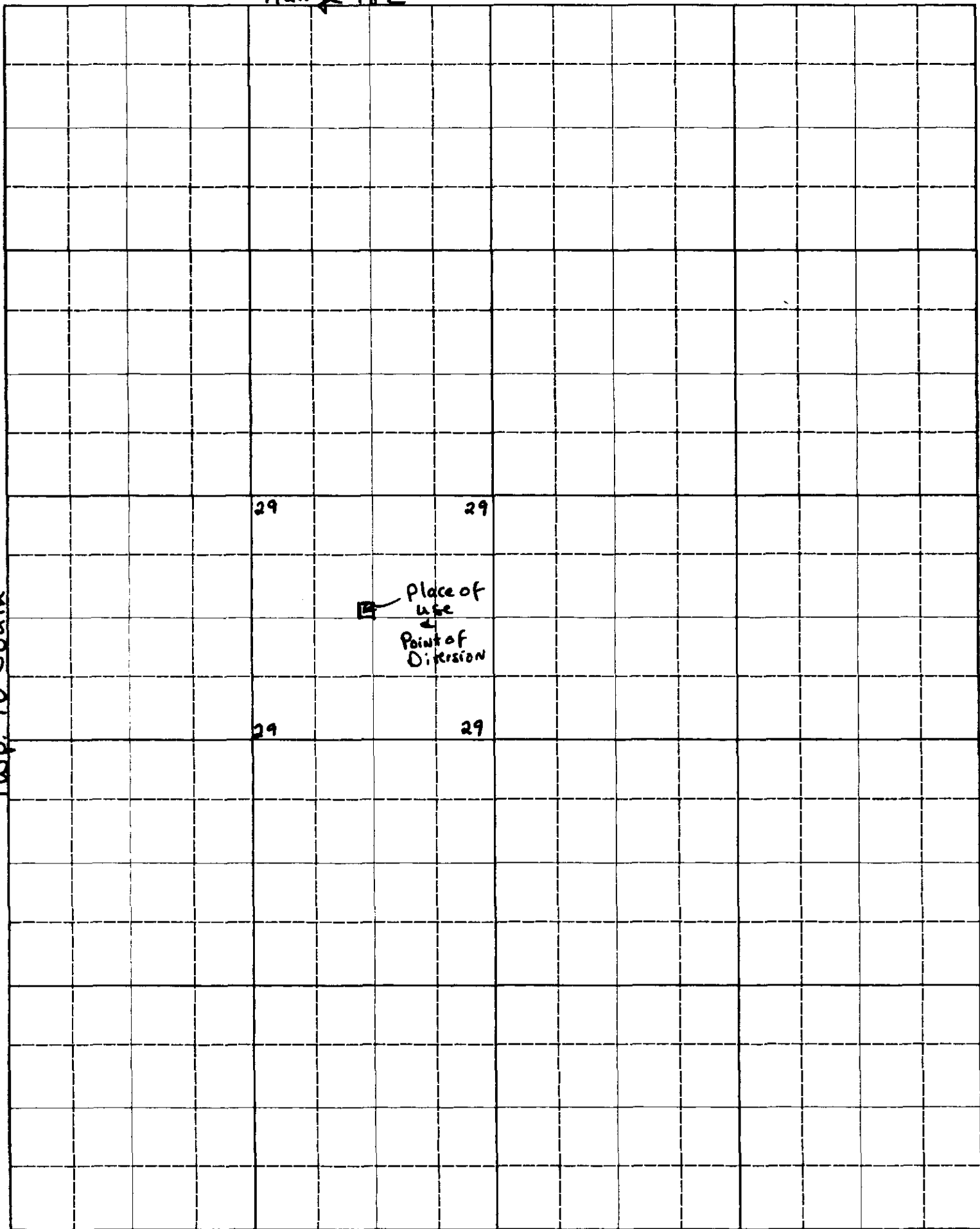
RECORDED



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

Range 18 E

Twp. 10 South



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.

Jack Schmidt  
(Applicant)

RECEIVED

Proposed Priority

1/30/81

Received by TGB Date 1-30-81 Time 4:00 pm

Preliminary check by [initials] Fee \$ 30%

Receipted by TGB Date 1-30-81 # 16789

Publication prepared by marya Date 2/13/81

Published in times news

Publication dates 3/5 + 3/12/81

Publication approved marya Date 2/23/81

Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by [initials] [initials]

#### 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. 47-7695, 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 9<sup>th</sup> day of April, 1981.

A. Glen Saylor  
Chief, Operations Bureau

# Affidavit of Publication

No 9972

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

Department Per Esourced

being first duly sworn upon

I, Linda Capps McBuire

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 5, 1981, and ending with the issue dated

March 12, 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.

Subscribed and sworn to before me on this

12 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

LEGAL NOTICE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 47-7695

Name(s) of Permit Holder(s): Jack &/or Luella Schmidt

Post Office Address: Route #2, Kimberly, ID

Tel. No. 4094

☒ I hereby certify that construction of diversion works for the above referenced permit began on 1970 (date) and I understand that I must continue to develop the water system with 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.

7-27-82  
Date

Jack Schmidt  
Signature of Permit Holder

PLACE  
STAMP  
HERE  
**RECEIVED**

JUL 27 1982

Department of Water Resources  
Southern District Office



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

**MICROFILMED**

JUL 26 1988

**RECEIVED**

JUL 29

1982

Department of Water Resources

April 13, 1988

JACK & LUELLA SCHMIDT  
RT. 2  
KIMBERLY, ID 83341

RE: Permit No. 47-7695

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

MAIL ROOM

JUN 29 1988

March 10, 1988

JACK & LUELLA SCHMIDT  
RT. 2  
KIMBERLY, ID 83341

RE: Permit No. 47-7695

Dear Permit Holder(s):

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

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

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**  
JUN 29 1988

10 day

- Date 9-29-87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

Permit No. \_\_\_\_\_

**1. Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)



b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_  
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_  
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

c) Volume Calculations for Other Uses:

**2. Overlap Review**

a) Other water rights with same place of use: \_\_\_\_\_  
\_\_\_\_\_

b) Other water rights with same point of diversion: \_\_\_\_\_  
\_\_\_\_\_

c) Analysis:

**FILED**  
JUN 29 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

Department of Water Resources

**A. GENERAL INFORMATION**

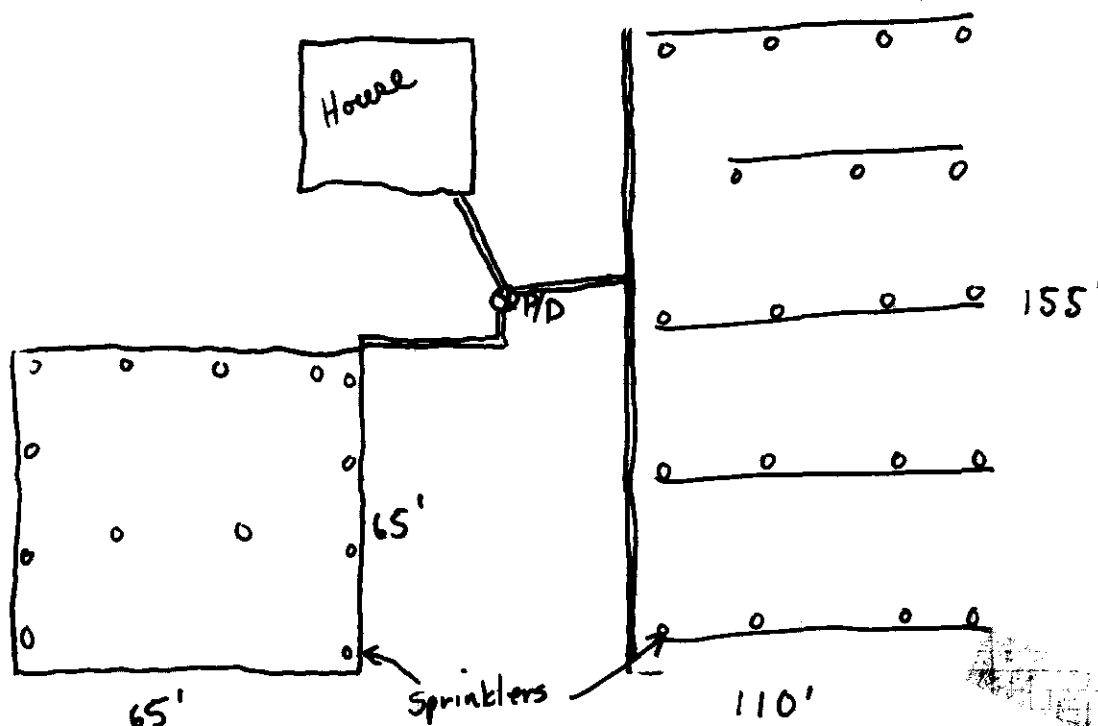
1. Owner: Jack +/or Luella Schmidt Permit No. 47-7695  
Current Address: Rt 2 Kimberly Idaho 83341 Phone No. 423-4094  
2. Accompanied by: Luella Schmidt EXAM. DATE: 8-5-87  
Address: Same Phone No. same  
Relationship to Permit Holder: owner  
3. Source: groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

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

**C. SYSTEM DESCRIPTION**

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



Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. Quadrangle Attached 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.)

System consists of 1 domestic use and lawn sprinklers

There was only 1 house instead of the stated 2 on the permit

System was tested by taking nozzle pressure at the sprinklers

☐ 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 |
|---------------------------------------|------------|----|---------------------|-----------|-----------------------------------|
|                                       |            | 3  | Statite Submersible |           |                                   |
|                                       |            |    |                     |           |                                   |
|                                       |            |    |                     |           |                                   |
|                                       |            |    |                     |           |                                   |

\*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 |
|------------|------------|-----|-----|-----|------|------|------|------------|---------------------------------|
|            |            |     | SE  | NW  | 29   | 105  | 18E  | Twin Falls | U.S.G.S. / Visual               |
|            |            |     |     |     |      |      |      |            |                                 |
|            |            |     |     |     |      |      |      |            |                                 |
|            |            |     |     |     |      |      |      |            |                                 |

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 |        |
|      |      |      |        |        |        |        |        |        |        | .5     |        |        |        |        |        |        |        |        | .5     |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

0.5

UNRECORDED

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| Pito tube             |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

7 birds were going during test  
1/8" nozzles  
 $P = 34 \text{ psi}$      $Q = 2.61 \text{ gpm}$      $Q = \frac{(7)(2.61)}{448.8} = 0.04 \text{ cfs}$

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 46 psi x 2.31 = 106.3 ft (1); Dynamic pumping level: 120 ft (2)  
Total Head: (1) + (2) = 226.3 (3) ; Flow rate: 0.04 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 1.0 (5)

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

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

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

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

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

1 home with lawn (1)(1.2) = 1.2 Afa

RECEIVED  
JUN 20 1988

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Since the lawn is less than  $\frac{1}{2}$  acres (.488 acres)  
the irrigation of the lawn can be included with the  
domestic use

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| domestic       | 1-1           | 12-31 | 0.04                         | 1.2                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 0.04 cfs                     | 1.2 Afa                  |

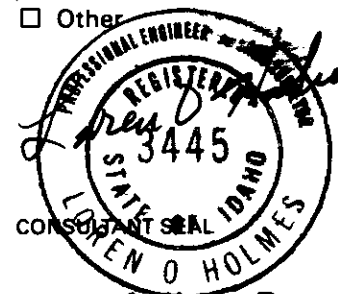
2. Recommended Amendments

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

- ☒ None  
☐ Other

J. AUTHENTICATION

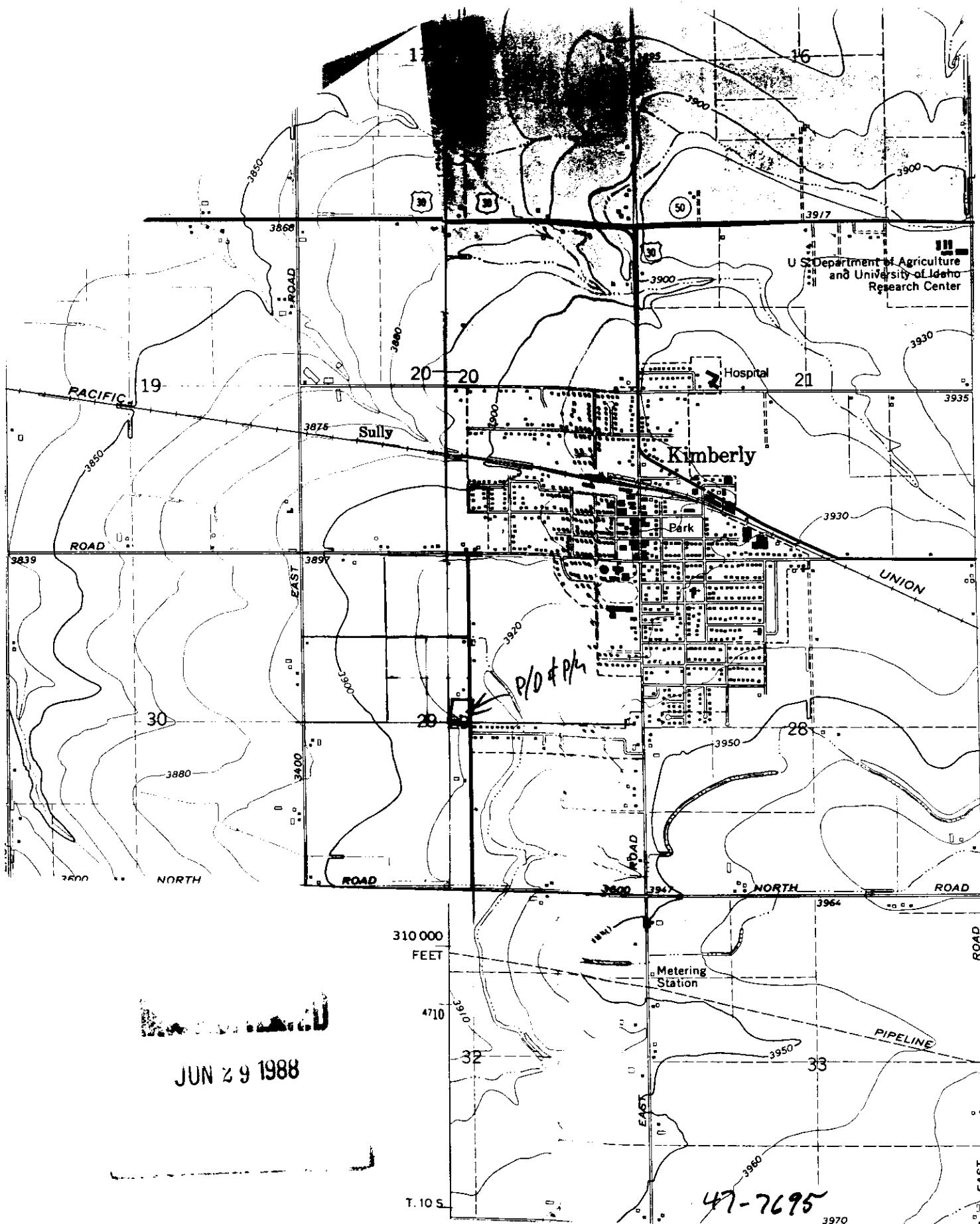
Field Examiner's Name Darren Knuteson  
 Signature Darren Knuteson  
 Certification Date 5/15/87  
 Field Report Preparation Date 5/18/87



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

MICROFILMED

JUN 29 1988



CALCULATION OF NEW PRIORITY DATES  
LATE EXAM FEES

**RECEIVED**

SEP 16 1987

FOR PERMIT NO. 47-7695

Department of Water Resources

BY: *Adm*

|                                                          | <u>DATE</u>       | <u>NUMBER OF DAYS</u><br>(From Table of Days<br>Between Two Dates) |
|----------------------------------------------------------|-------------------|--------------------------------------------------------------------|
| A. EXAMINATION FEE NOTICE SENT                           | <u>8-12-86</u> ✓  | <u>224</u> ✓                                                       |
| B. DATE FEE DUE (60 days)                                | <u>10-11-86</u> ✓ | <u>284</u> ✓                                                       |
| C. DATE FEE RECEIVED                                     | <u>12-30-86</u> ✓ | <u>364</u> ✓                                                       |
| D. NUMBER OF DAYS LATE (C - B)                           |                   | <u>80</u> ✓                                                        |
| E. ORIGINAL PRIORITY DATE<br>(Check Reinstatement, etc.) | <u>1-30-81</u> ✓  | <u>30</u> ✓                                                        |
| F. NEW PRIORITY DATE (D + E)                             | <u>4-20-81</u> ✓  | <u>110</u> ✓                                                       |

REMARKS:

Consideration may need to be made to not  
reduce the priority since use involves only  
~~single~~ single family domestic and was so indicated  
in original proof.

**MICROFILMED**

JUN 29 1988

TABLE OF DAYS BETWEEN TWO DATES

\*\*\*\*LEAP YEARS\*\*\*\*

| Day No. | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------|------|------|------|------|-----|------|------|------|-------|------|------|------|
| 1       | 1    | 32   | 60   | 91   | 121 | 152  | 182  | 213  | 244   | 274  | 305  | 335  |
| 2       | 2    | 33   | 61   | 92   | 122 | 153  | 183  | 214  | 245   | 275  | 306  | 336  |
| 3       | 3    | 34   | 62   | 93   | 123 | 154  | 184  | 215  | 246   | 276  | 307  | 337  |
| 4       | 4    | 35   | 63   | 94   | 124 | 155  | 185  | 216  | 247   | 277  | 308  | 338  |
| 5       | 5    | 36   | 64   | 95   | 125 | 156  | 186  | 217  | 248   | 278  | 309  | 339  |
| 6       | 6    | 37   | 65   | 96   | 126 | 157  | 187  | 218  | 249   | 279  | 310  | 340  |
| 7       | 7    | 38   | 66   | 97   | 127 | 158  | 188  | 219  | 250   | 280  | 311  | 341  |
| 8       | 8    | 39   | 67   | 98   | 128 | 159  | 189  | 220  | 251   | 281  | 312  | 342  |
| 9       | 9    | 40   | 68   | 99   | 129 | 160  | 190  | 221  | 252   | 282  | 313  | 343  |
| 10      | 10   | 41   | 69   | 100  | 130 | 161  | 191  | 222  | 253   | 283  | 314  | 344  |
| 11      | 11   | 42   | 70   | 101  | 131 | 162  | 192  | 223  | 254   | 284  | 315  | 345  |
| 12      | 12   | 43   | 71   | 102  | 132 | 163  | 193  | 224  | 255   | 285  | 316  | 346  |
| 13      | 13   | 44   | 72   | 103  | 133 | 164  | 194  | 225  | 256   | 286  | 317  | 347  |
| 14      | 14   | 45   | 73   | 104  | 134 | 165  | 195  | 226  | 257   | 287  | 318  | 348  |
| 15      | 15   | 46   | 74   | 105  | 135 | 166  | 196  | 227  | 258   | 288  | 319  | 349  |
| 16      | 16   | 47   | 75   | 106  | 136 | 167  | 197  | 228  | 259   | 289  | 320  | 350  |
| 17      | 17   | 48   | 76   | 107  | 137 | 168  | 198  | 229  | 260   | 290  | 321  | 351  |
| 18      | 18   | 49   | 77   | 108  | 138 | 169  | 199  | 230  | 261   | 291  | 322  | 352  |
| 19      | 19   | 50   | 78   | 109  | 139 | 170  | 200  | 231  | 262   | 292  | 323  | 353  |
| 20      | 20   | 51   | 79   | 110  | 140 | 171  | 201  | 232  | 263   | 293  | 324  | 354  |
| 21      | 21   | 52   | 80   | 111  | 141 | 172  | 202  | 233  | 264   | 294  | 325  | 355  |
| 22      | 22   | 53   | 81   | 112  | 142 | 173  | 203  | 234  | 265   | 295  | 326  | 356  |
| 23      | 23   | 54   | 82   | 113  | 143 | 174  | 204  | 235  | 266   | 296  | 327  | 357  |
| 24      | 24   | 55   | 83   | 114  | 144 | 175  | 205  | 236  | 267   | 297  | 328  | 358  |
| 25      | 25   | 56   | 84   | 115  | 145 | 176  | 206  | 237  | 268   | 298  | 329  | 359  |
| 26      | 26   | 57   | 85   | 116  | 146 | 177  | 207  | 238  | 269   | 299  | 330  | 360  |
| 27      | 27   | 58   | 86   | 117  | 147 | 178  | 208  | 239  | 270   | 300  | 331  | 361  |
| 28      | 28   | 59   | 87   | 118  | 148 | 179  | 209  | 240  | 271   | 301  | 332  | 362  |
| 29      | 29   | --   | 88   | 119  | 149 | 180  | 210  | 241  | 272   | 302  | 333  | 363  |
| 30      | 30   | --   | 89   | 120  | 150 | 181  | 211  | 242  | 273   | 303  | 334  | 364  |
| 31      | 31   | --   | 90   | ---  | 151 | ---  | 212  | 243  | ---   | 304  | ---  | 365  |

FOR LEAP YEAR, ONE DAY MUST BE ADDED TO NUMBER OF DAYS AFTER FEBRUARY 28

PAID JAN 1962  
 DIVISION OF REVENUE



Point of Diversion

well head is about 6' down underneath  
the driveway in a concrete box structure.  
Place of use is the lawn in the back and  
foreground, and house

INDEXED

JUN 29 1988

47-7695

4/86 **RECEIVED**

DEC 30 1986

Department of Water Resources  
Southern Region Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EXAMINATION FEE INFORMATION

For Office Use Only  
Fee Received YB 50.00  
Date 12/30/86  
Receipt # 40636  
Receipt by TB  
Sent to S.O. 12/31/86

1. Permit No. 47-7695

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

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

2. Permit Holder: Jack <sup>AND</sup>/or Luella Schmidt

3. Post Office Address: Rt. #2 Kimberly, ID. 83341

Telephone No. 423-4094

4. Source of Water: Groundwater

5. Extent of Use:

Domestic 1 (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)

Irrigation 1 (acres) Other/Remark \_\_\_\_\_

6. Total rate &/or volume for which proof is submitted .07 cfs \_\_\_\_\_ acre-feet

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

Well was drilled about 1970 Permit obtained 1981

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

Same as Above (Name)

**MICROFILMED**

JUN 29 1988

(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.)

12/30/86  
Date

Jack Schmidt  
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

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

A. Kenneth Dunn  
Director

47-7695  
SCHMIDT, JACK  
SCHMIDT, LUELLA  
RT. 2  
KIMBERLY, ID 83341

138145

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

JUN 29 1988

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.

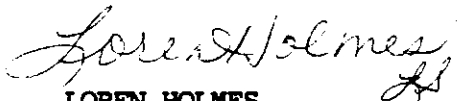
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

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

JUL 2 1971

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region

---

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

NOVEMBER 19, 1985

JACK &/OR LUELLA SCHMIDT  
RT. 2  
KIMBERLY ID 83341

RE: Permit No. 47-7695

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

**MICROFILMED**

JUN 29 1988

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. 47-7695

Name(s) of Permit Holder: Jack &/or Luella Schmidt

Post Office Address: Route #2, Kimberly, ID 83341

Telephone No. 423-4094

Source of Water: Groundwater

Extent of Use:

Domestic one (number of households)

Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation 1/2 acre (acres)

Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: 1971

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

Jack Schmidt  
Signature of Permit Holder (and Title, if appropriate)

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

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

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

SCHMIDT, JACK & LUELLA  
RT. 2  
KIMBERLY, ID 83341

APRIL 22, 1981

RE: PERMIT NO. 47-7695

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

S T A T E   O F   I D A H O  
DEPARTMENT OF WATER RESOURCES  
Southern Region

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

FEBRUARY 18, 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 23, 1981.

Yours truly,

Mary A. Hill  
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-7695

SCHMIDT, JACK &/or LUELLA

RT. 2, KIMBERLY, ID 83341

Source: GROUNDWATER

Date Filed: 01/30/1981

Amount: 0.09 CFS

Diversion Point: SENW Sec 29 T 10S R 18E, TWIN FALLS Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (0.03 CFS) | from 03/15 to 11/15 |
| DOMESTIC        | (0.06 CFS) | from 01/01 to 12/31 |

Place of Use: SENW Sec 29 T 10S R 18E FOR 1 ACRES

Diversion Means: WELL PUMP PIPELINE SPRINKLER

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 23, 1981.

C. STEPHEN ALLRED

Director

Published 3/5 & 3/12/81.

47-7895  
SCHMIDT, JACK &/or  
LUELLA  
RT. 2, KIMBERLY, ID 83341  
Source: GROUNDWATER  
Date Filed: 01/30/1981  
Amount: 0.09 CFS  
Diversion Point: SENW Sec  
29 T 10S R 18E, TWIN  
FALLS Co.  
Use: IRRIGATION (0.03 CFS)  
from 03/15 to 11/15  
DOMESTIC (0.06 CFS)  
from 01/01 to 12/31  
Place of Use: SENW Sec 29  
T 10S R 18E FOR 1 ACRES  
Diversion Means: WELL  
PUMP PIPELINE  
SPRINKLER