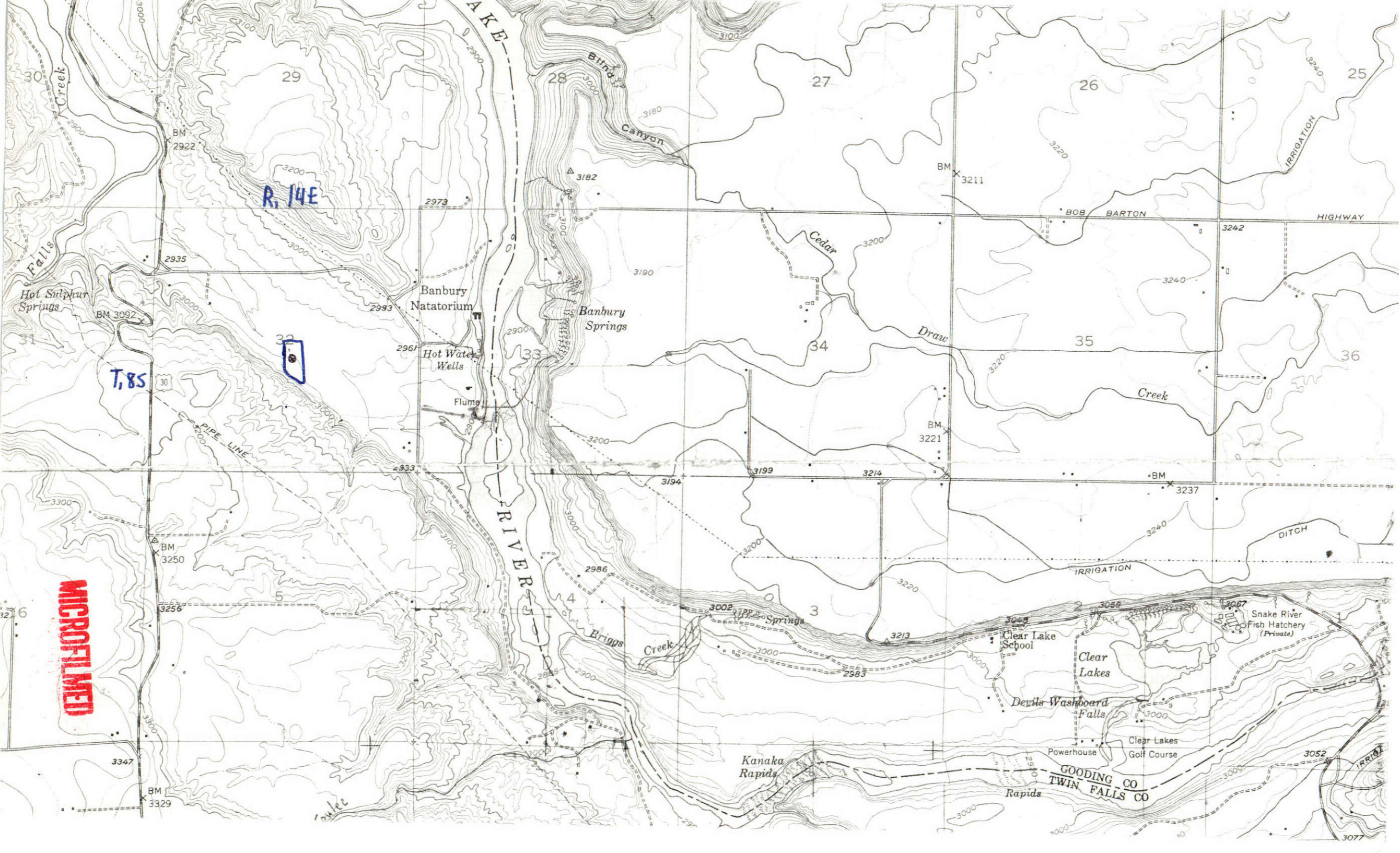




R. 14E

T. 8S

MICROFILMED

GOODING CO
TWIN FALLS CO

Affidavit of Publication

Nº 10075

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

47-7689
FOSTER, JERRY L.
RT. 3, BUHL, ID 83316
Source: GROUNDWATER
Date Filed: 12/31/1980
Amount: 1.00 CFS
Diversion Point: NWSE Sec
32 T 08S R 14E, TWIN
FALLS Co.
Use: COMMERCIAL (1.00
CFS) from 01/01 to 12/31
HEATING (0.20 CFS) from
01/01 to 12/31
RECREATION (0.20 CFS)
from 01/01 to 12/31
Place of use: NWSE Sec 32 T
08S R 14E
Diversion Means: WELL &
PIPELINE

I, Linda Copps McSwine being first duly sworn upon
oath, depose and say that I am Quinn 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
January 29, 19 81, and ending with the issue dated
February 5, 19 81.

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 Copps McSwine
Subscribed and sworn to before me on this 5 day of

February, 19 81.

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

RECEIVED

FEB 9 1981

Department of Water Resources
Eastern District Office

RECEIVED

RECEIVED

MAR 17 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-7689

1. Owner: Jerry L. Foster Phone No. 543-6142

Current Address: Rt. #3, Box 412, Buhl, Id. 83316

2. Accompanied by: Jerry Foster EXAM. DATE: 6/2/88

Address: same Phone No. same

Relationship to Permit Holder: owner

3. Source: Groundwater tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-4168, 36-8141, 47-7721, 47-7883

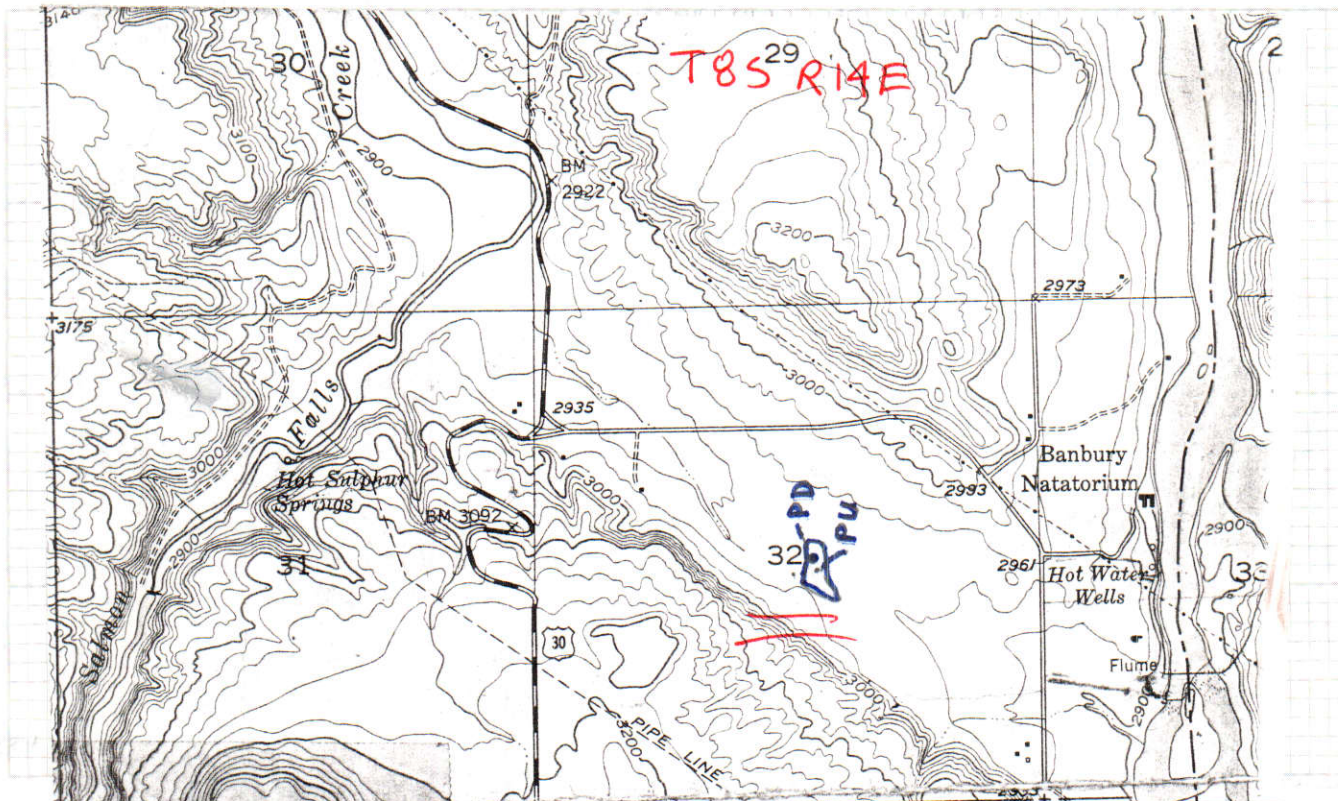
☒ Copies Attached

2. Other water rights with same point of diversion: 47-7883

☒ 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).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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JUN 09 1999

47-7689



Hot Tub

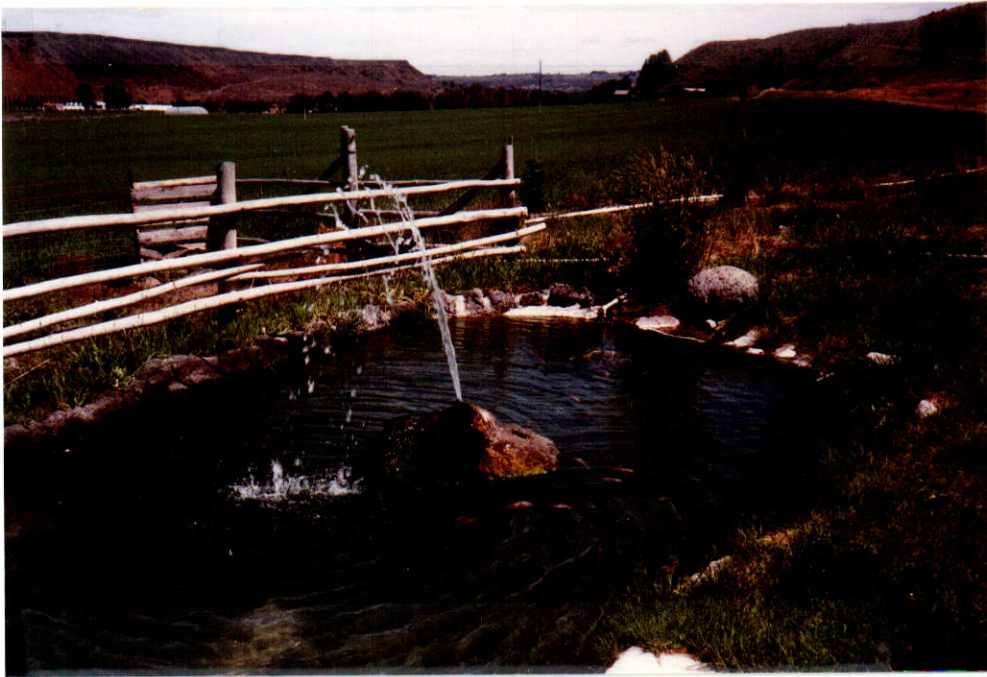


Hot tub effluent into ditch

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JUN 09 1999

47-7689



Pond #1



Looking toward outlet on pond #2

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JUN 09 1999



Ditch running into pond #2



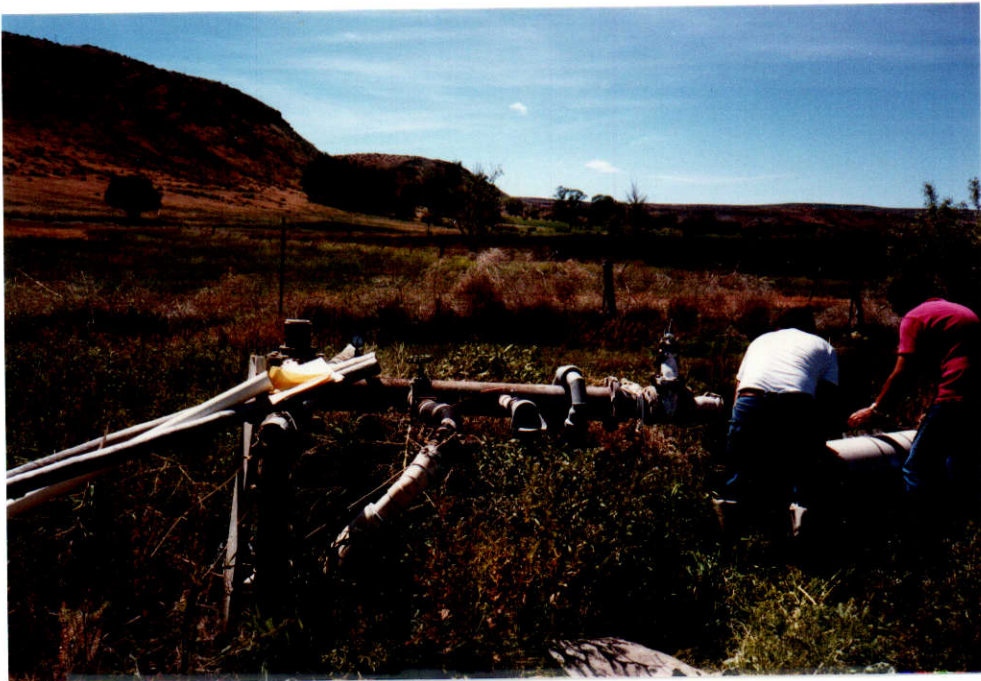
well

Effluent from Pond #2 running down fence line
into Marsh. ~~WET~~ FILMED Background.

JUN 09 1999



Green House. ~~Marble~~



Artesian Hot-water Well and Installation
of Sparling meter.

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JUN 09 1999



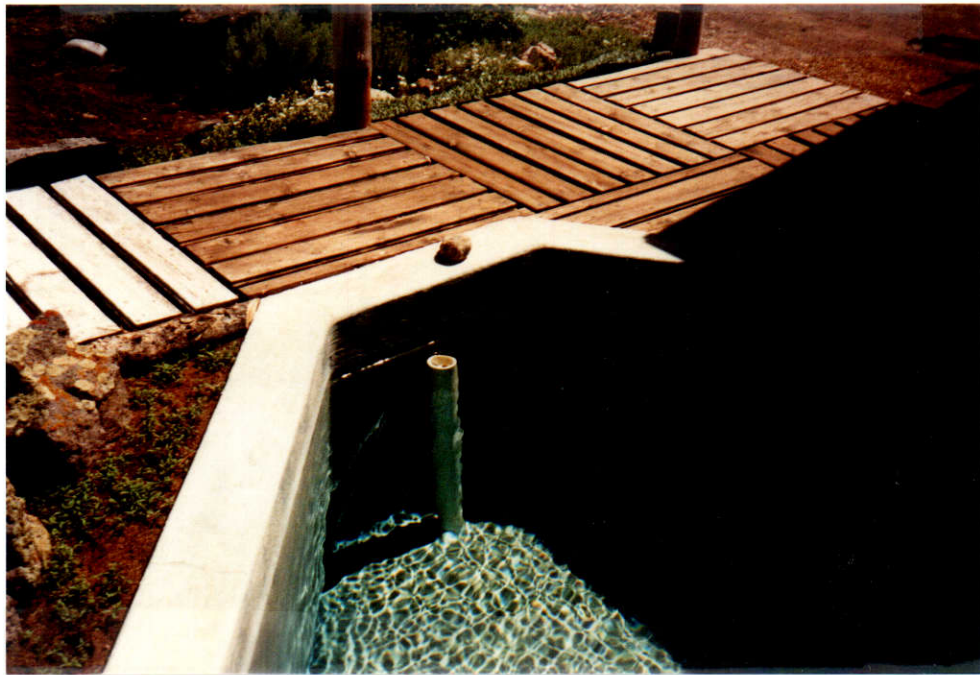
Sparling Meter Measurement



Pipelines To Home & Hot Tub

MICROFILMED
JUN 09 1999

47-07689
C4N1 Recb
6-2-1988



Hot Tub Outflow Pipe



Inflow To Pond #1

MICROFILMED
JUN 09 1999

47-07689
Carl Reeb
6-2-1988

RECEIVED

FRED HENRY
TELEPHONE 432-5581

BOLEY & HENRY

WELL DRILLING

MURTAUGH, IDAHO 83344

SEP 23 1985

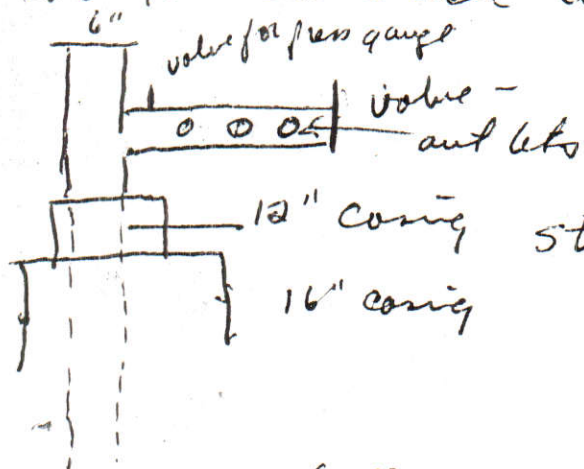
Department of Water Resources

Hello John -

Serry Foster well-

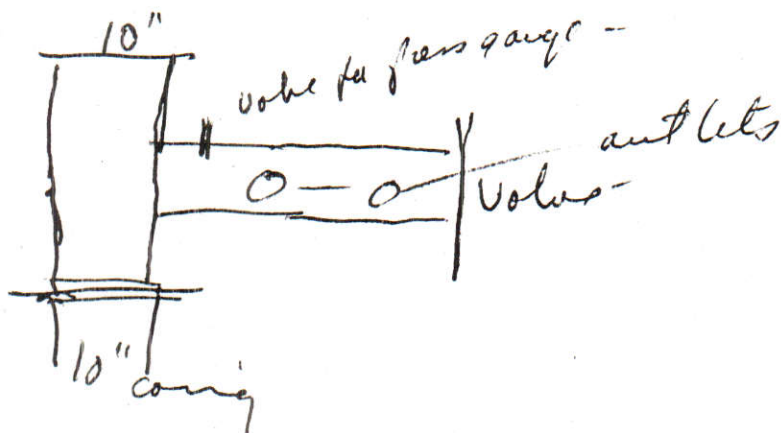
File 47-7689

6" coning cemented in with 60 bags of cement - I felt we got a extra good seal on this ~~one~~ - one - There is a valve on the T so you can check the shut in pressure -



Wayne Marshall well -

This well didn't produce as hoped - It's too bad we didn't know the rock was going to be at 315 feet, we would have put the 10" casing on into it - It was some what of a freak all the way around - It doesn't give any trouble though and the pipe is well sealed -

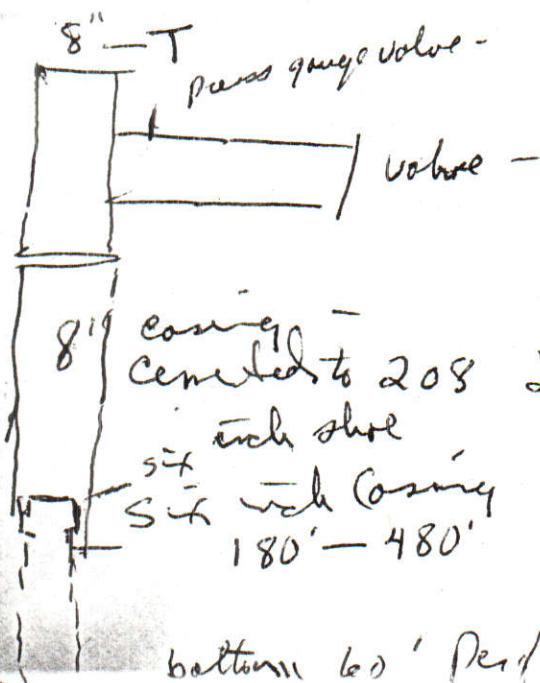


(over)

MICROFILMED

We have just put a liner (300 feet of 6") in the first well we drilled for Bob King - along Salmon Falls Creek. It had been coming in - it had 208 feet of 8" cement in and so now its cased to bottom 480'. There is another near by w/ 125' of coming in it (Depewes) it is also coming - we didn't drill it but I understand they want it cleaned out and a liner put in so they can put a generator on it to make electricity for a home they expect to build there. I'm not filing a protest, I don't have any property down there, but I sure wish you wouldn't let them do that. Its such a waste, the temp is 155 to 160°.

I should have called you on Kings job, we couldn't use a packer on it as we had to blank the pipe off to weld it - It had a flow of about 500 G.P.M. the liner did make a clean well out of it.



Sincerely,

Blaine Boley

if you have any questions drop me a line I'm hard to catch on the phone - these log copies are extras, you can dispose of them as you wish -

bottom 60' Perforated

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-07689

Priority: February 2, 1981

Maximum Diversion Rate:

0.30 CFS

Maximum Diversion Volume:

155.8 AF

This is to certify, that DWAIN A KNIGGE
BARBARA KNIGGE

4799A RIVER RD

BUHL ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 31, 1980; and has submitted Proof of Beneficial Use on February 21, 1986. An examination indicates that the works have a diversion capacity of 0.300 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	0.20 CFS	83.4 AF
RECREATION	01/01 to 12/31	0.10 CFS	72.4 AF
	Totals	0.30 CFS	155.8 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: HEATING

TWN RGE SEC

08S 14E 32 NWSE

PLACE OF USE:

RECREATION, same as HEATING use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
2. Heating use is for a house, non-commercial greenhouse, and hot tub.
3. Recreation use is for fish habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 25TH day of

MAY, 1986.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 09 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-07689)
IN THE NAME OF DWAIN A. AND/OR) **ORDER ADVANCING**
BARBARA KNIGGE) **DATE OF PRIORITY**
_____)

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 47-07689 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On March 17, 1981, the Department approved Application for Permit No. 47-07689 to appropriate water with a date of priority of December 31, 1980.
2. On August 11, 1987, the department sent the original permit holder an Examination Fee Notice and informed him that he had sixty (60) days to submit the required examination fee.
3. On November 12, 1987, the permit holder submitted the examination fee. The fee was submitted 33 days late, however, the department did not issue an order advancing the date of priority.

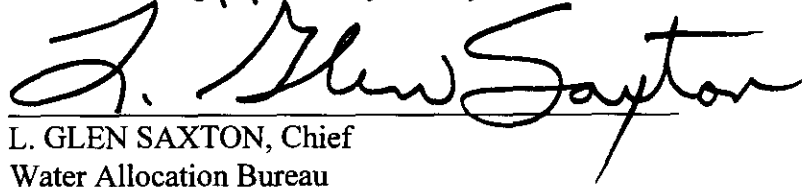
CONCLUSIONS OF LAW

1. The Department should issue an order showing that the priority has been advanced 33 days.

ORDER

IT IS THEREFORE HEREBY ORDERED that the date of priority of Permit No. 47-07689 is advanced to February 2, 1981.

Dated this 24th day of May, 1999.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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JUN 09 1999

For Office Use Only
 \$25.00 Filing Fee
 Receipt # 5021787
 Date 2-22-99

RECEIVED

State of Idaho

DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 18 1999

MAR 17 1999

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

Department of Water Resources
Southern Region

I, Jerry Foster (Permit Holder), hereby assign to Dwain A. &/or Barbara Knigge
 of 4799A River Rd., Buhl, ID 83216 Phone 543-6777
 (Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 47-07689
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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 portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

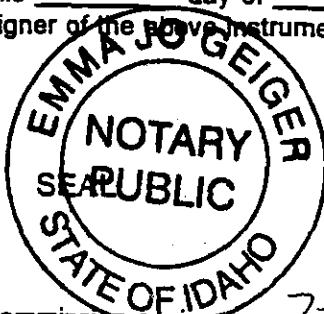
Made this 17 day of February, 1999.

Jerry Foster
 Permit Holder(s)

State of Idaho)

County of Gooding ss

On this 17th day of February, 1999, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Emma J. Geiger
 Notary Public

Emma J. Geiger
 Signature

My commission expires: 7-7-2003

MICROFILMED

JUN 09 1999

RECEIVED

FEB 28 1986

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 21 1986

PROOF OF BENEFICIAL USE

Department of Water Resources

Department of Water Resources
Southern District Office

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. 47-7689

Name(s) of Permit Holder: Jerry L. Foster

Post Office Address: Route #3, Box 412

Buhl, ID 83316 Telephone No. 543-6421 6142

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks Heating, recreation, commercial

Indicate the date water was first diverted and beneficially used under this permit: March 11, Oct 6, 1985

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

* Flow Measurement Port: Required? ☒ Yes ☐ No Will be installed. I have measured this open
Installed? ☐ Yes ☒ No discharge at 60 gpm into a bucket.

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

Permit holder

(Name)

Office 536-5911

(Address)

(Telephone Number)

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

2/21/86
Date

Jerry L. Foster
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

6-18-86
17

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF GROUND WATER	)	
DEVELOPMENT IN THE BANBURY HOT	)	ORDER
SPRINGS GROUND WATER MANAGEMENT	)	
AREA, TWIN FALLS COUNTY.	)	
	)	

This matter having come before the Director of the Department of Water Resources following investigation by the Department staff, the Director finds as follows:

1. The Banbury Hot Springs Ground Water Management Area (Banbury Management Area) was created on April 12, 1983 by Order of the Director of the Department of Water Resources (Director) pursuant to the provisions of Section 42-233b, Idaho Code.

2. The Department has monitored wells in the Banbury Management Area, prior to and subsequent to designation of the area, and the wells continue to show a decline in pressure.

3. Department records show that there are numerous permitted but not yet developed water uses and projects within the Banbury Management Area.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Director makes the following conclusions of law:

1. Idaho Code § 42-237a(g) (1977 and Supp. 1985) empowers the Director of the Department of Water Resources, "To supervise and control the exercise and administration of all rights hereafter acquired to the use of ground waters and in the exer-

cise of this power he may be [by] summary order, prohibit or limit the withdrawal of water from any well during any period that he determines that water to fill any water right in said well is not there available."

2. Idaho Code § 42-237a(g) further provides that, "Water in a well shall not be deemed available to fill a water right therein if withdrawal therefrom of the amount called for by such right would . . . result in the withdrawing [of] the ground water supply at a rate beyond the reasonably anticipated average rate of future natural recharge."

3. Idaho Code § 42-1805 (Supp. 1985) provides in part as follows:

In addition to other duties prescribed by law, the director of the department of water resources shall have the following powers and duties:

.

(7) After notice, to suspend the issuance or further action on permits or applications necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

4. Based upon presently available data, the ground water supply within the Banbury Management Area is being withdrawn at a rate beyond the reasonably anticipated average rate of future natural recharge.

5. The Director has a duty, pursuant to Idaho Code §§ 42-237a(g) and 42-1805, to stay the approval of any pending applications for permit to appropriate ground water within the

Banbury Management Area, and to order the suspension of any further development under existing permits to appropriate ground water within the Banbury Management Area which, as of the date of service of this order, are not fully developed.

ORDER

IT IS, THEREFORE, HEREBY ORDERED as follows:

1. As of the date of this order, approval of any pending applications for permit to appropriate ground water within the Banbury Hot Springs Ground Water Management Area shall be stayed until further order by the Director.

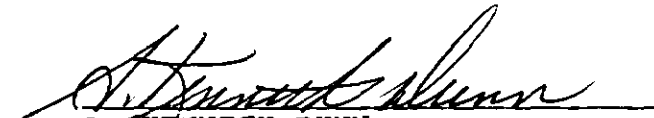
2. The owners of permits to appropriate ground water within the boundaries of the Banbury Hot Springs Ground Water Management Area shall cease and suspend any further development under those permits beyond the extent already developed as of the date of service of this order.

3. The owners of permits to appropriate ground water within the boundaries of the Banbury Hot Springs Ground Water Management Area, for which proof of beneficial use has not already been submitted to the Department of Water Resources, shall submit proof of beneficial use showing the extent of existing development if any, upon forms furnished by the Department, within thirty (30) days of the service of this order.

4. A copy of this order shall be served by certified mail upon the owners of all applications and permits to appropriate ground water within the Banbury Hot Springs Ground Water

Management Area, together with a letter identifying the record owner of the application or permit, the application or permit number, and a statement describing the legal recourse which may be taken by someone who objects to any provision of this order.

DATED this 4th day of December, 1985.


A. KENNETH DUNN
Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE BANBURY HOT SPRINGS	)	ORDER SUPPLEMENTING
	)	CONDITIONS OF APPROVAL FOR
GROUNDWATER MANAGEMENT AREA	)	PERMIT TO APPROPRIATE
	)	GROUNDWATER NO. 47-7689

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;

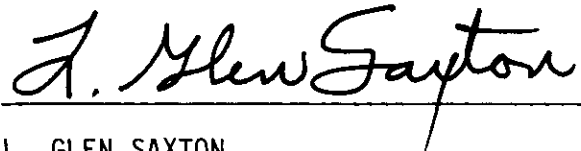
NOW, THEREFORE, the conditions of approval for Permit No. 47-7689 are hereby supplemented with the following additional conditions:

- 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

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 2nd day of May, 1983.

A handwritten signature in cursive script, reading "L. Glen Saxton", written over a horizontal line.

L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Jerry L. Foster Phone 543-6142

Post office address Route #3, Buhl, Id 83316

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

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 8S

Range 14E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 cfs for heating purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 cfs for recreation purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.00 cfs for commercial 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. 1.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Artesian hot-water well, pipeline

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 600 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: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 8S

Range 14E 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: Recreation = swimming pool.

Commercial = heating & irrigation in commercial greenhouse, & alcohol plant

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

[illegible]**Total number of acres to be irrigated**

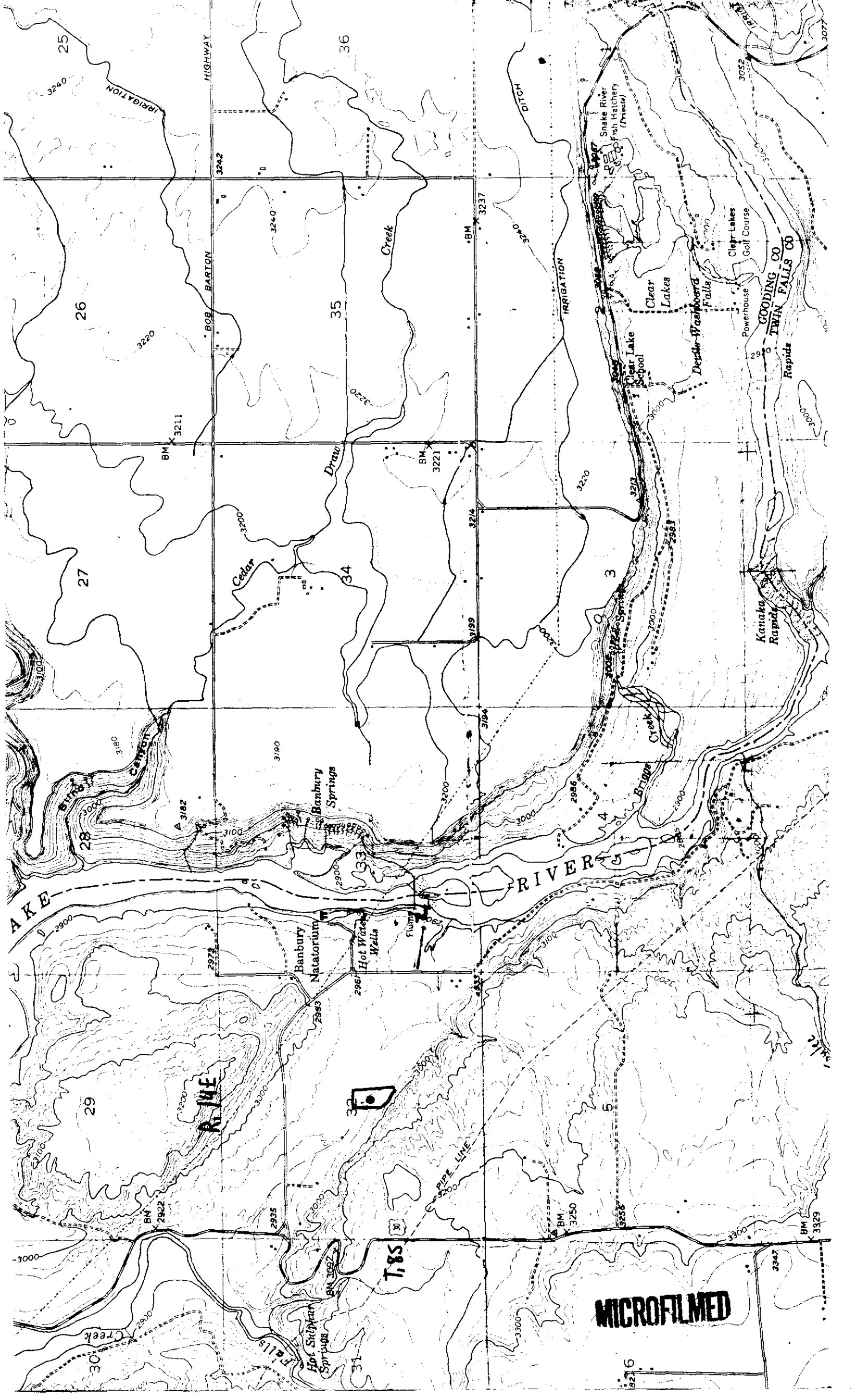
c. Describe any other water rights used for the same purposes as described above.

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

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

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.

[illegible]

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.

Jeff L Foster
(Applicant)

(Applicant)

MICROFILMED

Proposed Priority 12/31/80

MICROFILMED

Received by JA Date 12-31-80 Time 8:05 am

Preliminary check by DeFulby Fee \$ 45.00

Receipted by JP Date 12-31-80 # 16743

Publication prepared by macya Date 1/16/81

Published in times news

Publication dates 1/29 + 2/5/81

Publication approved macya Date 1/27/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LA RA

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. 47-7689, 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 March 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: 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.

(2) Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 17th day of March, 1981.

A. Glen Saylor

Affidavit of Publication

Nº 10075

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Copps McBuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated January 29, 1981, and ending with the issue dated February 5, 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 Copps McBuire
Subscribed and sworn to before me on this 5 day of

February, 1981

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

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RECEIVED

Department of Water Resources
Southern Region
Twin Falls, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DWAIN A KNIGGE
BARBARA KNIGGE
4799A RIVER RD
BUHL ID 83316

RE: WATER RIGHT 47-07689

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also enclosed is an Order Advancing Date of Priority.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

JUN 03 1999

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 47-07689

DWAIN A KNIGGE
BARBARA KNIGGE
4799A RIVER RD
BUHL ID 83316


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 09 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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JUN 09 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: FILE 47-07689

FROM: NORM YOUNG

RE: DIVERSION CAPACITY

DATE: May 25, 1999

The field examination of this permit indicates that the well will produce 2.07 cfs. However, this is the open discharge flow rate from the well. When connected to the system, it is not reasonable to expect the small diameter distribution lines to carry this flow rate. It is more reasonable to assume that the diversion capacity of the system is approximated by the rate needed to sustain the beneficial use documented by the license.

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JUN 09 1999

MEMORANDUM

DATE: April 27, 1999
TO: File No. 47-07689
FROM: Cindy Lou Zimmerman ^{CS}
SUBJECT: Review of Beneficial Use Field Report

Heating use with geothermal water was not calculated. I called the new right holder today to clarify the geothermal use. Dwain Knigge clarified heating use as follows:

- Water is diverted to the house for heating from about 9/1 – 5/15, R factor is poor to average.
- Water is diverted to the greenhouse for heating continuously.
- About 5 gpm is diverted to heat the hot tub continuously.

Mr. Knigge confirmed that about 0.10 cfs is diverted directly to the ponds continuously to maintain exotic fish. Mr. Knigge also confirmed no commercial use was developed under this permit.

Per information in exam and from new right holder, I produced the attached heating spreadsheets. The following adjustments¹ were made on the field:

F. Flow Calculations.

1. Heating, see spreadsheets.
 - a. House = **0.13** cfs.
 - b. Greenhouse = **0.06** cfs.
 - c. Hot Tub = **0.01** cfs.
 - d. Maximum heating flow = $a + b + c = 0.13 + 0.06 + 0.01 = 0.20$ cfs
2. Recreation = 45 gpm = **0.10** cfs.
3. Maximum rate of flow = $0.20 + 0.10 = \mathbf{0.30}$ cfs.

G. Volume Calculations.

1. Heating, see spreadsheets.
 - a. House = **33.3** AF.
 - b. Greenhouse = **42.0** AF.
 - c. Hot Tub = **8.1** AF.
 - d. Maximum heating annual volume = $33.3 + 42.0 + 8.1 = \mathbf{83.4}$ AF.
2. Recreation = $\text{cfs} \times \text{days per year} \times 1.9835 = 0.10 \times 365 \times 1.9835 = \mathbf{72.4}$ AF.
3. Maximum Annual Volume = $83.4 + 72.4 = \mathbf{155.8}$ AF.

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Heating	1/1-12/31	<u>0.20</u> cfs	<u>83.4</u> AF
Recreation	1/1-12/31	<u>0.10</u> cfs	<u>72.4</u> AF
	Totals:	<u>0.30</u> cfs	<u>155.8</u> AF

Examiner: Carl Reeb and Jim Stanton
Examined: June 2, 1988

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JUN 09 1999

¹ Adjustments are **bolded and underlined**.

MEMORANDUM

TO: File No. 47-07689 - house
FROM: Cindy Zimmerman 
RE: General Review of Heating or Cooling Use Requirements
DATE: 04/27/99

RATE OF FLOW AND ANNUAL VOLUME FOR HEATING USE

REQUIRED DATA:

Source Temperature	=	120 degrees	¹
Area / 1 two story building	=	2900 sq. ft.	²
Temperature Outside	=	0 degrees	
Temperature Inside	=	72 degrees	²
Building Efficiency	=	1.11	²
Temperature Required	=	72 degrees	²
Days per year temp above/below 70 (9/1-5/15)	=	260 days	²
Hours per day temp above/below 70	=	12 hours	²

CALCULATIONS:

Single Floor System Heat Load	=	231,768 btu/hr
Two Floor System Heat Load	=	185,414 btu/hr
Temp. Drop Across System	=	14.4 degrees

FLOW RATE:

Single Floor Flow Rate	=	32 gpm
	=	0.07 cfs
Second Floor Flow Rate	=	26 gpm
	=	0.06 cfs
Total Flow Rate	=	0.13 cfs

VOLUME:

Single Floor Annual Volume	=	18.5 af
Second Floor Annual Volume	=	14.8 af
Combined Annual Volume	=	33.3 af

*SUGGESTED AVERAGE OUTSIDE TEMPERATURES:

<u>Winter</u>		<u>Summer</u>	
4 degrees F.	Boise	80 degrees F.	Boise
6 degrees F.	Grand View	90 degrees F.	Grand View
-8 degrees F.	Cascade	70 degrees F.	Cascade

**EFFICIENCY RATING INFORMATION (Source: Admin Memo, 9/28/92)

0.28 Best energy efficiency rating
0.44 Good energy efficiency rating
0.67 Average energy efficiency rating
1.11 Poor energy efficiency rating

References:

- ¹ = per field exam.
² = per telecon with Dwain Knippe, 4/26/99.

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JUN 09 1999

MEMORANDUM

TO: File No. 47-07689 - greenhouse

FROM: Cindy Zimmerman *CS*

RE: General Review of Heating or Cooling Use Requirements

DATE: 04/27/99

RATE OF FLOW AND ANNUAL VOLUME FOR HEATING USE

REQUIRED DATA:

Source Temperature	=	120 degrees	¹
Area / Single Story	=	1600 sq. ft.	²
Temperature Outside*	=	-8 degrees	
Temperature Inside	=	80 degrees	²
Building Efficiency**	=	1.11	²
Temperature Required	=	80 degrees	²
Days temp above/below 70	=	365 days	²
Hrs/day temp above/below 70	=	24 hours	²

CALCULATIONS:

Single Floor Load	=	156,288 btu/hr
Temp. Drop Across System	=	12 degrees

FLOW RATE:

Single Floor Flow Rate	=	26 gpm
	=	~~630 cfm~~

VOLUME:

Single Floor Annual Volume	=	~~1100 cu ft~~
----------------------------	---	-----------------------

*SUGGESTED AVERAGE OUTSIDE TEMPERATURES:

<u>Winter</u>		<u>Summer</u>	
4 degrees F.	Boise	80 degrees F.	Boise
6 degrees F.	Grand View	90 degrees F.	Grand View
-8 degrees F.	Cascade	70 degrees F.	Cascade

**EFFICIENCY RATING INFORMATION (Source: Admin Memo, 9/28/92)

0.28 Best energy efficiency rating
0.44 Good energy efficiency rating
0.67 Average energy efficiency rating
1.11 Poor energy efficiency rating

References:

- ¹ = per field exam.
² = per telecon with Dwain Knippe, 4/26/99.

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JUN 09 1999

MEMORANDUM

TO: File No. 47-07689 - hot tub

FROM: Cindy Zimmerman ^{CJ}

RE: General Review of Heating or Cooling Use Requirements

DATE: 04/27/99

RATE OF FLOW AND ANNUAL VOLUME FOR HEATING USE

Required Data:

Rate of flow = 5 gpm
= * 0.01 cfs

Season of Use = 365 days/year

Annual Volume Calculation = [REDACTED]

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JUN 09 1999

ACTION REQUIRED

FROM: Jim. Southern

TO: Sharla Curtis *SL* 2-22-99

Attached exam was done in 1988 but never sent to S. O. New owner requests license be issued as soon as possible. Assignment of permit is also attached. Thanks. *JP*

RECEIVED

RECEIVED

MAR 17 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-7689

1. Owner: Jerry L Foster

Phone No. 543-6142

Current Address: Rt. #3, Box 412, Buhl, Id. 83316

2. Accompanied by: Jerry Foster

EXAM. DATE: 6/2/88

Address: same

Phone No. same

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-4168, 36-8141, 47-7721, 47-7883

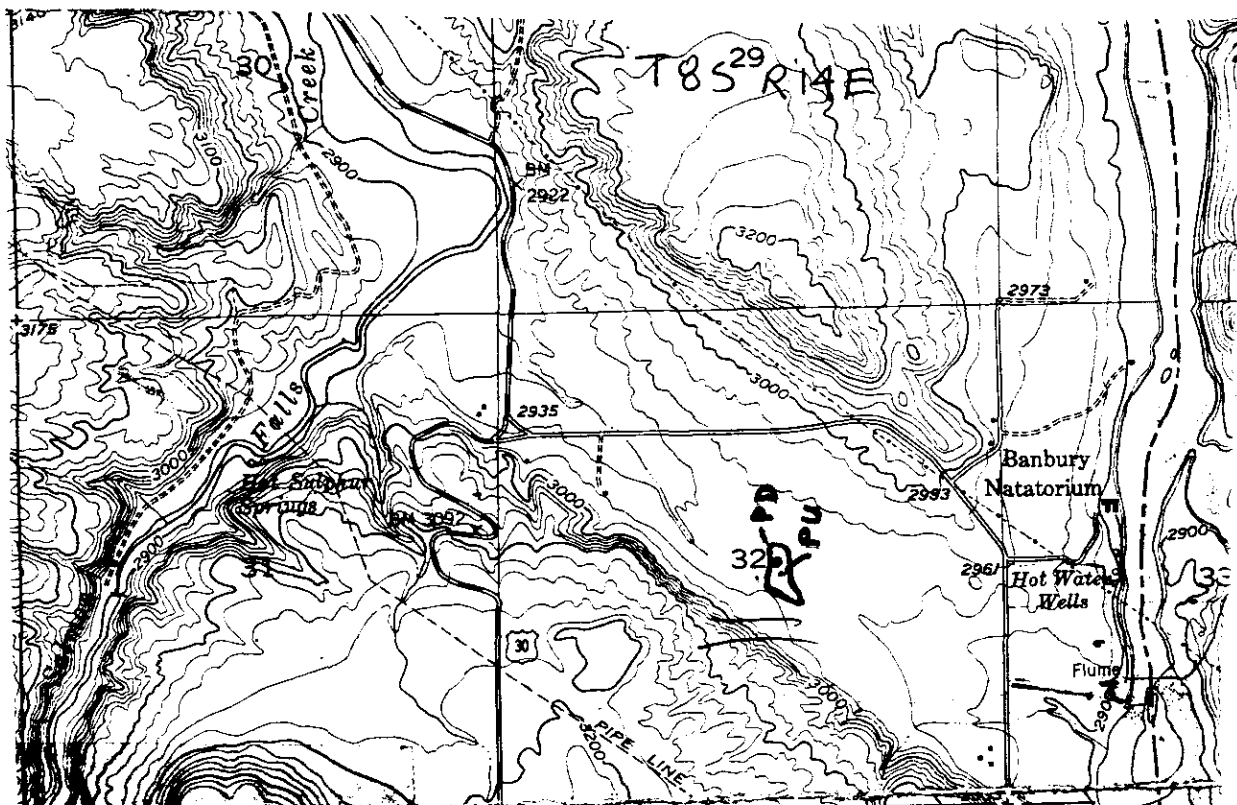
 Copies Attached

2. Other water rights with same point of diversion: 47,7883

☒ 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).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ **Aerial Photo Attached**
(required for irrigation of 10 acres or more).

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JUN 13 1979

System Description (continued)

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

One Artesian hot-water well supplies 123°F water (at well) to hot-tub, forced air heating system in house, and floor coils and forced air heating systems in greenhouse. Waste water from hot-tub, and heating systems feed two small fish ponds. A pressure of 57 psi was measured at well head. A total of 3,704 ft² of Area is heated in home with water temp. 120°F.

☐ 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
Artesian					
Hot water well		N/A			

*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
		NW	NW	SE	32	8S	14E	Twin Falls	15' Quad.

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														X			

X = Recreation, commercial, and heating (Greenhouse, Single family House)

Do not use this space

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JUN 09 '93

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Spurling Meter			60105	4335		

2. Measurements:

A Spurling Meter was used to get the full capacity of the well. Several Measurements were taken with an average of $1 \text{ Rev}/20 \text{ sec}$. $Q = \frac{.001 \text{ Rev} \times 43,560 \text{ ft}^2}{20 \text{ sec} \times 1.486} = 2.07 \text{ cfs}$.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Measured well capacity 2.07 cfs . Allow permitted amounts.

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) $\div$ 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.

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{Dp} =$ _____

2. Volume Calculations for Other Uses:

$1.0 \text{ cfs} \times 1.9835 \text{ AF/cfs/day} \times 365 \text{ days/yr} = 724.0 \text{ AFA}$

$0.2 \text{ cfs} \times " \times " = 144.8$

MICROFILM
10/11/70

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No alcohol plant exists, it should be removed from permit. Also, under recreation the fish ponds should be included. These ponds are fed solely from wastewater. ~~Effluent flows in a 1 ft~~ wide open natural ditch to Marsh and Pond. Lush vegetation in ditch consumes most of the water before it reaches the pond. At this time, the capacity of the well is not being used

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
heating	Jan 1.	Dec. 31	0.20 cfs	174.8
recreation	Jan 1.	Dec. 31	0.20 cfs	174.8
commercial	Jan 1.	Dec. 31	1.00 cfs	724.0
Totals:			1.00 cfs	724.0

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 Carl Reeb

Signature Carl E Reeb

Certification Date _____

Field Report Preparation Date 6/2/88

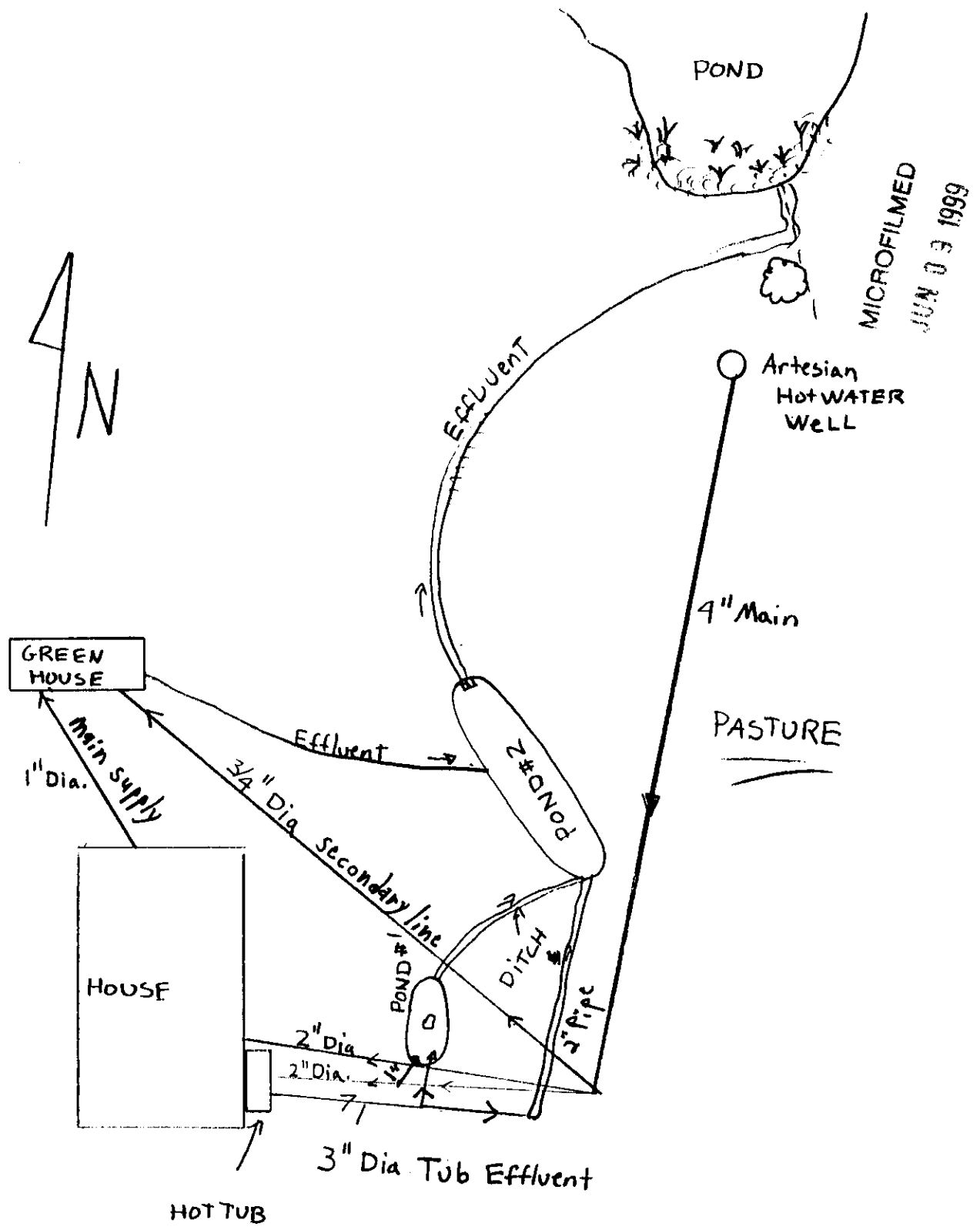
CONSULTANT SEAL

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

MICROFILMED
JUN 09 1994

Not TO Scale

47-7689



MICROFILMED
JUN 03 1999

TO: File

DATE: March 16, 1999

FROM: Jim Stanton

SUBJECT: Licensing Exam for 47-07689, Dwaine Knigge

I recently discussed this system with Mr. Knigge. He told me that hot water runs thru the hot tub, the home, and the greenhouse all the time, although heating needs vary seasonally. There is also an outlet from the line to the hot tub that feeds directly into the small fish pond; the original exam said that all water for the ponds was wastewater, but this is not correct (at least not now). The home is 1500 square feet upstairs, with a full basement of the same size, and is well insulated. The owner stressed that he tries to operate this system as efficiently as possible in order to conserve the geothermal resource. Although the well would produce 724 AFA at the permitted flow of 1.0 cfs, the actual historic use is probably less than this. I don't know how the actual use could be determined without a totalizer meter on the well, but there is none.

RECEIVED

MAR 17 1999

Department of Water Resources

MICROFILMED

JUN 09 1999

CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

FOR PERMIT NO. 47-7689

BY: CR

	<u>DATE</u>	<u>NUMBER OF DAYS</u> <u>(From Table of Days</u> <u>Between Two Dates)</u>
A. EXAMINATION FEE NOTICE SENT	<u>8/11/87</u>	<u>223</u>
B. DATE FEE DUE(60 days)	<u>10/10/87</u>	<u>283</u>
C. DATE FEE RECEIVED	<u>11/12/87</u>	<u>316</u>
D. NUMBER OF DAYS LATE (C - B)		<u>33</u>
E. ORIGINAL PRIORITY DATE (Check Reinstatement, etc.)	<u>12/31/80</u>	<u>366</u>
F. NEW PRIORITY DATE (D + E)	<u>2/2/81</u>	<u>409</u>
		<u>366</u> <u>33</u>

REMARKS:

RECEIVED

MAR 17 1988

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JUN 09 1999

6661 8 0 JUN
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TABLE OF DAYS BETWEEN TWO DATES

LEAP YEARS

1952

1956

1960

1964

1968

1972

1976

1980

1984

1988

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

DATE OF THIS COPY
COPYRIGHTED BY THE NATIONAL ARCHIVES



Hot Tub

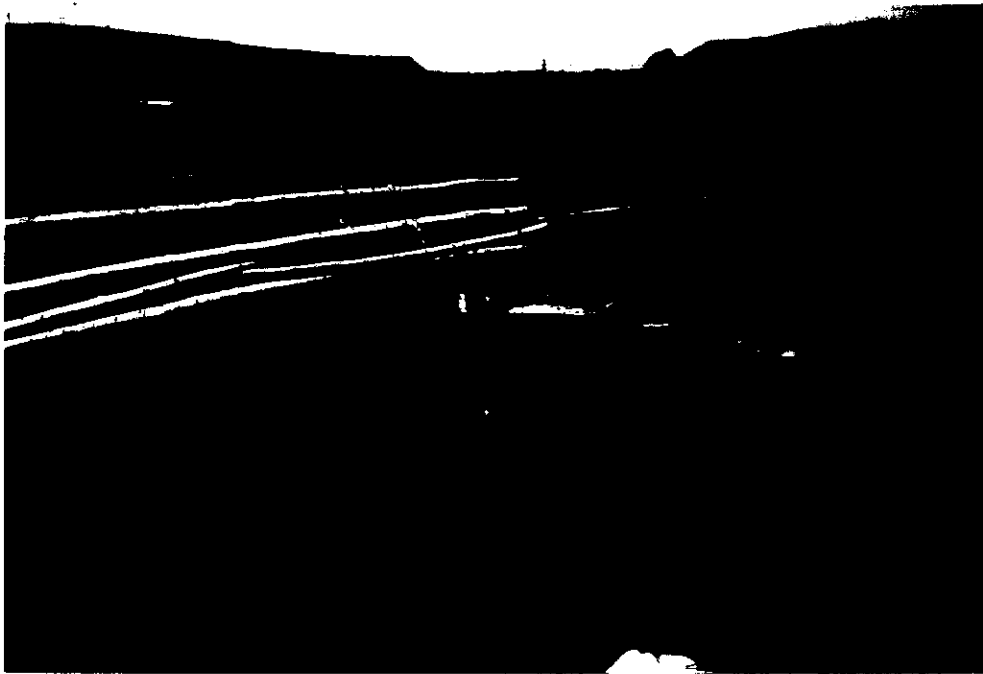


Hot tub effluent into ditch

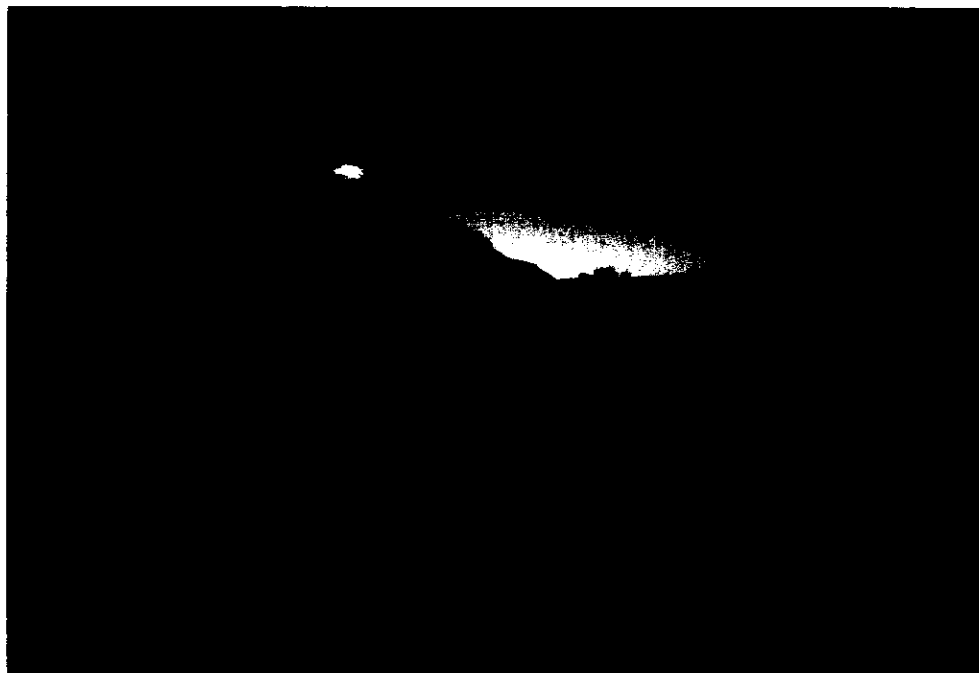
MICROFILMED

JUN 09 1999

47-7689



Pond #1



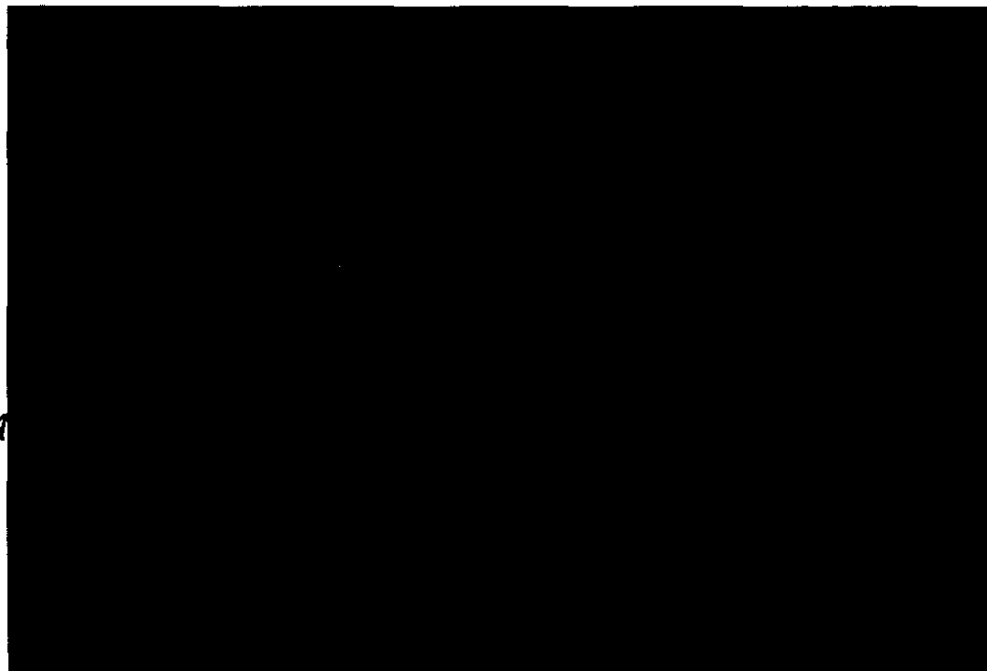
Looking toward outlet on pond #2

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JUN 09 1999



Ditch running into pond #2



well

Effluent from Pond #2 running down fence line
into Marsh. ~~WATER FILMED~~ Background.

JUN 09 1999



Green House. ~~Manitoba~~

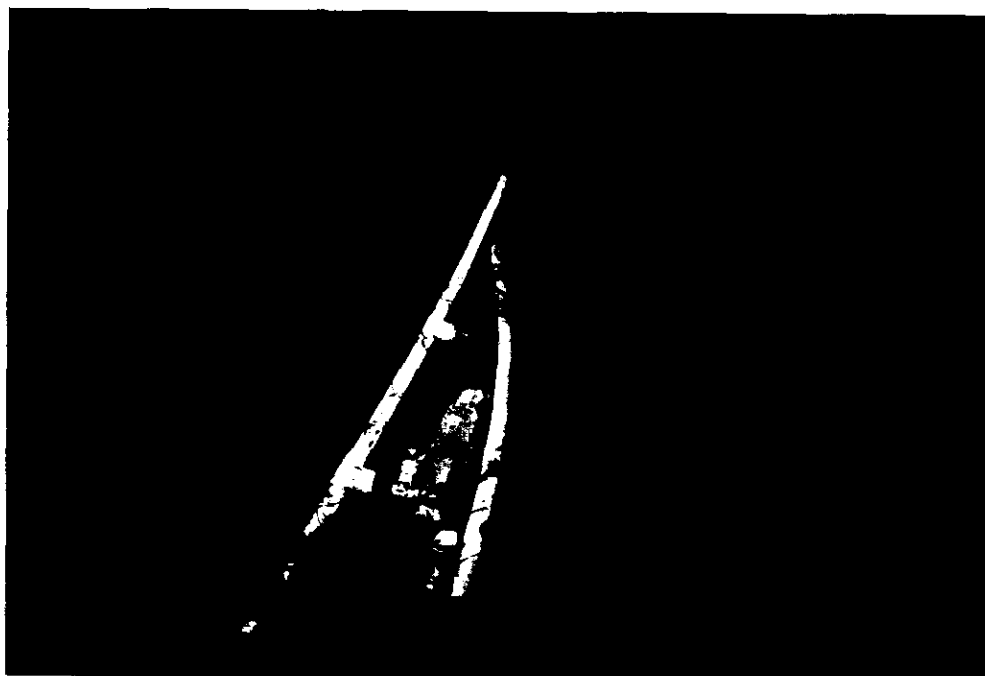


Artesian Hot-water Well and Installation
of Sparlimeter

JUN 08 1993



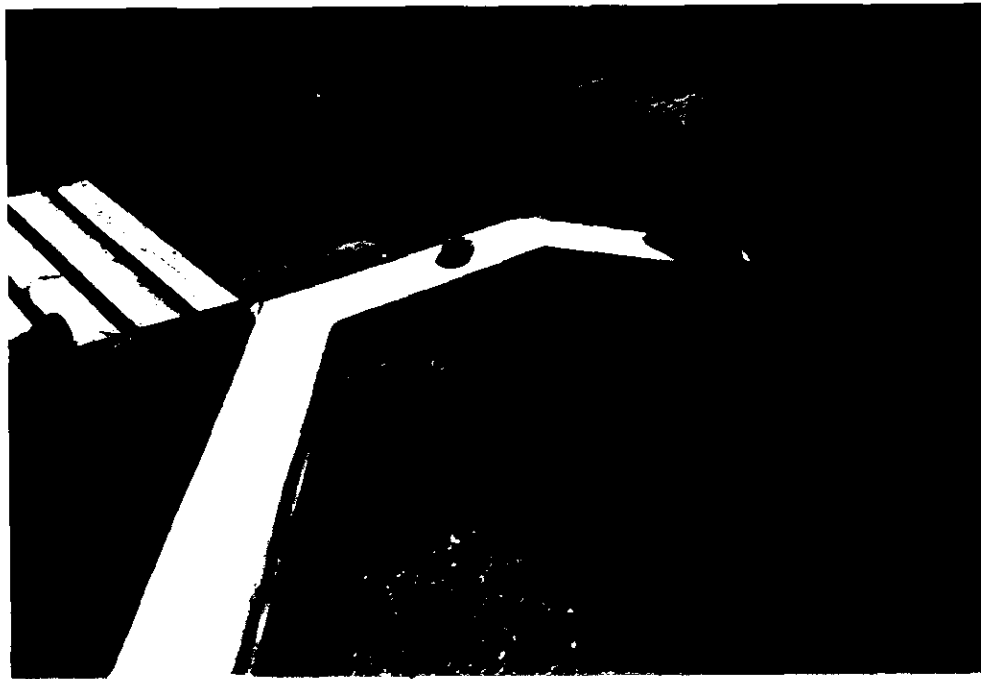
Sparking Meter Measurement



Pipelines To Home & Hot Tub

MICROFILMED
JUN 09 1999

47-07689
Carl Reeb
6-2-1988



Hot Tub Outflow Pipe



Inflow To Pond #1

MICROFILMED
JUN 03 1999

47-07689
Carl Reeb
6-2-1988

4/86

RECEIVED

NOV 12 1987

RECEIVED

NOV 16 1987

For Office Use Only
 Fee Received 50
 Date 11/12/87
 Receipt # 44341
 Receipt by CG
 Sent to S.O. 11/12/87

DEPARTMENT OF WATER RESOURCES
 DIVISION OF PERMITS

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 47-7689

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: JERRY L FOSTER SR.3. Post Office Address: RT 3 Box 412BUHL, IDAHO 83316 Telephone No. 543-61424. Source of Water: WELL

5. Extent of Use:

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)Irrigation _____ (acres) Other/Remark GREEN HOUSEPOOL + FISH PERSONAL USE6. Total rate &/or volume for which proof is submitted 60 ^{GPM} ~~cfs~~ acre-feet

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

10/85

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

JERRY L FOSTER SR. (Name)RT 3 Box 412 (Address)BUHL, IDAHO 83316 (Address)Home 543-6142OFFICE 536-5911 (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.)

MICROFILMED

Date 10/29/87Signature of Permit Holder (and title, if appropriate) Jerry L Foster

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.



DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

2148 4th Ave. E
Twin Falls, Idaho 83
(208) 734-3578

August 11, 1987

47-7689
Jerry L. Foster
Route 3 Box 412
Buhl, ID 83316

138863

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.

MICROFILMED

SEP 14 1987

Examination Fee Notice
Page 2

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 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.

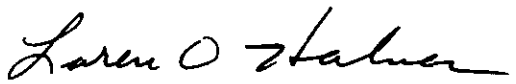
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

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
2148 4th Avenue East
Twin Falls, ID 83301
Phone: 734-3578

Sincerely,


LOREN HOLMES
Southern Region Supervisor

Enclosures

MICROFILMED

JUN 09 1999

INTER-DEPARTMENT MEMO — 1

1
FROM

Rita Lusk

DATE

2-18-1986

TO

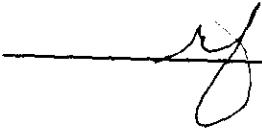
File 47-7689

SUBJECT

Returned Notice

The Twin Falls County Assessor has
the same address. — Rt. 3, Buhl, Id
for Jerry L. Foster.

MICROFILMED


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 23, 1986

Jerry L. Foster
Route 3
Buhl, ID 83316

RE: Water Right Permit No. 47-7689

Dear Mr. Foster:

The enclosed letter and order were mailed to you in December 1985. Since they were not claimed, I am returning them by regular mail.

If you wish to contest the order or if you have any questions, contact our Twin Falls Office or me.

Sincerely,

JOHN E. BEAL, Supervisor
Permits Section

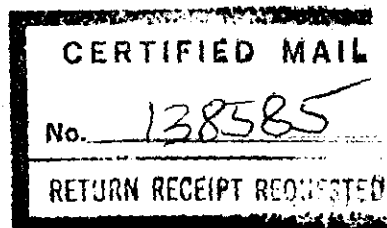
JEB:ldt

Enclosures

CC: IDWR - Southern Region

MICROFILMED

DEPARTMENT OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



Jerry D. Foster
Route 3
Buhl, ID 83316

RECEIVED
JAN 13 1988

Department of Water Resources

05/11/1971

PS Form 3811, July 1962

• REMIFF: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES)	
1. The following service is requested (check one): ☐ Show to whom article delivered ☐ Show to whom, date, and address of delivery	
2. ☐ RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.)	
TOTAL \$	
3. ARTICLE ADDRESSED TO: Jerry L. Foster	
4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☒ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER 138525
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent	
5. DATE OF DELIVERY	POSTMARK (may be on reverse side)
6. ADDRESSEE'S ADDRESS (only if requested)	861 JAN 11 1963
7. UNABLE TO DELIVER BECAUSE:	70. EMPLOYEE'S INITIALS 91000

RETURN RECEIPT

47-7689 (1dt)

47-7689 (1dt)





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 12, 1985

CERTIFIED MAIL

Jerry L. Foster
Route 3
Buhl, ID 83316

RE: Water Right Permit No. 47-7689

Dear Mr. Foster:

Enclosed is an Order issued by the Director of the Department of Water Resources affecting pending applications for permit to appropriate the public waters of the State of Idaho and existing permits for which proof of beneficial use has not been submitted to the Department.

Also enclosed is a proof of beneficial use form which must be filled out and returned by permit holders in order to comply with the enclosed order.

As a permit holder, you should be aware that provisions of section 42-237e, Idaho Code, provide you may contest such requirements pursuant to section 42-1701A(3) and request a hearing on the matter, provided that the request is received by the Department within fifteen (15) days after the receipt of the Order. The request for hearing must be in writing and must state the reasons for contesting the requirements of the Order.

If you have any questions or need assistance, contact either the Regional Office in Twin Falls (phone 734-3578) or the State Office in Boise.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

LGS:ldt (P1-1.53)

Enclosures

CC: IDWR - Southern Region

MICROFILMED

NAME AND
ADDRESS
OF SENDER

DEPARTMENT OF WAIVER RECEIPT

STATION

POST OFFICE

Indicate type of mail

☐ Registered
☐ Insured
☐ COD
☐ Certified ☐ Express MailCheck appropriate block for
Registered Mail:☐ With Postal Insurance
☐ Without Postal InsuranceAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Post. Del. Fee Remarks
1	138584	Larry D. Olsen P.O. Box 171 Buhl, ID 83316	47-7829	39	75				70			
2												
3	138585	Jerry L. Foster Route 3 Buhl, ID 83316	47-7689	39	75				70			
4												
5	138586	Wayne R. Marshall 185 Blair Drive Twin Falls, ID 83301	47-7792 47-7721	39	75				70			
6												
7	138587	Robert W. Ring Alva June Ring Route 3 Buhl, ID 83316	47-7426 47-7435 47-7425	39	75				70			
8												
9	138588	Duwayne Wilson Jess O. Eastman Route 3 Buhl, ID 83316	47-7525	39	75				70			
10												
11												
12	138589	Gary N. Nelson Route 1 Hagerman, ID 83332	47-7451	39	75				70			
13												
14												
15												

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.
--	---	--	---

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1984-445-118



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 12, 1985

CERTIFIED MAIL

Jerry L. Foster
Route 3
Buhl, ID 83316

RE: Water Right Permit No. 47-7689

Dear Mr. Foster:

Enclosed is an Order issued by the Director of the Department of Water Resources affecting pending applications for permit to appropriate the public waters of the State of Idaho and existing permits for which proof of beneficial use has not been submitted to the Department.

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If you have any questions or need assistance, contact either the Regional Office in Twin Falls (phone 734-3578) or the State Office in Boise.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Operations Bureau

LGS:ldt (Pl-1.53)

Enclosures

CC: IDWR - Southern Region

MICROFILMED

RECEIVED

FRED HENRY
TELEPHONE 432-5581

BOLEY & HENRY

WELL DRILLING

MURTAUGH, IDAHO 83344

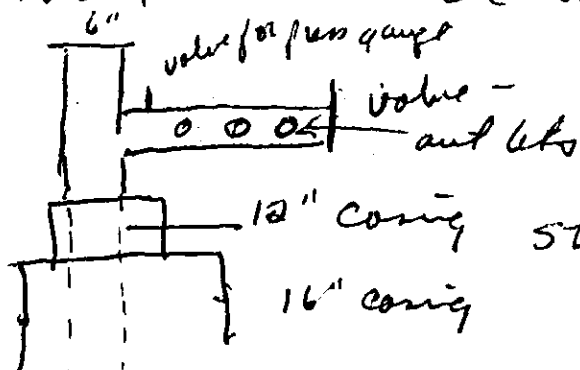
SEP 23 1985

Department of Water Resources

Hello John -

Jerry Foster well - File 47-7609

6" casing cemented in with 60 bags of cement - I felt we got a extra good seal on this one - There is a valve with T so you can check the shut in pressure -

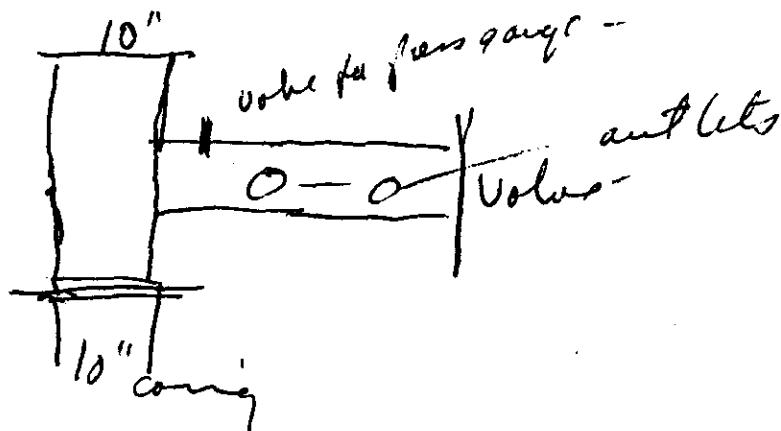


12" casing steel plate welded between 6 + 12 + 12 + 16

16" casing

Wayne Marshall well -

This well didn't produce as hoped - It too bad we didn't know the rock was going to be at 35 feet, we would have put the 10" casing on into it - It was some what of a freak all the way around - It doesn't give any trouble though and the pipe is well sealed -

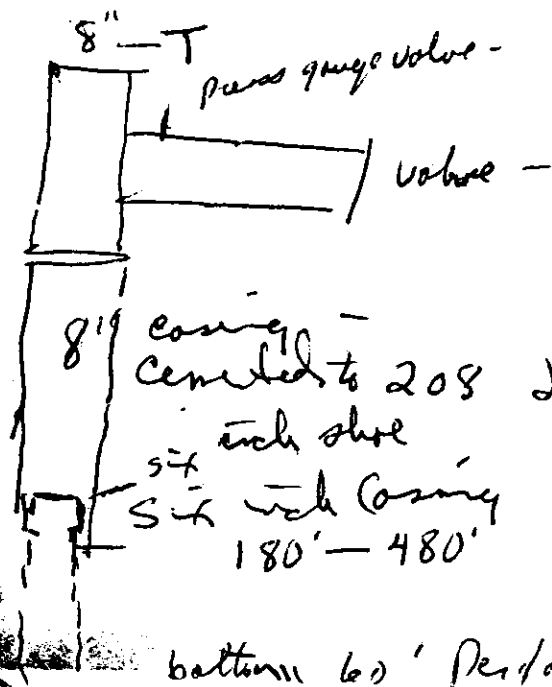


(over)

MICROFILMED

We have just put a liner (300 feet of 6") in the first well we drilled for Bob King - along Salmon Falls Creek. It had been casing in - it had 208 feet of 8" cement in and so now its cased to bottom 480'. There is another near by w/ 125' of casing in it (Depew's) it is also casing - we didn't drill it but I understand they want it cleaned out and a liner put in so they can put a generator on it to make electricity for a home they expect to build there. I'm not filing a protest, I don't have any property down there, but I sure wish you wouldn't let them do that. Its such a waste, the temp is 155 to 160°.

I should have called you on King's job, we couldn't use a jockey on it as we had to blank the pipe off to weld it - It had a flow of about 500 G.P.M. the liner did make a clean well out of it.



Sincerely

Blaine Bolay

If you have any questions drop me a line I'm hard to catch on the phone - these log copies are extras, you can dispose of them as you wish -

bottom 60' Perforated

MICROFILMED

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.RECEIVED
SEP 23 1985

1. WELL OWNER

Name Jerry Foster
Address Rt 3 Buhl, Idaho
Owner's Permit No. 47-7689

7. WATER LEVEL

Static water level _____ feet Department of Water Resources
Flowing? ☒ Yes ☐ No G.P.M. flow 500
Artesian closed-in pressure 59 p.s.i.
Controlled by: ☒ Valve ☐ Cap ☐ Plug
Temperature 121 °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other geothermal (specify type)

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	<u>16</u> inches	<u>1</u> feet	<u>23</u> feet
<u>250</u> inches	<u>12</u> inches	<u>1</u> feet	<u>47</u> feet
<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>444</u> feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow 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 24 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strata

Describe access port _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
6	0	15	Tan clay		X
	15	24	Dark grey clay		X
	24	54	Dark grey clay w/ boulders		X
	54	74	Black basalt (hand)		X
	74	80	Grey shale		X
	80	86	Red-brown clay		X
	86	104	Black basalt		X
	104	111	Red-brown silty clay	X	
	111	122	Red & black cinders	X	
	122	206	Red clay w/ rock layers		X
	206	222	Grey clay		X
	222	240	Red clay w/ rock layers		X
	240	258	Grey basalt w/ clay		X
	258	266	Grey basalt (hand)		X
	266	272	Grey-brown clay		X
	272	296	Grey-brown basalt		X
	296	307	Grey basalt		X
	307	309	Grey shale		X
	309	326	Grey basalt		X
	326	337	Grey shale w/ sticky clay		X
	337	364	Light tan shale		X
	364	367	Grey clay & shale		X
	367	385	Dark grey basalt	X	
	385	392	Grey green shale		X
	392	399	Grey shale		X
	399	432	Green shale		X
	432	441	Grey clay		X
	441	450	Tan clay		X
	450	462	Grey-green clay w/ rock layers		X
	462	469	Grey-green shale w/ rock layers		X
	469	484	Grey rhyolite	X	
	484	524	Grey shale w/ rock layers	X	
	524	528	Black rhyolite	X	
	528	565	Grey clay		X
	565		Grey shale w/ rock layers	X	

10.

Work started 1 July 1982 finished 1 Sept 1985

11. DRILLERS CERTIFICATION

I/We certify that all minimum _____ standards were
complied with at the time the rig was removed.Firm Name Boley & Henry Firm No. 86Address Murtaugh Date 5 Sept 1985Signed by (Firm Official) Blaine Boleyand
(Operator) Blaine Boley

LOCATION OF WELL

Sketch map location must agree with written location.

N				
W				E
S				

Subdivision Name _____
Lot No. _____ Block No. _____

County Twin FallsN 14 % SE 32 % Sec. 32 T. 8 N/S, R. 14 E/W.

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 Jerry Foster
Address Rt 13 Buhl, Id.
Owner's Permit No. 47-7689

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °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

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ NoWas a packer or seal used? ☐ Yes ☐ NoPerforated? ☐ Yes ☐ NoHow 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 _____ Material used in seal: ☐ Cement grout☐ Puddling clay ☐ Well cuttingsSealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded ☐ Solvent

Weld

☐ Cemented between strata

Describe access port _____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
6"	565	587	Black rhyolite	X	
6"	587	600	Grey shale w/clay layers	X	
6"	600	610	Decomposed Brown rhyolite (Major flow)	X	
Hole drilled					
16"	0	24			
12"	24	200			
8"	200	385			
6"	385	610			
First flow at 462'					
RECEIVED					
SEP 23 1985					
Department of Water Resources					

10.

Work started _____ finished _____

11. DRILLERS CERTIFICATION

MICROFILMED

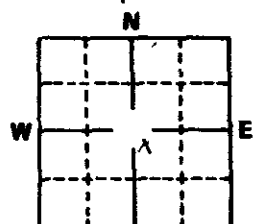
I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Boley & Henry Firm No. 86Address Murtogh Date 5 Sept 1985Signed by (Firm Official) Blaine Boley

and

(Operator) Blaine Boley

LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Winn FallsNW 1/4 SE 1/4 Sec. 32, T. 8 N/S, R. 14 E/N



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

July 20, 1983

Blaine Boley, Jr.
Boley & Henry
Murtaugh, ID 83344

RE: Drilling Plan Permit 47-7689 (Jerry L. Foster)
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T8S, R14E

Dear Mr. Boley:

The Department has reviewed your drilling prospectus for the above referenced permit. The plan is approved with the following conditions:

1. Once the 8-inch casing has been set and the Tee is attached, the shut-off valve shall be installed. This is a minimum requirement of the State's Geothermal Drilling Regulations, which we feel must be followed.
2. Liner shall be used in the well to a depth of 450 feet (approximately). A waiver of the requirement may be requested as drilling proceeds.
3. A packer shall be set between the 8-inch casing and the liner.

Once drilling has started, please feel free to contact me if conditions justify a change in the drilling plan. Also, as with the other wells in this area, please provide a detailed record of cement used, various zones encountered, etc.

If you or Mr. Foster wish to discuss this well or the above conditions, feel free to contact me.

Sincerely,

JOHN E. BEAL, Supervisor
Construction Permits Section

JEB:ldt CC: IDWR - Southern Region, Jerry Foster

MICROFILMED

BOLEY & HENRY

WELL DRILLING
MURTAUGH, IDAHO 83344

JUL 10 1969

This is a prospectus on a well for Jerry Foster with in the

BHSGWMA under permit 47- 76 89

We expect to start the well 12" in diameter, we expect to encounter basalt at about 100 feet then drill on to about 300 feet before cementing in 8 inch pipe. We will use a tree-me pipe to place the cement grout in the bottom of the hole. In the event a 10" liner is needed to reach 300 feet it will be necessary to use a cement shoe, in any case the grout will be placed in the bottom of the hole, cement in a ratio of 6 gallons of water per bag of cement, red-dy-mix, will be used.

An additional liner will probably be needed, I will keep you informed as drilling progresses. We aren't sure what to expect on this hole, we will be near a well just drilled that was rock from 35 feet to bottom of over 1000 feet. We are going out into the valley a short distance hoping to find some thing at about 600 feet. Water with a temperature of 120 plus and with a shut in pressure of 50 lbs F.S.I. can be expected.

Since I can't nail this one down for sure I will keep in touch with you by phone.

Sincerely,
Blaine Boley Jr.

Blaine Boley Jr.

MICROFILMED

BOLEY & HENRY

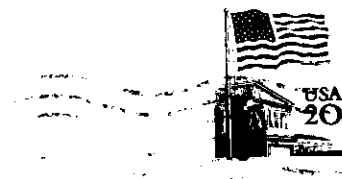
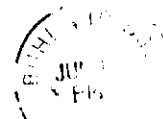
WELL DRILLING
MURTAUGH, IDAHO 83344

Dept. of Water Resources

State House

Boise, Idaho 83722

Attn. John Beal



PLACE
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

RECEIVED

Permit No. 47-7689 JUN 27 1983
Name(s) of Permit Holder(s): JERRY L. Foster
Post Office Address: Box 412 Rt 3 Department of Water Resources
Buhl, IDAHO 83303 Tel. Northern District Office 543-6142

☐ I hereby certify that construction of diversion works for the above referenced permit began on MARCH 1983. I understand that I must
(date)

continue to develop the water system 1985 due diligence to maintain a valid permit.

☐ I hereby certify that construction of diversion 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.

6/24/1983
Date

Jerry L. Foster
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

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

MICROFILMED

March 18, 1981

Jerry L. Foster
Rt. 3
Buhl, Idaho 83316

Dear Mr. Foster,

RE: Permit No. 47-7689

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed 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 specifications for the installation of the access port.

You should be aware that the Geothermal Resources Act (copy enclosed) may apply to the development you propose. Note that Section 42-4003 (7e) exempts certain uses of hot water from the requirements of the Act.

These exempted uses include operation of a "greenhouse, hot house, swimming pool, hot springs bath, or hot water fish propagation facility, space heating plant, or similar facility". The system that you propose may or may not be a "similar facility" depending on the interpretation of the statute. Therefore, you may wish to consult an attorney regarding the applicability of the Geothermal Resources Act to your proposed facility.

Sincerely,

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

DRT:mr
Enclosure

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:

47-7689

FOSTER, JERRY L.

RT. 3, BUHL, ID 83316

Source: GROUNDWATER

Date Filed: 12/31/1980

Amount: 1.00 CFS

Diversion Point: NWSE Sec 32 T 08S R 14E, TWIN FALLS Co.

Use: COMMERCIAL	(1.00 CFS)	from 01/01 to 12/31
HEATING	(0.20 CFS)	from 01/01 to 12/31
RECREATION	(0.20 CFS)	from 01/01 to 12/31

Place of Use: NWSE Sec 32 T 08S R 14E

Diversion Means: WELL & PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 16, 1981.

C. STEPHEN ALLRED

Director

Published 1/29 & 2/5/1981.

MICROFILMED

ok
meyer
1/27/81

47-788
FOSTER, JERRY L.
RT. 3, BUHL, ID 83316
Source: GROUNDWATER
Date Filed: 12/31/1980
Amount: 1.00 CFS
Diversion Point: NWSE Sec
32 T 08S R 14E, TWIN
FALLS Co.
Use: COMMERCIAL (1.00
CFS) from 01/01 to 12/31
HEATING (0.20 CFS) from
01/01 to 12/31
RECREATION (0.20 CFS)
from 01/01 to 12/31
Place of use: NWSE Sec 32 T
08S R 14E
Diversion Means: WELL &
PIPELINE

47-788

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

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

JANUARY 16, 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 FEBRUARY 16, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED