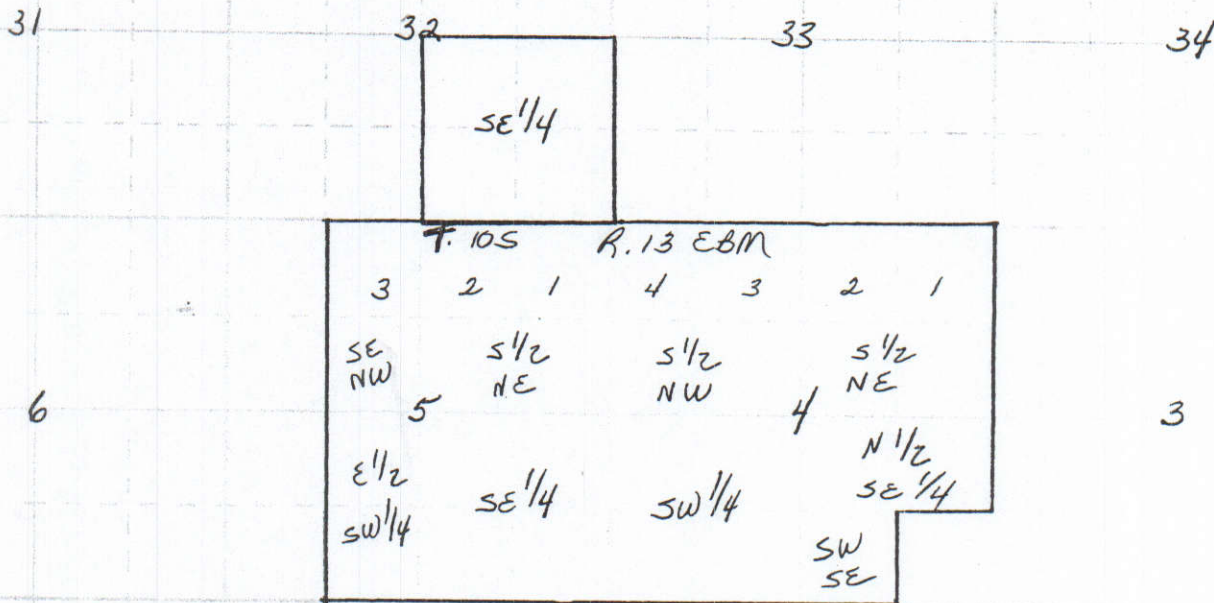


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

T. 9S R. 13 EBM



POINTS OF DIVERSION
 REMAIN THE SAME

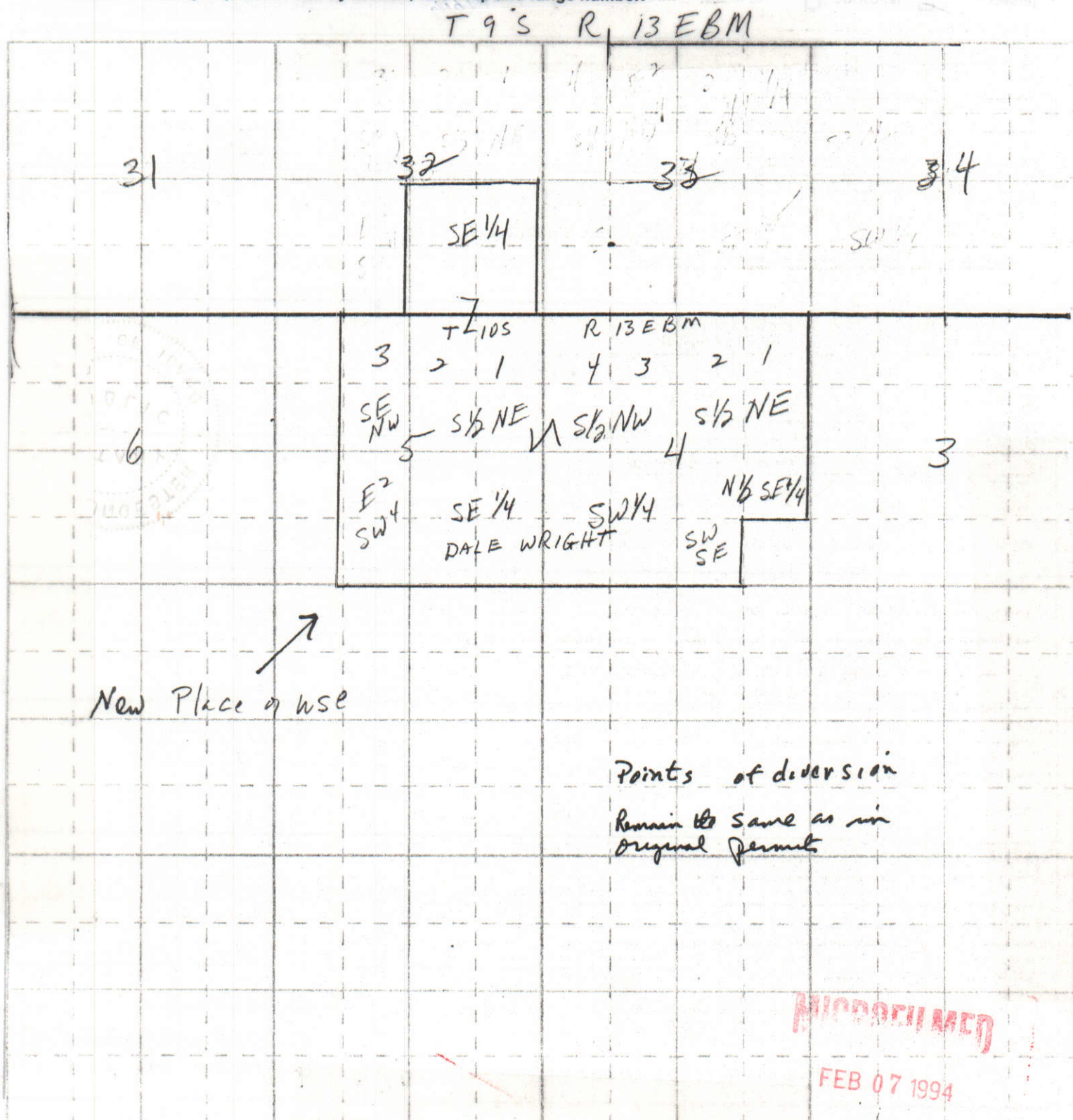
MICROFILMED
 MAY 22 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Affidavit of Publication **RECEIVED**

NOV 02 1992

Department of Water Resources
Southern Region Office

State of Idaho

County of Twin Falls

ss.

Application to Change Water Right

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-07618

Notice is hereby given that
LENARD & LORENE EASTERDAY of
Buhl, ID have applied to the
Department of Water Resources
to change the following
described water right(s)
pursuant to Section 42-222 of
the IDAHO CODE.

This Application for Transfer
proposes to change place of
use.

WATER RIGHT AS RECORDED

Water Right No. 47-07618
Priority Date: 1/7/1980
Basis of right: License
Source: groundwater
Amount: 4.88 cfs
Use: irrigation
Point(s) of diversion:
SE1/4NE1/4, S20, T10S, R13E;
Twin Falls County.
Place of use: 320 acres within
NE1/4, E1/2NW1/4, N1/2SE1/4,
S34, T09S, R13E; Twin Falls
County.

WATER RIGHT NO. 47-07618 TO BE CHANGED AS FOLLOWS:

Water Right No.: 47-07618
Priority Date: 1/7/1980
Period of Use: 3/15 to 11/15
Water Use: irrigation
Amount: 4.88 cfs

Total amount being transferred:
4.88 cfs

Source: groundwater
Point of diversion: SE1/4NE1/4,
S20, T10S, R13E (also point of
injection into Salmon Falls
Creek & point of re-diversion
from Creek); Twin Falls County.
Place of use: 1232.51 acres
within SE1/4, S32, T09S, R13E;
NE1/4, NW1/4, SW1/4,
NE1/4SE1/4, NW1/4SE1/4,
SW1/4SE1/4, S4, T10S, R13E;
NE1/4, E1/2NW1/4, E1/2SW1/4,
SE1/4, S5, T10S, R13E; Twin
Falls County.

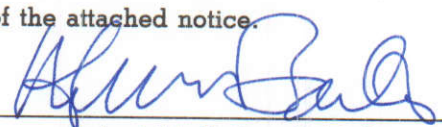
Any protest against approval of
the application for transfer
must be filed with the
Department of Water Resources,
222 Shoshone Street East, Twin
Falls, ID 83301 on or before
October 25, 1992.

I, **Robert M. Bailey**, do solemnly swear
that I am the publisher of **The Buhl Herald**,
a weekly newspaper of general circulation,
published once each week at Buhl, Idaho;
that the notice attached hereto was publish-
ed in said newspaper _____

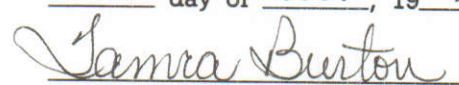
October 7 & 14, 1992

_____ ;
that said notice was published in the regular
and entire issue of every number of the
paper during the period and time of publica-
tion, and that the said notice was published
in the newspaper proper, and not in the sup-
plement thereof.

That said newspaper has been printed
and published continuously in **Buhl, Twin
Falls County, Idaho**, for a period of more
than 78 weeks prior to the first publication
of the attached notice.


Robert M. Bailey, Publisher

Subscribed and sworn to before me this
30th day of Oct., 19 92


Tamra Burton, Notary Public.

Residing at Buhl, Idaho

My Commission Expires

October 1, ~~1992~~ 1998

OK
NB
11/16/92

RECORDED

FEB 07 1994

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

NO.47-07618

Notice is hereby given that LENARD & LORENE EASTERDAY of Buhl, ID have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

This Application for Transfer proposes to change place of use.

WATER RIGHT AS
RECORDED

Water Right No.
47-07618
Priority Date:
1/7/1980
Basis of right:
License
Source: groundwater
Amount: 4.88 cfs
Use: irrigation
Point(s) of
diversion:
SE1/4NE1/4, S20,
T10S, R13E; Twin
Falls County.
Place of use: 320
acres within NE1/4,
E1/2NW1/4, N1/2SE1/4,
S34, T09S, R13E; Twin
Falls County.

WATER RIGHT NO.
47-07618 TO BE
CHANGED AS FOLLOWS:

Water Right No.:
47-07618
Priority Date:
1/7/1980
Period of Use: 3/15
to 11/15
Water Use:
irrigation
Amount: 4.88 cfs

Total amount being
transferred: 4.88 cfs

Source: groundwater
Point of diversion:
SE1/4NE1/4, S20,
T10S, R13E (also
point of injection
into Salmon Falls
Creek & point of
re-diversion from
Creek);Twin Falls
County.
Place of use: 1232.51
acres within SE1/4,
S32, T09S, R13E;
NE1/4, NW1/4, SW1/4,
NE1/4SE1/4,
NW1/4SE1/4,
SW1/4SE1/4, S4, T10S,
R13E; NE1/4,
SE1/4, S5, T10S,
R13E; Twin Falls
County.

Any protest against
approval of the
application for
transfer must be
filed with the
Department of Water
Resources, 222
Shoshone Street East,
Twin Falls, ID 83301
on or before October
25, 1992.

R. Keith Higginson,
Director

Published in Buhl
Herald on 10/7 &
10/14/92 and in Times
News on 10/8 &
10/15/92.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 24089

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Press 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 October 1, 1992, and ending with the issue dated October 8, 1992.

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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 15 day of October in the year of 1992, before me,
a Notary Public, personally appeared Linda Capps McGuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Res. Office

Was not published as requested.
7mb
10/27/92

Notary Public for Idaho

Residing at

My commission expires:

Shirley R. Feltman
Twin Falls
5/19/92

FEB 07 1994

Affidavit of Publication

No 24089

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Brenda 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 October 1, 19 92, and ending with the issue dated October 8, 19 92.

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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 15 day of October in the year of 1992, before me,

a Notary Public, personally appeared Linda Capps McGuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Heva R. Feltman
Notary Public for Idaho
Residing at Twin Falls
My commission expires: 5/19/92

*Was not published as requested.
mb
10/27/92*

MICROFILMED

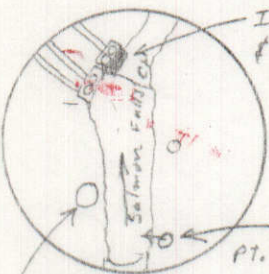
FEB 07 1994

RECEIVED

OCT 19 1992

Department of Water Res.
Southern Region Office

Any
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25,
R. K
Direc
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Herald
10/14/
News
10/15/92.



DETAIL

LEGAL NOTICE

NOTICE OF CORRECTION

Notice is hereby given that Application for Amendment of a Permit No. 47-7618 in the name of Lorene I. Easterday, of Buhl, Idaho, was advertised incorrectly on November 26 and December 3, 1981. The point of diversion was advertised as being within the SE 1/4 NE 1/4 Sec. 2, T10S, R13E. Whereas, the actual point of diversion is within the SE 1/4 NE 1/4 Sec. 20, T10S, R13E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before March 22, 1982.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
March 4, and 11, 1982.

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

Nº 11266

I, H. Enderle being first duly sworn up-
oath, depose and say that I am press 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 2
consecutive weeks, commencing with the issue dated
March 4, 1982, and ending with the issue dated
March 11, 1982.

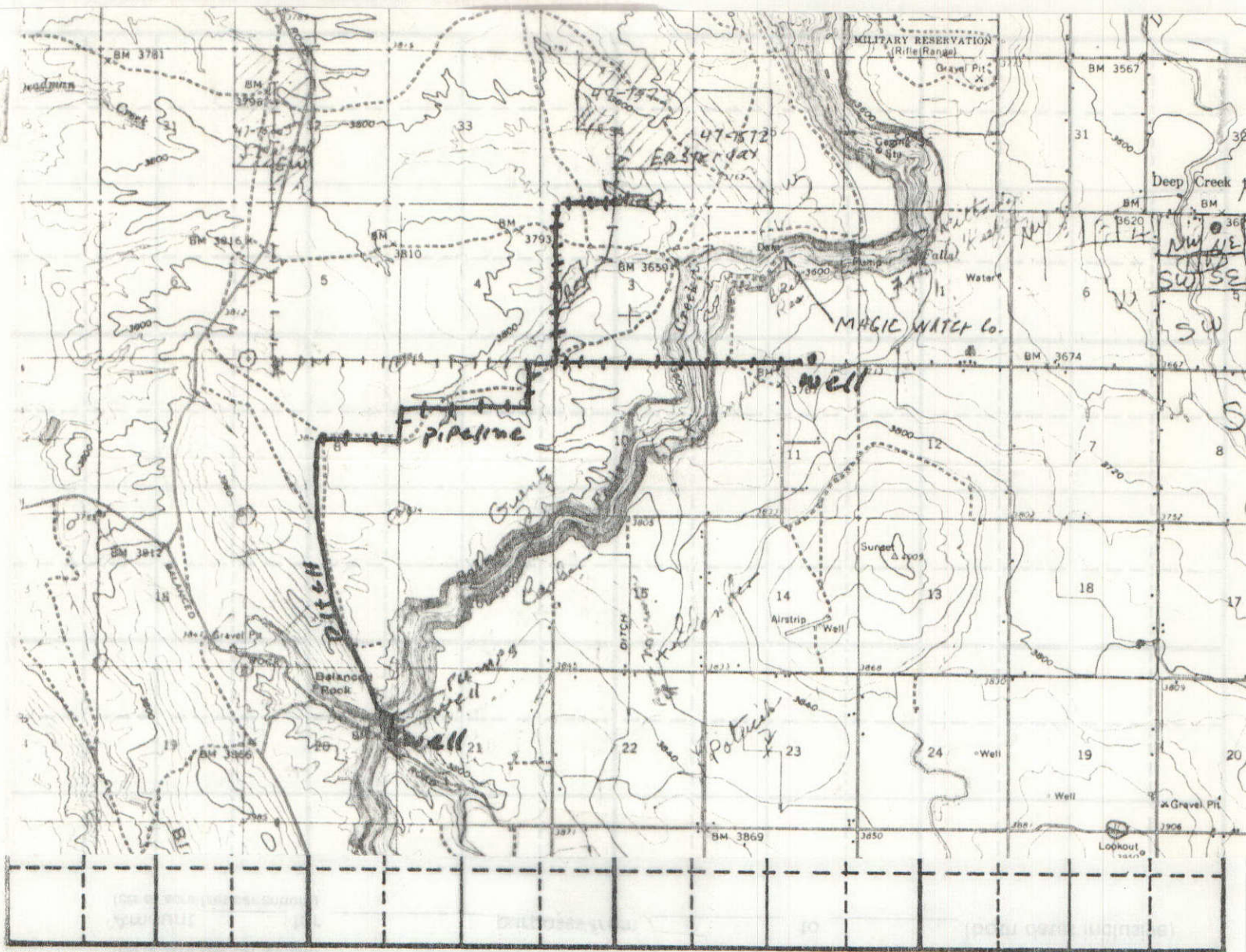
And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under 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
March 11, 1982 day of

G. J. Fairweather
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Show 40-acre subdivisions, townships, ranges and ditches.



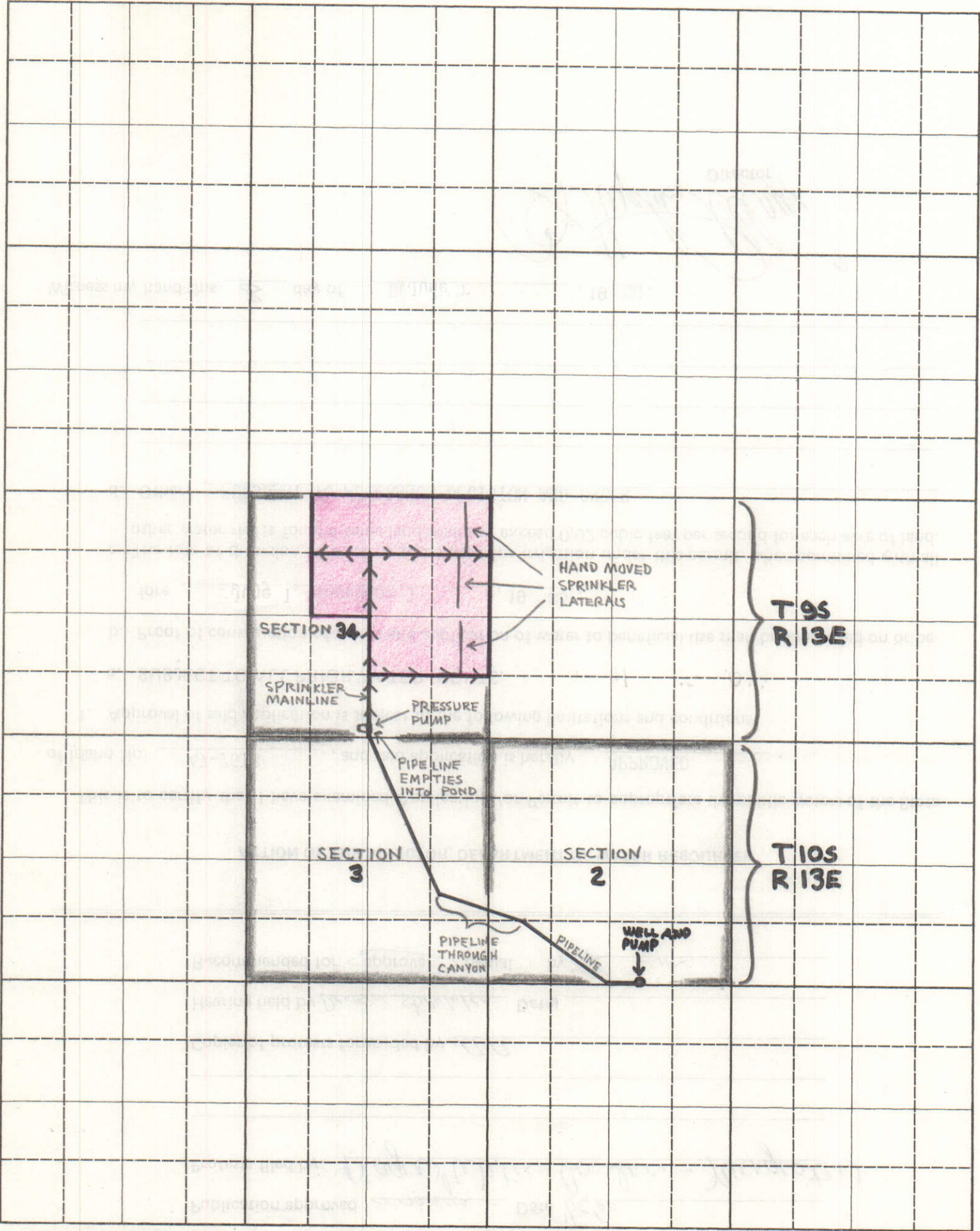
Lorane J. Easday
(Signature)

MICROFILMED

August 19 81
J. Glen Saxton
Chief, Operations Bureau

MICROFILMED

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Louise L. Easterday
(Applicant)

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 9025

47-7818
EASTERDAY, LORENE I.
ROUTE 2, BUHL, ID 83316
Source: GROUNDWATER
Date Filed: 01/04/1980
Amount: 6.40 CFS
Diversion Point: SWSE Sec
02 T 10S R 13E, TWIN
FALLS Co.
Use: IRRIGATION (6.40 CFS)
from 03/15 to 11/15
Place of Use: NENE NWNE
SWNE SENE NENW
SENW NESE NWSE Sec 34
T 09S R 13E FOR 320
ACRES
Diversion Means: WELL &
PUMP

I, Linda L. Capps 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 24, 1980, and ending with the issue dated
January 31, 1980.

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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Linda L. Capps
Subscribed and sworn to before me on this 31 day of

January 1980.
Della Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

OK 2-11-80 K

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHTS

Notice is hereby given that
DRISCOLL BROTHERS
PARTNERSHIP, 2250 S
3200 W; ABERDEEN, ID
83210 has filed two (2)
transfer applications
pursuant to Section 42-222
of IDAHO CODE. The
purpose of these transfers is
to change place of use and
create a permissible place of
use. Transfer No. 4946,
Water Right No. 47-07618
(4.88 cfs) has a priority
date of 1/7/1980.
Transfer No. 4947, Water
Right No. 47-07615 (4.88
cfs) has a priority date of
9/24/1980. A total of 4.88
cfs of water is being
transferred. These water
rights will be diverted from
a well, injected into Salmon
Falls Creek and re-diverted
by a pumping plant within
SE1/4NE1/4, S20, T10S,
R13E for irrigation of 623
acres per annum within a
1232.5 acre permissible
place of use within parts of
Section 32, T9S, R13E and
parts of Sections 4 and 5,
T10S, R13E; Twin Falls
County. A protest against
approval of any particular
transfer must be filed with
the Department of Water
Resources, Southern
Region, 222 Shoshone
Street East, Twin Falls, ID
83301 together with a
protest fee of \$25.00 on or
before December 2, 1996.
(Each transfer requires a
separate protest). The
protestant must also send a
copy of the protest to the
applicant.

Karl J. Dreher, Director

Published in The Times
News on 11/14 & 11/21/96.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

NOV 22 1996 No 28808

I, Emily McKnight principle 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 issues,
commencing with the issue dated November 14, 19 96,
and ending with the issue dated November 21, 19 96.

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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 21 day of Nov in the year of 1996, before me,
a Notary Public, personally appeared Emily McKnight,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Debra R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

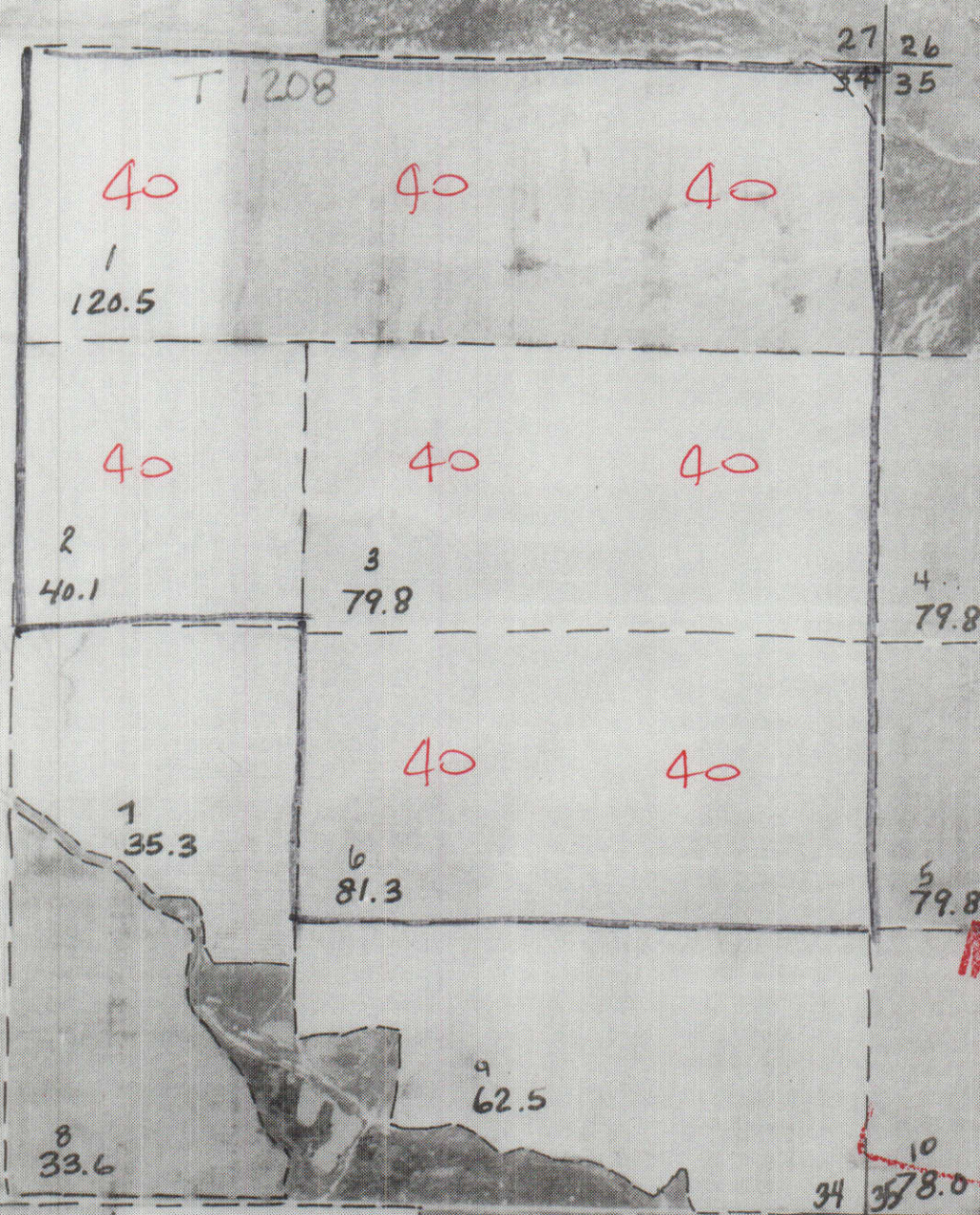
MICROFILMED
11/25/96
MAY 22 1997

47-7618

R-13

Not to Scale

C-9



Fast-track well 5/23/86

See file 47-7615 for orig. photos

5/23/86

Q

10" orifice 13 1/8" 2012.2 gpm

12" Annular 14.1" ~~2191.6 gpm~~

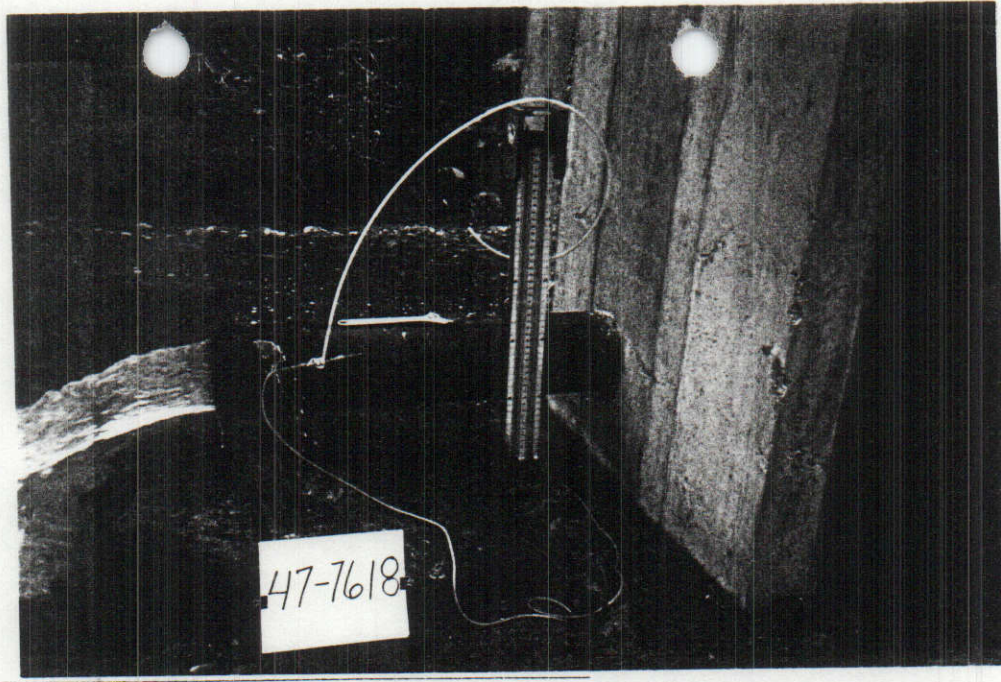
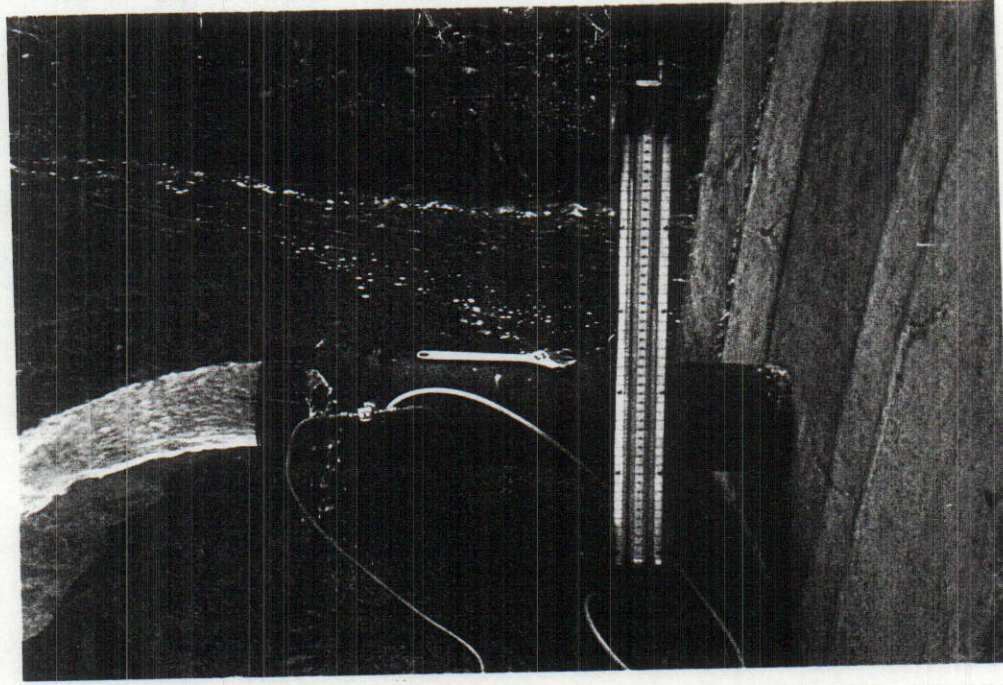
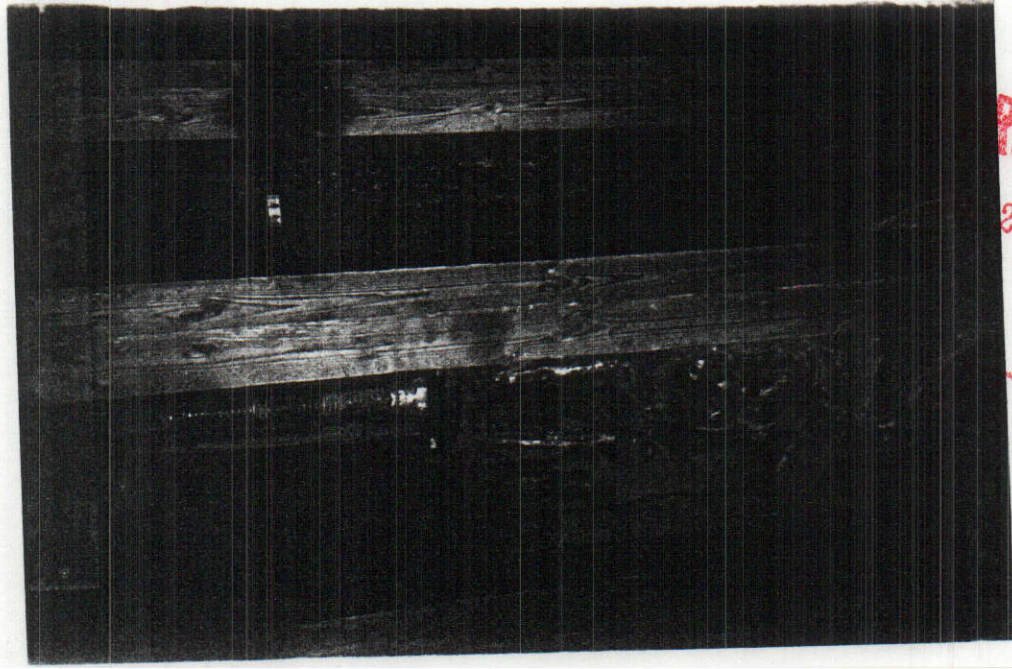
5/23/86

Q

10 1/2" orifice 13 1/8" 2012.2 gpm

12" Annular 12 3/16" ID 14.1" R 191.6 gpm

5.3' from well 1' from end of pipe

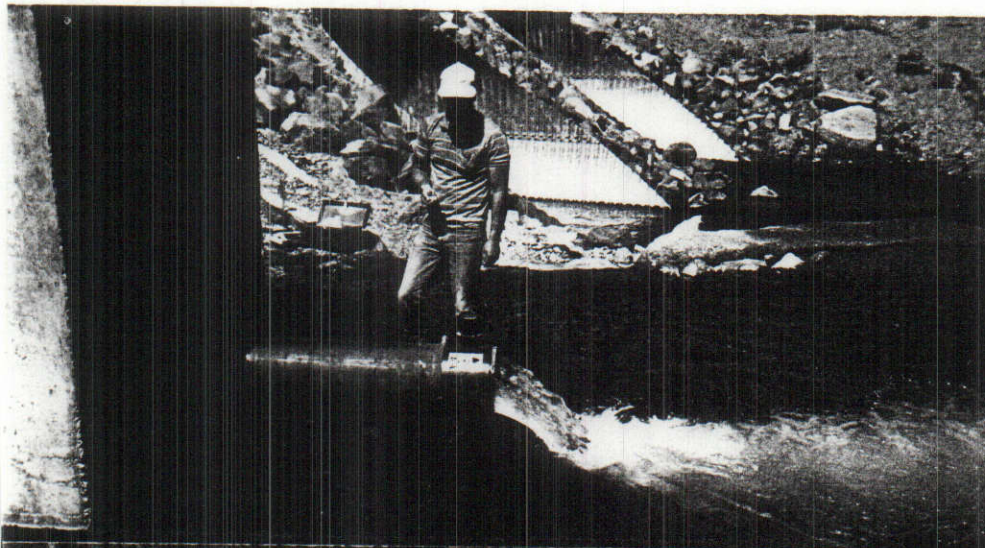


REFILMED
23 1990

7/6/87

47-7615
47-7618

-1
1/2



Easterday's Well

P/D for 47-7615 &
47-7618



Marshall's Well in
foreground with
Wright's pumping
plant & Marshall -
Easterday pumping
plant in background,



#2 Trapezoidal weir
at head of
Marshall - Easterday canal.
Output from pumping
plant on Salmon Falls
Creek measured here.

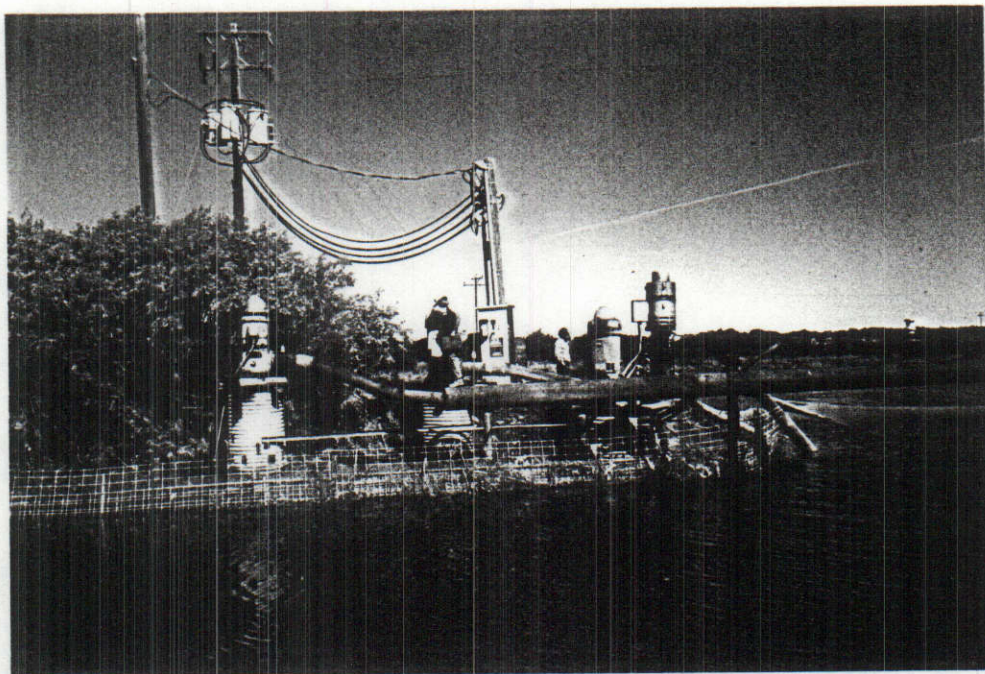
MICROFILMED

JUL 23 1990

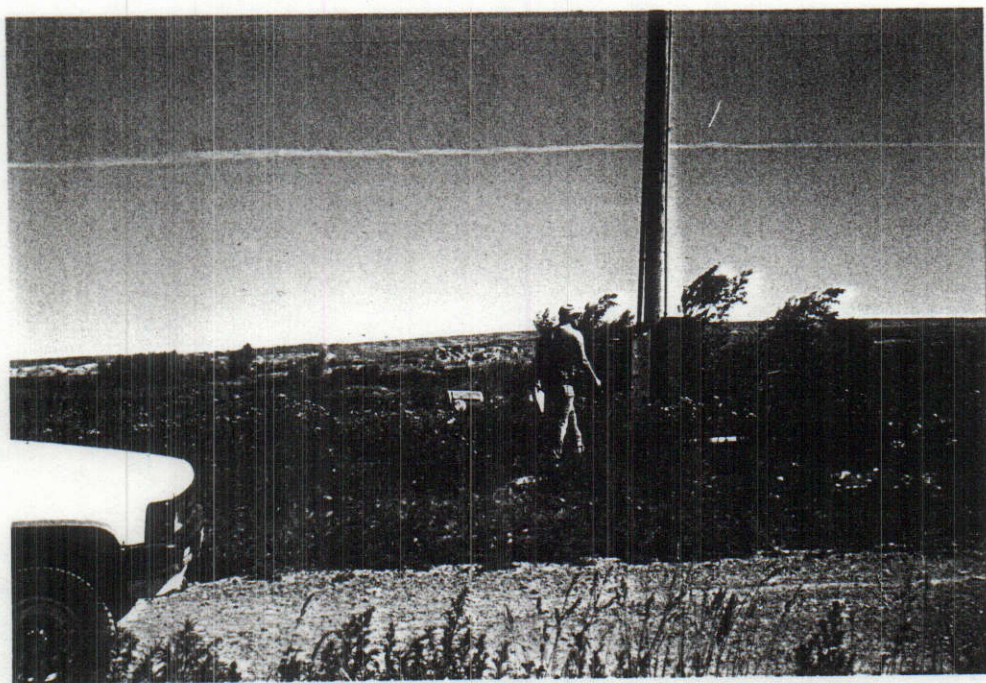
7/6/87

47-7615
47-7618

2/2



Booster plant



Booster plant

MICROFILMED

JUL 23 1990

47-7618

47-7615

To other lands

Boosters

Boosters

Well
Booster to
other lands

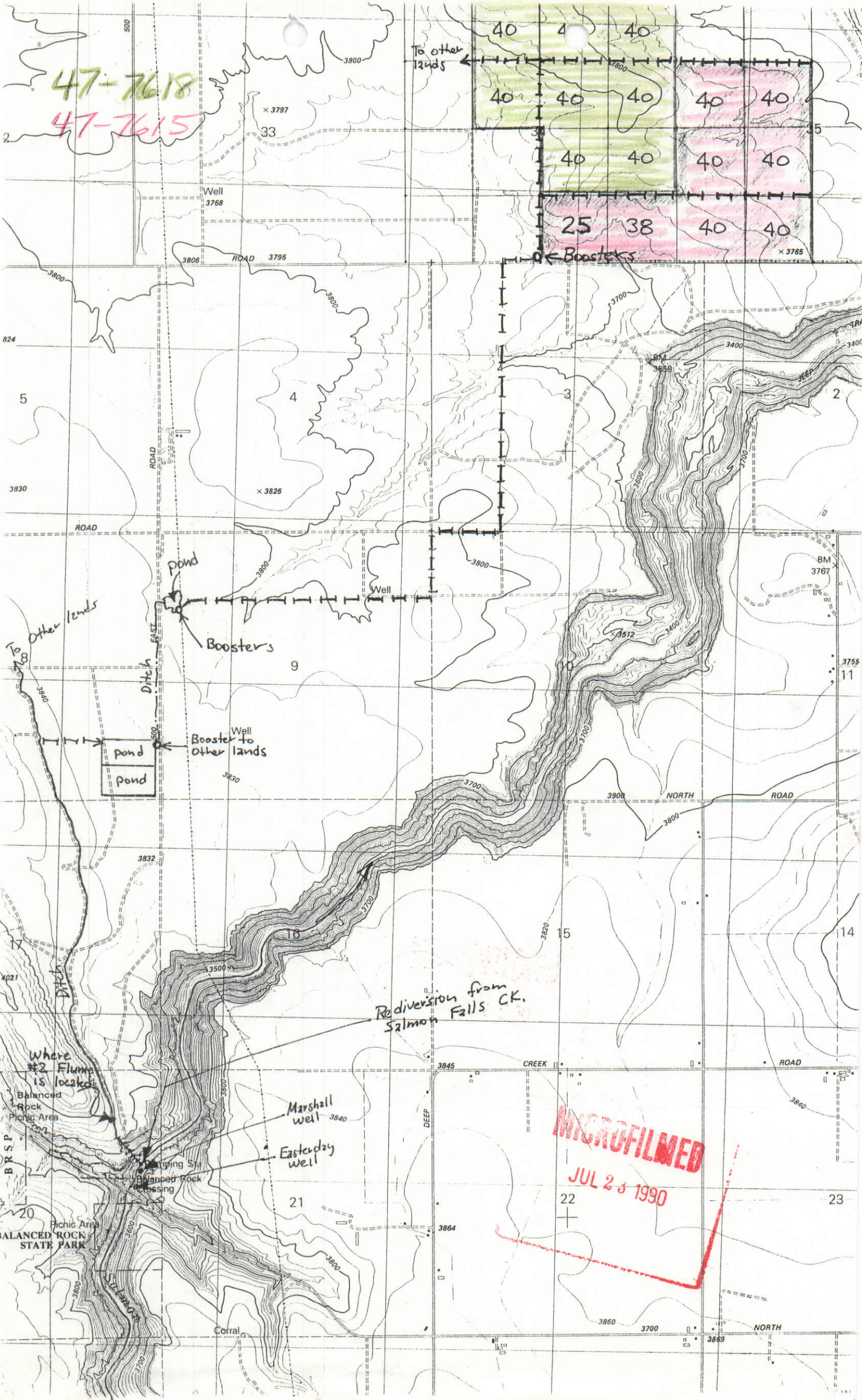
Rediversion from
Salmon Falls CK.

Marshall
well

Easterday
well

MICROFILMED

JUL 25 1990



WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 05/14/97
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

47-07618

DRISCOLL BROTHERS PARTNERSHIP

4.88

MICROFILMED

MAY 22 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4947 & 4946
WATER RIGHT NO(S). 47-07615 & 47-07618

This is to certify that: DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Transfer No. 4947 :			
Right No. 47-07615 :			
IRRIGATION	04/01 to 10/31	4.88 CFS	1212.0 AF
Priority: 09/24/1980			
Transfer No. 4946 :			
Right No. 47-07618 :			
IRRIGATION	04/01 to 10/31	4.88 CFS	1280.0 AF
Priority: 01/07/1980			
	TOTAL:	* 4.88 CFS	* 2071.4 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Injection
Rediversion

SENE , Sec. 20, Township 10S, Range 13E
SENE , Sec. 20, Township 10S, Range 13E
SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	13E	32	NESE 40.0	NWSE 40.0	SWSE 40.0	
			SESE 40.0			160.0
10S	13E	4	NENE 38.7	NWNE 38.8	SWNE 40.0	
			SENE 40.0	NENW 38.8	NWNW 38.8	
			SWNW 40.0	SENW 40.0	NESW 40.0	
			NWSW 40.0	SWSW 40.0	SESW 40.0	
			NESE 40.0	NWSE 40.0	SWSE 40.0	595.1
		5	NENE 38.9	NWNE 39.1	SWNE 40.0	
			SENE 40.0	NENW 39.4	SENW 40.0	
			NESW 40.0	SESW 40.0	NESE 40.0	
			NWSE 40.0	SWSE 40.0	SESE 40.0	477.4

Total number of acres irrigated: ** 1232.5

MICROFILMED

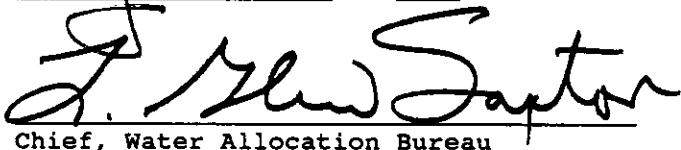
MAY 22 1987

TRANSFER NO. 4947 & 4946
WATER RIGHT NO(S). 47-07615 & 47-07618

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Right Nos. 47-07615 and 47-07618 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual diversion volume of 2071.4 af for the irrigation of 623.0 acres.
7. Right Nos. 47-07615 and 47-07618 when combined with Right Nos. 47-02316B, 47-02316C, 47-02407, 47-02417, 47-07565, 47-07569 and 47-07642 shall not exceed 24.71 cfs.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from the point of diversion, injection and rediversion that is acceptable to the watermaster and will provide suitable control of the diversions. Diversion is not authorized at any time accurate measurements are not available to the watermaster.
9. Water under this right is injected into and rediverted from Salmon Falls Creek.
10. Flow from the well is authorized only when the rediversion pumps from Salmon Falls Creek are operating. Rediversion from Salmon Falls Creek under Right Nos. 47-07615 and 47-07618 shall never exceed the rate at which water is diverted from the well and injected into Salmon Falls.
- ** 11. Right No. 47-07615 is limited to the irrigation of 303.0 acres in the place of use described above in a single irrigation season.
- ** 12. Right No. 47-07618 is limited to the irrigation of 320.0 acres in the place of use described above in a single irrigation season.

Dated this 2nd day of May, 1997.


Chief, Water Allocation Bureau

MICROFILMED

MAY 22 1997

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4946

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

JAN 23 1997

PART 1

Department of Water Resources Driscoll Brothers Partnership c/o J. Evan Robertson
 Name of Applicant Phone 208-734-0700
 Post Office address 2250 South 3200 West, Aberdeen, Idaho 83210

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
 2. Describe the reason for the proposed changes Present place of use in CRP program.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
 47-07618 1/7/1980 4.88 cfs irrigation 4/1 to 10/31
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 4.88 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: SEE PG. 3/6, PART 2, NO CHANGE, GLS 8/96

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	Twin Falls	
		SE	NE	20	10S	13E	Twin Falls	Injected into Salmon Falls Creek
		SE	NE	20	10S	13E	Twin Falls	Rediversion

5. Lands irrigated or place of use: Permissible place of use not to exceed 320 acres/year

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	13E	32													40	40	40	40	160
10S	13E	4	38.7	38.8	40	40	38.8	38.8	40	40	40	40	40	40	40	40	40	40	595.1
10S	13E	5	38.9	39.1	40	40	39.4*			40	79.4			40	40	40	40	40	477.4
											40*								
* CORRECTED OR ADDED PER PHONE CONVERSATION WITH SHARON (@ OFFICE OF ROSS HOLT, 12 AUG 96 GLS ROBERTSON, TUCKER																			OF

Department of Water Resources
Southern Region

MAY 22 1997

Total acres 1232.5

PART 1

6. General Information:

a. Description of diversion system Groundwater diverted in SENE Sec. 20, T.10S, R.13E, to be diverted into Salmon Falls Creek and rediverted by a pumping plant to place of use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Present place of use in CRP program.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED
MAY 22 1977

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-07618

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.88 CFS	1280.0 AF

SOURCE

GROUNDWATER

Priority: 01/07/1980

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	13E	34	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESE 40	NWSE 40		320
				Total number of acres irrigated:		320

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The maximum combined rate of diversion under this right & Right 47-7615 shall not exceed 4.88 cfs.
3. The combined annual volume of water under this right & Right 47-7615 shall not exceed 2371.5 afa.

MICROFILMED
MAY 22 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 47-07618 issued by the Idaho Department of Water Resources.
- c. Claim No. 47-07618 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 1/7/1980

5. Water is used for the following purpose:

4.88 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.88 cubic feet per second and/or 1280.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	Twin Falls	
		SE	NE	20	10S	13E	Twin Falls	Injected into Salmon Falls Creek
		SE	NE	20	10S	13E	Twin Falls	Rediversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	13E	34	40	40	40	40	40			40					40	40			320

MICROFILMED

MAY 22 1987

Total acres 320

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
yes If yes, describe CRP Program

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

MICROFILMED
MAY 22 1977

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	N/A			to _____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

DRISCOLL BROTHERS PARTNERSHIP & Brock Driscoll
(Signature of Applicant)

Subscribed and sworn to before me this 24 day of JULY, 1996.

Kolbert
(Notary Public)

My commission expires 12-20-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J.P. Stanton Date 7-25-96

Protest filed by None

Prelim. check by GLS TAP Fee \$100.00 5019377

Receipted by 30 SEPT 96 Date 7-25-96

Published in Times News

Copies of protest forwarded by _____

Pub. dates 11/14 & 11/21/96

Hearing held by _____ Date _____

Watermaster recommendation requested on 10/31/96

Recommended for ☒ approval ☐ denial

12/5/96 rec'd.

by AD

Copy of transfer sent to lien holder _____

RECEIVED
JUL 22 1996

RECEIVED

JUL 25 1996

Department of Water Resources
Southern Region

December 11, 1996

RECEIVED
DEC 12 1996
Department of Water Resources
Source: [illegible]

Idaho Department of Water Resources
ATTN: Allen D. Merritt
222 Shoshone Street East
Twin Falls, Idaho 83301

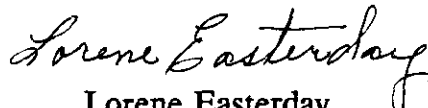
Re: Water Rights Nos. 47-07615 and 47-07618

Dear Allen:

We, the undersigned, are the current owners of Idaho State Water Rights Nos. 47-07615 and 47-07618. We have recently contracted to transfer and sell both of said water rights to Driscoll Brothers Partnership, to be beneficially used on the agricultural ground recently purchased by Driscoll Brothers Partnership from Dale Wright. We hereby consent to the transfer of said water rights at this time to Driscoll Brothers Partnership.

Sincerely,


Lenard Easterday


Lorene Easterday

MICROFILMED
MAY 22 1997

AGREEMENT

RECEIVED
DEC 12 1996

Department of Water Resource
THIS AGREEMENT is made and entered into by and between Driscoll Brothers Partnership, hereinafter referred to as "Driscoll" and Lenard Easterday and Lorene Easterday, hereinafter collectively referred to as "Easterday".

RECITALS:

1. Easterday is the owner of Idaho State Water Rights Nos. 47-07615 and 47-07618, hereinafter referred to as "Water Rights", and an irrigation pipeline used to deliver said water to its place of beneficial use, hereinafter referred to as "Pipe".

2. By Option Agreement dated February 5, 1992, and amended by an Addendum to Agreement dated November 17, 1995, Easterday agreed to sell the Water Rights to Dale Wright.

3. Driscoll has also agreed to purchase the Pipe for [REDACTED] from Easterday.

4. Driscoll pursuant to the Real Estate Purchase and Sale Agreement and Receipt for Earnest Money dated April 4, 1996, contracted to purchase, among other things, the Water Rights for the total purchase price of [REDACTED] which, according to said contract, was in turn to be paid to Easterday.

4. The parties have continued to negotiate the manner in which said [REDACTED] shall be paid to Easterday, and desire to herein set forth their final agreement with respect to thereto.

NOW, THEREFORE, the parties hereto agree as follows:

1. The parties acknowledge and agree that Driscoll has obtained from Dale Wright and/or Easterday, the right to purchase the Water Rights and Pipe for a total sum of [REDACTED] representing the agreed upon value of the Water Rights, and [REDACTED] representing the agreed upon value of the Pipe.

2. Driscoll shall pay said [REDACTED] to Easterday in the following manner:

a. A down payment of [REDACTED] has already been paid, and the receipt thereof is hereby acknowledged.

b. The final payment [REDACTED] shall be made on January 6, 1997.

MICROFILMED
MAY 22 1997

3. The agreement by Driscoll to purchase the Water Rights and Pipe are expressly contingent upon the approval by the Idaho Department of Water Resources of the transfer of the Water Rights to the name of Driscoll Brothers Partnership, and an official change in the place of use for said Water Rights to the farm which Driscoll Brothers has purchased from Dale Wright, situated in Section 32, Township 9 South, Range 13 E.B.M., and in Sections 4 and 5, Township 10 South, Range 13 E.B.M., Twin Falls County, Idaho, on or before January 31, 1998.

4. The parties agree to cooperate and use best efforts to immediately complete the transfer of the Water Rights through the Idaho Department of Water Rights, and to that end, Easterday shall provide all necessary information and consents to the Idaho Department of Water Resources.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

DRISCOLL BROTHERS PARTNERSHIP

By *Robert Driscoll*

Lenard W Easterday
LENARD EASTERDAY

Lorene Easterday
LORENE EASTERDAY

STATE OF IDAHO)
)ss.
County of _____)

On this 11th day of December, 1996, before me, a Notary Public, in and for said County and State, personally appeared Brook Driscoll and , known or identified to me to be a general partner of DRISCOLL BROTHERS PARTNERSHIP, the partnership that executed the foregoing instrument, and acknowledged to me that such partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Sherry L. Call
NOTARY PUBLIC FOR IDAHO
Residing at: Tulsa Falls, Id
My commission expires: 3/19/98

STATE OF IDAHO)
)ss.
County of _____)

On the 11th day of December, 1996, before me, a Notary Public, in and for said County and State, personally appeared LENARD EASTERDAY, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Sherry L. Call
NOTARY PUBLIC FOR IDAHO
Residing at: Tulsa Falls, Id
My commission expires: 3/19/98

STATE OF IDAHO)
)ss.
County of _____)

On the 11th day of December, 1996, before me, a Notary Public, in and for said County and State, personally appeared LORENE EASTERDAY, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Sherry L. Call
NOTARY PUBLIC FOR IDAHO
Residing at: *Julien Falls, Id.*
My commission expires: *3/19/98*

12119602.jer

AGREEMENT - 4

MICROFILMED

MAY 22 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 3904
WATER RIGHT NO. 47-07618

This is to certify that: **LENARD EASTERDAY**
LORENE EASTERDAY
RT 2 BOX 85
BUHL ID 83316

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	4.88 CFS

SOURCE

GROUNDWATER

Priority: 01/07/1980

LOCATION OF POINT(S) OF DIVERSION:

Injection
Rediversion

SENE , Sec. 20, Township 10S, Range 13E
SENE , Sec. 20, Township 10S, Range 13E
SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	13E	32	NESE 40	NWSE 40	SWSE 40	160
			SESE 40			
10S	13E	4	NENE 38.7	NWNE 38.8	SWNE 40	595.1
			SENE 40	NENW 38.8	NWNW 38.8	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
		5	NENE 38.9	NWNE 39.1	SWNE 40	477.4
			SENE 40	NENW 39.4	SENE 40	
			NESW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	
Total number of acres irrigated:						1232.5

MICROFILMED

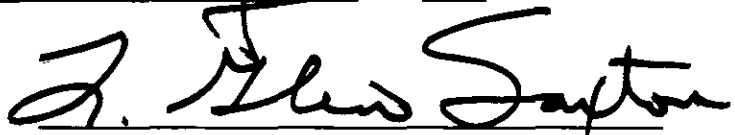
MAY 22 1997

TRANSFER NO. 3904
WATER RIGHT NO. 47-07618

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
3. The maximum combined rate of diversion under Right Nos. 47-07615 and 47-07618 shall not exceed 4.88 cfs.
4. The combined annual volume of water under Right Nos. 47-07615 and 47-07618 shall not exceed 2371.5 afa.
5. Flow from the well is only authorized when rediversion pumps from Salmon Falls Creek are operating. Likewise, rediversion pumps can only be operated when the well is flowing.
6. Right No. 47-07615 is limited to the irrigation of 303 acres in the place of use described above in a single irrigation season.
7. Right No. 47-07618 is limited to the irrigation of 320 acres in the place of use described above in a single irrigation season.
8. The period of authorization under Transfer #3904 ends on November 1, 1995. On that date, the place of use shall revert back to lands identified prior to the transfer approval.
9. Point of rediversion is from Salmon Falls Creek.

Dated this 24th day of January, 1994.


Chief, Water Alloc. Bureau

MICROFILMED

FEB 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3904

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 07 1992

PART 1

Department of Water Resources

Name of applicant LENARD EASTERDAY & LORENE EASTERDAYPhone 543-5841Post Office address RT. 2 BOX 85, BUHL, IDAHO 83316

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes WATER HAS BEEN LEASED TO DALE WRIGHT BY WRITTEN LEASE. CHANGE OF PLACE OF USE SHALL EXPIRE ON NOVEMBER 15, 1995, AND REVERT BACK TO ORIGINAL LAND (REAL ESTATE) SET OUT ON ORIGINAL PERMITS

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|--------------------|-------------------|---------------------|-----------------------|----------------------------|
| ~~47-7615~~ | ~~1/4/80~~ | ~~6.40 cfs~~ | ~~IRRIGATION~~ | ~~3/15 to 11/15 *~~ |
| 47-7618 | 1/7/80 | 4.88 cfs | IRRIGATION | 3/15 to 11/15 * |
| | | | | to _____ |
| | | | | *UNTIL 11/15/95 to _____ |
2. Total amount of water being transferred 4.88 ~~11.28~~ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water 47-7615/47-7618 -- groundwater tributary to SALMON FALLS CREEK
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	TWIN FALLS	/ NEAR / BALANCED / ROCK / CROSSING /
		~~SW~~	~~SE~~	~~2~~	~~10S~~	~~13E~~	~~TWIN FALLS~~	Point of diversion; also point of injection into Salmon Falls Creek & point of redirection from Creek

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	13E	32													40	40	40	40	160
10S	13E	4	38.72	38.75	40	40	38.79	38.82	40	40	40	40	40	40	40	40	40		595.08
10S	13E	5	38.92	39.09	40	40	39.42			40	40			40	40	40	40		477.43

Total acres 1232.51

PART 1

6. General Information:

- a. Description of diversion system 47-07515 and 47-07618 -- water flows from well into
Salmon Falls Creek, then it is pumped from creek up side of canyon through pipes into
open ditch or canal which transports water to farm. Ditch is shared with D. Wright
and Easterdays.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
LAND NOW IRRIGATED IS IN CRP AND WILL NOT BE FARMED FOR 10 YEARS. BY USE OF
LEASE, D. WRIGHT WILL PUT WATER TO BENEFICIAL USE.
- d. Remarks:
D. WRIGHT'S IRRIGATION SYSTEM AND EASTERDAYS' IRRIGATION SYSTEM ARE THE SAME ONCE THE
WATER IS LIFTED OUT OF SALMON FALLS CREEK CANYON. WATER WILL STAY IN COMMON CANAL
FOR A LONGER DISTANCE TO REACH WRIGHT'S LAND.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

FEB 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 47-07618 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 1/7/80

5. Water is used for the following purpose:

amount 4.88 CFS for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.88 cubic feet per second and/or 1280.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	TWIN FALLS	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	13E	34	40	40	40	40	40			40					40	40			320

Total acres 320

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

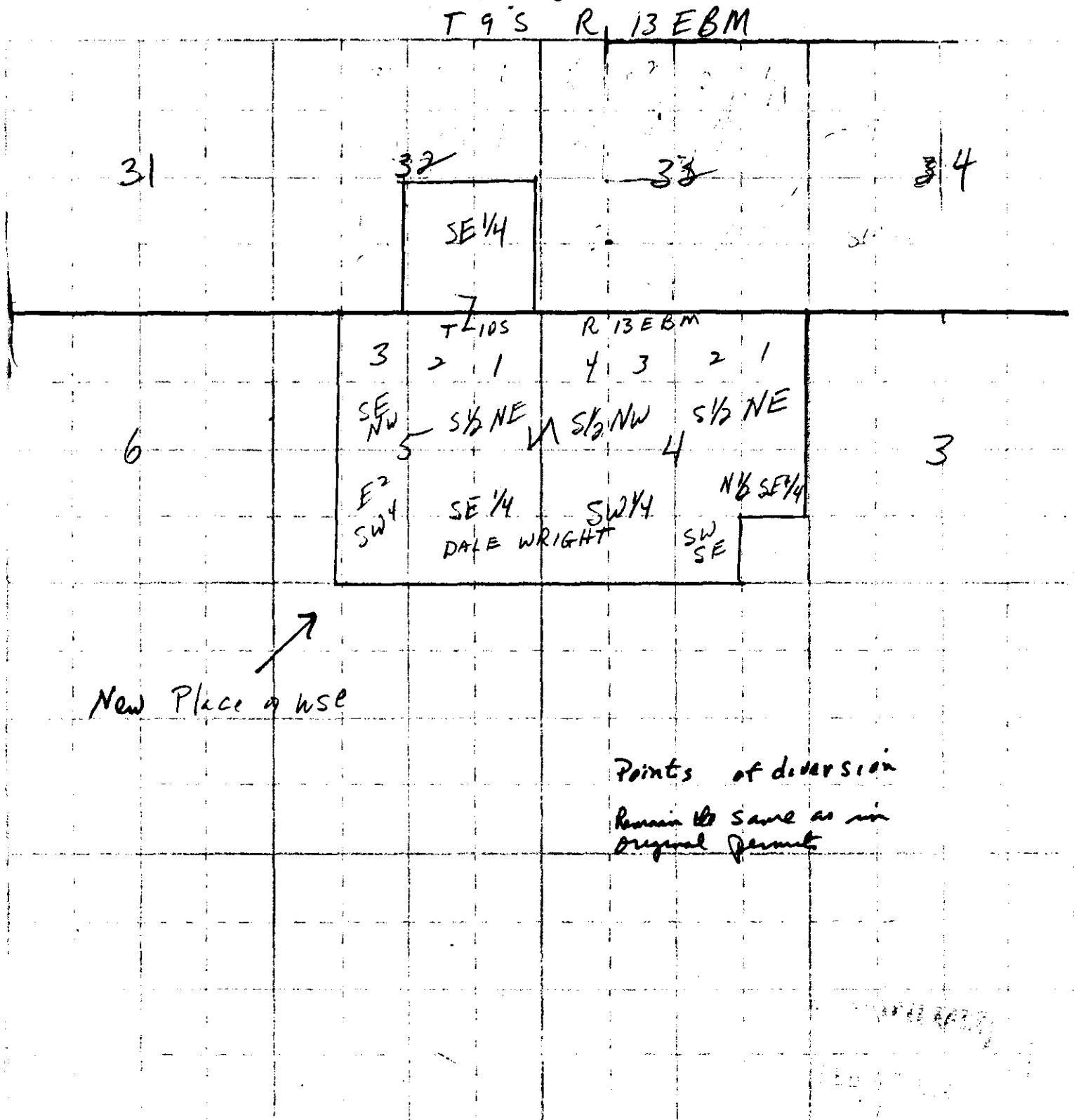
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

FEB 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Leland D. Easterday
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of February, 19 92

Wm. Vungala
(Notary Public)

My commission expires Jan 11, 1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by JF Stanton Date 2-5-92 Protest filed by _____

Prelim. check by SD Fee \$50. \$014/31

Receipted by JS Date 2-5-92

Published in Ogden News & Buhl Herald Copies of protest forwarded by _____

Pub. dates 10/8 + 10/15/92; 10/7 + 10/14/92 Hearing held by _____ Date _____

Watermaster recommendation requested on 9/24/92 Recommended for ☐ approval ☒ denial

_____ rec'd. 10/13/92 by JS

Copy of transfer sent to lien holder _____

FEB 11 1994

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1 ordered to shut or close the valve on said artesian well that
2 Wright will pay Easterday the sum of \$1,000.00 for flowing said
3 water as provided above for the crop year 1993; \$1,000.00 for the
4 crop year 1994; and \$1,000.00 for crop year 1995.

5 3. Wright acknowledges that he is not obtaining interest
6 in Easterday's water by Easterday releasing said water into Salmon
7 Falls Creek or by Wright's use of said water to irrigate land owned
8 by Wright.

9 4. Easterday and Wright agree that said water shall be
10 transferred from Easterday's real estate described on Exhibit A to
11 Wright's real estate described on Exhibit B for the term of this
12 agreement and that on November 15, 1995, said transfer shall
13 automatically terminate and revert to Easterday's real estate
14 described on Exhibit A. Both parties agree to sign such papers as
15 are required by the State of Idaho Department of Water Resources to
16 accomplish said amendments. Wright shall pay the assignment fee of
17 \$50.00. The parties will share the cost of doing any hearing if
18 represented by an attorney at any hearings.

19 5. Should the State of Idaho Department of Water
20 Resources refuse to allow the amendment to Easterday's water right
21 by amending the place of use on said permit, this agreement shall
22 immediately terminate without further action by either of the
23 parties and Easterday shall be entitled to 1/90th of the above
captioned fee for each day that their water was allowed to flow
into the Salmon Falls Creek regardless of whether or not Wright
actually used said water. Should anyone protest such amendment,



Hepworth,
Nungester,
& Lezamiz

FEB 07 1994

1 then this agreement will be suspended until such protest is removed
2 or ruled against by the Department of Water Resources. No water
3 will be delivered during the suspension of this agreement. Wright
4 shall be given credit, if any is due, for water paid for but not
5 delivered if the transfer is finally approved or his money will be
6 returned as provided above if the transfer is denied.

7 
LENARD EASTERDAY

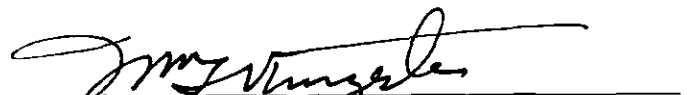
8 
LORENE EASTERDAY

9 
DALE WRIGHT

10
11
12
13 STATE OF IDAHO)
14 County of Twin Falls) ss.

15 On this 5th day of February, 1992, before
16 me, the undersigned, a notary public in and for said county and
17 state, personally appeared LENARD EASTERDAY and LORENE EASTERDAY,
known to me to be the persons whose names are subscribed to the
within instrument and acknowledged to me that they executed the
same.

18 IN WITNESS WHEREOF, I have hereunto set my hand and
19 affixed my official seal the day and year in this certificate first
above written.

20 
21 NOTARY PUBLIC FOR IDAHO
22 Residing at: Bull Id
My Commission Expires: 1-11-92



Hepworth,
Nungester,
& Lezamiz

FEB 07 1994

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STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 5th day of February, 1992,
before me, the undersigned, a notary public in and for said county
and state, personally appeared DALE WRIGHT, known to me to be the
person whose name is subscribed to the foregoing instrument, and
acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate first
above written.



NOTARY PUBLIC FOR IDAHO
Residing at: Bull Id
My Commission Expires: 1-11-97

(easter.agr)



Hepworth,
Nungester,
& Lezamiz

LENARD & LORENE EASTERDAY

**The S1/2 NW1/4 and the SW1/4 of Section 35, T 9 S, R 13 EBM
and the S1/2 SE1/4; the NE1/4; the E1/2 NW1/4
and the N1/2 SE1/4 of Section 34 T 9 S, R 13 EBM
all in Twin Falls County, State of Idaho**

EXHIBIT A

DALE WRIGHT

PARCEL 1:

Township 9 South, Range 13 East, Boise Meridian,
Twin Falls County, Idaho

Section 32: SE $\frac{1}{4}$

PARCEL 2:

Township 10 South, Range 13, East, Boise Meridian,
Twin Falls County, Idaho

Section 4: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$
SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 3:

Township 10 South, Range 13 East, Boise Meridian,
Twin Falls County, Idaho

Section 4: Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL 4:

Township 10 South, Range 13 East, Boise Meridian
Twin Falls County, Idaho

Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL 5:

Township 10 South, Range 13 East, Boise Meridian,
Twin Falls County, Idaho

Section 5: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

PARCEL 6:

Township 10 South, Range 13 East, Boise Meridian
Twin Falls County, Idaho

Section 5: Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

EXHIBIT B

Affidavit of Publication **RECEIVED**

NOV 02 1992

Department of Water Resources
Southern Region Office

State of Idaho

County of Twin Falls

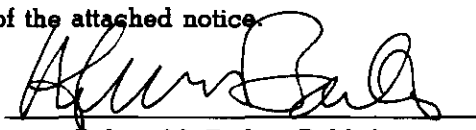
ss.

I, **Robert M. Bailey**, do solemnly swear that I am the publisher of **The Buhl Herald**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper _____

October 7 & 14, 1992

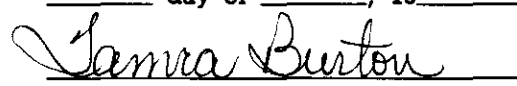
_____ ;
that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.


Robert M. Bailey, Publisher

Subscribed and sworn to before me this

30th day of Oct., 1992


Tamra Burton, Notary Public.

Residing at Buhl, Idaho

My Commission Expires

October 1, ~~1991~~ 1998

OK
NB
11/16/92

FEB 07 1994

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

NO. 47-07618

Notice is hereby given that LENARD & LORENE EASTERDAY of Buhl, ID have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

This Application for Transfer proposes to change place of use.

WATER RIGHT AS
RECORDED

Water Right No.
47-07618
Priority Date:
1/7/1980
Basis of right:
License
Source: groundwater
Amount: 4.88 cfs
Use: irrigation
Point(s) of
diversion:
SE1/4NE1/4, S20,
T10S, R13E; Twin
Falls County.
Place of use: 320
acres within NE1/4,
E1/2NW1/4, N1/2SE1/4,
S34, T09S R13E; Twin

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 24089

I, Linda Capps McQuire being first duly sworn upon oath, depose and say that I am Princ Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated October 1, 1992, and ending with the issue dated October 8, 1992.

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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 15 day of October in the year of 1992, before me, a Notary Public, personally appeared Linda Capps McQuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Was not published as requested.
7mb
10/27/92

Notary Public for Idaho

Residing at

My commission expires:

Shirley R. Feltman
Twin Falls
5/19/92

FILE 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 47-07618

Priority: January 7, 1980

Maximum Diversion Rate: 4.88 CFS
Maximum Diversion Volume:¹ 1280.0 AF

This is to certify, that LORENE I. EASTERDAY
RT. 2

BUHL, ID 83316 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 4, 1980; and
has submitted Proof of Beneficial Use on November 4, 1985. An examination indicates
that the works have a diversion capacity of 4.880 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>
IRRIGATION	03/15 to 11/15	4.88 CFS	1280.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S 13E 34	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	SENW 40	
	NESE 40	NWSE 40		320
		Total number of acres irrigated:		320

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right shall not exceed 4.88 cfs.

MICROFILMED

JUL 25 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 47-07618

CONDITIONS/REMARKS:

7. The combined annual volume of water under this right & Right 47-7615 shall not exceed 2371.5 afa.

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 27th day of JUNE, 19 90.

Acting for R. Keith Higginson, Director

MICROFILMED

JUL 23 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-7618 IN THE
NAME OF LORENE I. EASTERDAY

)
) ORDER OF REINSTATEMENT
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1985; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on November 1, 1985 the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on November 4, 1985;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-7618 be REINSTATED and the priority advanced to January 7, 1980.

Dated this 29th day of January, 1986.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

APPROVED

RECEIVED

To change the point of diversion and/or the place of use. NOV 1 1981

Idaho Department of Water Resources
Boise, Idaho

Comes now Lorene I. Easterday
of (address) Rt. 2 Buhl, Idaho 83316, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 47-7618, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 NE 1/4, Section 20, Township 10S, Range 13E, B.M.,
County of Twin Falls. Other points of diversion: SW 1/4 SE 1/4, Sec. 2, T10S, R13E

Water diverted in the SE 1/4 NE 1/4, Sec. 20 T10S, R13E is to be injected into Salmon Falls Creek
from a flowing well and rediverted by a pumping plant approximately 500 ft down stream
from the injection point.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

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

3. Place of use or land to be irrigated: NO CHANGE

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	

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall
b. Who owns the land to be irrigated or the place of use? BLM
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: Allowed DLE I2012

Show 40-acre subdivisions, townships, ranges and ditches.

This image shows a full page of handwriting practice paper. It features a grid of 6 rows and 10 columns. Each row is defined by two solid horizontal lines, with a dashed horizontal line centered between them. The vertical lines are all solid. This layout provides a guide for letter height and placement on the page.

Signed at _____, this _____ day of _____, 19____.

Loren I. Easterday
(Signature)

Preliminary check by JD Fee = \$20.00

Received by meda Date 11/17/81 # 20657

Publication prepared by masu Date 11/23/81

Published in Time News

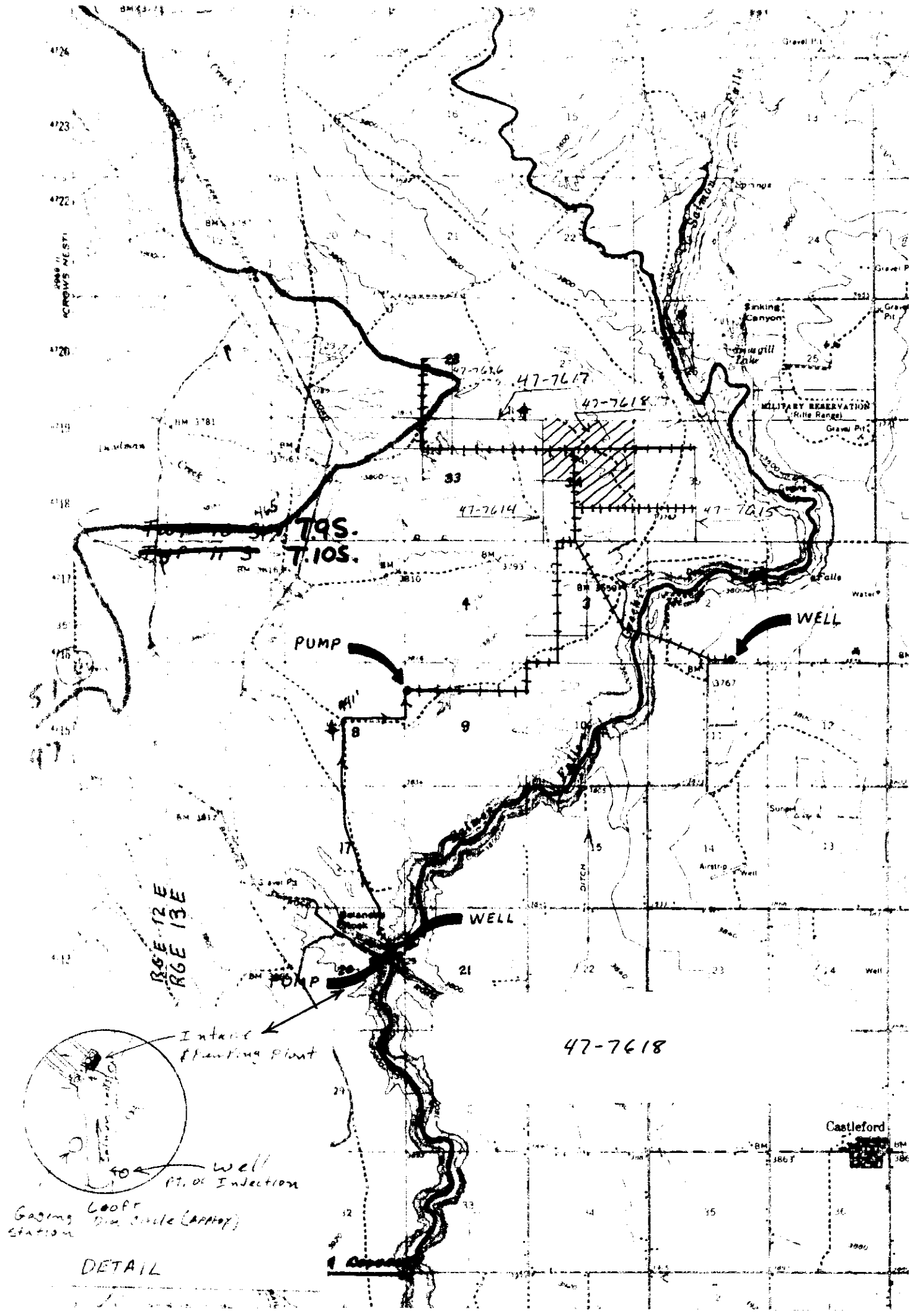
Publication dates 12/3 & 12/10/81

I, L. GLEN SAXTON, _____, of the Department of Water Resources hereby

APPROVE the above referenced application provided that 1. provisions of Memorandum Decision issued 12/3/1980 are met. 2. Measuring devices of a type approved by the Department shall be installed at the point of injection and at the point of redirection from Salmon Falls Creek. 3. The use of water under this right is subject to the control of the water master of State Water District No. 47G, Salmon Falls Creek.

Witness my hand this 19th day of April, 19 82.

19 82.
H. Glen Saylor
Chief, Operations Bureau



Intake Pumping Plant

Well

PT. OF INJECTION

Gaging Loop

Station

DETAIL

LEGAL NOTICE

NOTICE OF CORRECTION

Notice is hereby given that Application for Amendment of a Permit No. 27-1982 in the State of Idaho, State of Idaho, Department of Water Resources, 1901 Blue Lake Blvd. North, Twin Falls, Idaho 83421, on or before March 22, 1982.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1901 Blue Lake Blvd. North, Twin Falls, Idaho 83421, on or before March 22, 1982.

A. JENNETH DUNN
Director

PUBLISH: Thursday, March 4, and 11, 1982.

FILED

FILED

sb
mex

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 11266

I, Enders being first duly sworn up-
on, 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 2
consecutive weeks, commencing with the issue dated
March 4, 1982, and ending with the issue dated
March 11, 1982.

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: a that at the head of the editorial column of said combined newspapers, and in each issue the of, Thursday is announced as the day on which said legal notices will be published.

I, Enders
Subscribed and sworn to before me on this 11 day of
March, 1982
Gladys L. Fawcett

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

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL)
OF APPLICATION FOR PERMIT NO. 47-7618 IN)
THE NAME OF LORENE I. EASTERDAY)

MEMORANDUM DECISION
AND ORDER

On January 4, 1980, Lorene I. Easterday filed an application for permit with the Department of Water Resources to appropriate 6.40 cubic feet per second of water from a groundwater source. The application proposed to divert the water by means of a well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Twp. 10S, Rge. 13E B.M., Twin Falls County, and use it for the irrigation of 320 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, Twp. 9S, Rge. 13E B.M.

Notice of the application was published in the Twin Falls Times News on January 24 and 31, 1980.

On February 7, 1980, a protest was received from Magic Water Company, Inc. The issues raised in the protest are as follows:

- 1) That the proposed well would reduce the quantity of water in Salmon Falls Creek and would reduce springs flowing into Salmon Falls Creek.
- 2) That the water supply is insufficient for the purpose for which it is sought to be appropriated.
- 3) That the application is not made in good faith and is made for delay and/or speculative purposes.
- 4) That the applicant lacks sufficient financial resources to complete the work involved.

On March 19, 1980, the Department received a letter from the protestant's attorney allowing the Director of the Department of Water Resources to issue a decision in the matter without a hearing.

Based upon the information in the records of the Department and his understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- 1) The well location proposed by the applicant is not within the boundaries of a critical groundwater area.
- 2) Studies done by the Department and published as Bulletin #20, Water Resources of the Blue Gulch Area show that insufficient groundwater supplies exist

on the west side of Salmon Falls Creek where the place of use is located. Studies published as Department of Water Resources Bulletin #22, Water Resources of the Twin Falls Tract also show there is considerable inflow from groundwater to Salmon Falls Creek from the east side as a result of irrigation on the Twin Falls tract

3) There is a confining layer between water bearing strata in the Idavada volcanic formation located about 500 feet below land surface.

4) The applicant has filed Desert Land Entry No. 2012 on the land described in the application.

CONCLUSIONS OF LAW

1) The applicant is entitled to a permit to appropriate groundwater subject to any prior water rights that may be affected by the appropriation.

2) The well must be constructed with unperforated casing to a depth of 500 feet and in a manner that will prevent the depletion of water from Salmon Falls Creek.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 47-7618 is APPROVED subject to the following conditions:

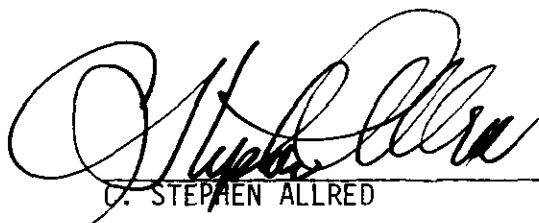
1) Subject to all prior water rights.

2) Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1985.

3) The well must be cased with unperforated casing into a confining layer below the first aquifer in order to prevent interference with surface flows in Salmon Falls Creek.

4) 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.

Dated this 3 day of December, 1980.



C. STEPHEN ALLRED

Director

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED

To change the point of diversion and/or the place of use.

APR 18 1981

APPROVED

Department of Water Resources
Southern District Office

Comes now Lorene I. Easterday

of (address) Rt. 2 Buhl, ID 83316, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 47-7618, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 20, Township 10S, Range 13E, B.M.,
County of Twin Falls. Other points of diversion: SW ¼ SE ¼ Sec 2, T10S R13E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

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

3. Place of use or land to be irrigated: NO CHANGE

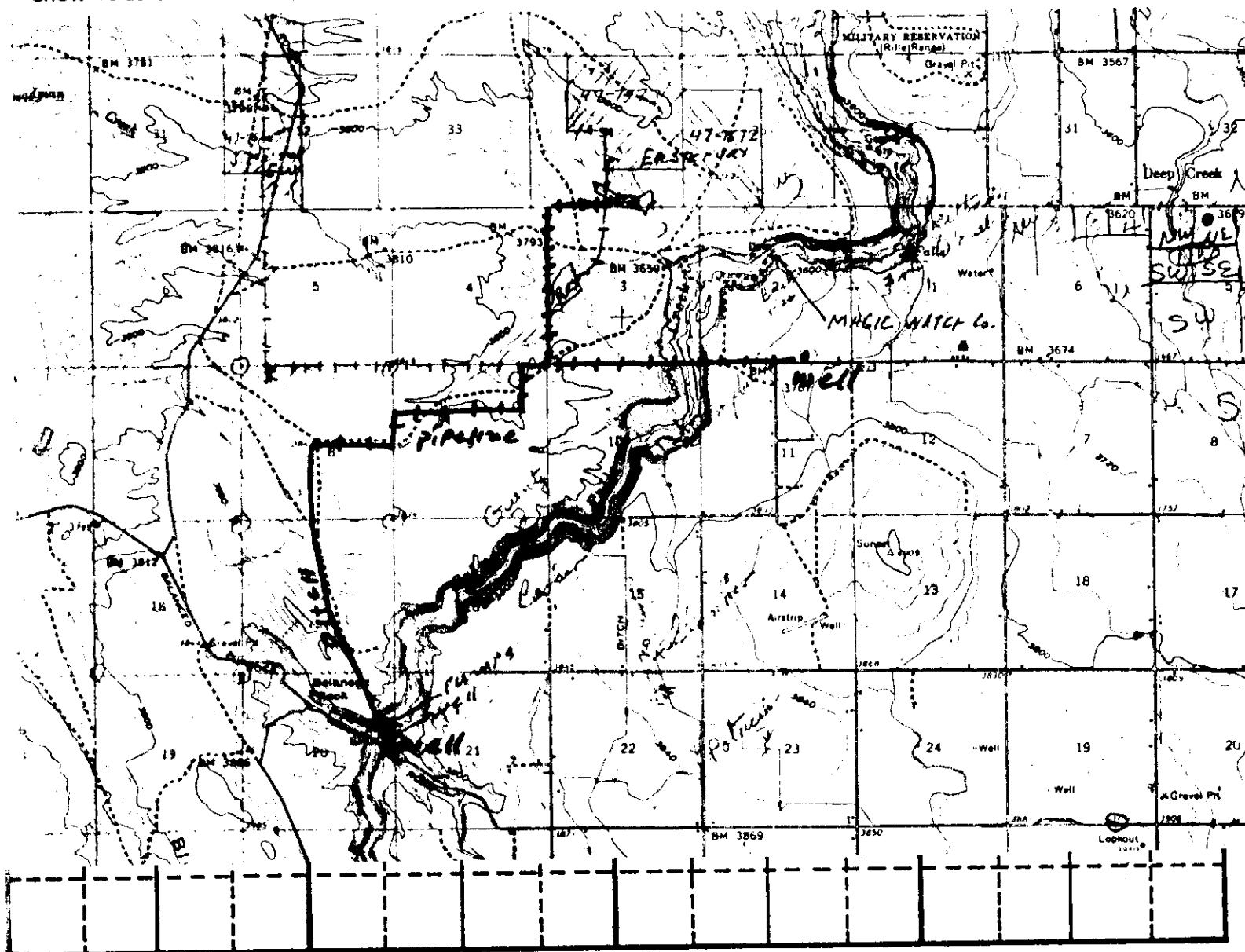
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall
b. Who owns the land to be irrigated or the place of use? BLM
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Allowed DLE I-2012

RECEIVED

Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 11 day of April, 19 81.

FOR DEPARTMENT USE ONLY

Preliminary check by ADM Fee = \$20.00

Received by merpe Date 7/1/88 # 16965

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

I, L. GLEN SAXTON Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE the above referenced Amendment provided that:

- 1) All water encountered above 3100 feet elevation (330 ft. hole depth) must be cased out.
- 2) Permit 47-7618 is subject to water master control if water is commingled with Salmon Falls Creek. *W*

Witness my hand this 6 day of August, 19 81.

19 81
Allen Saxton
 Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
JAN 4 1978
Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Lorene I. Easterday Phone 543-5841
Post office address Route 2, Buhl, Ida.
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 10S
Range 13E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.4 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 6.4 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump.

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 20 inches; proposed depth of well is 400 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated 320

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

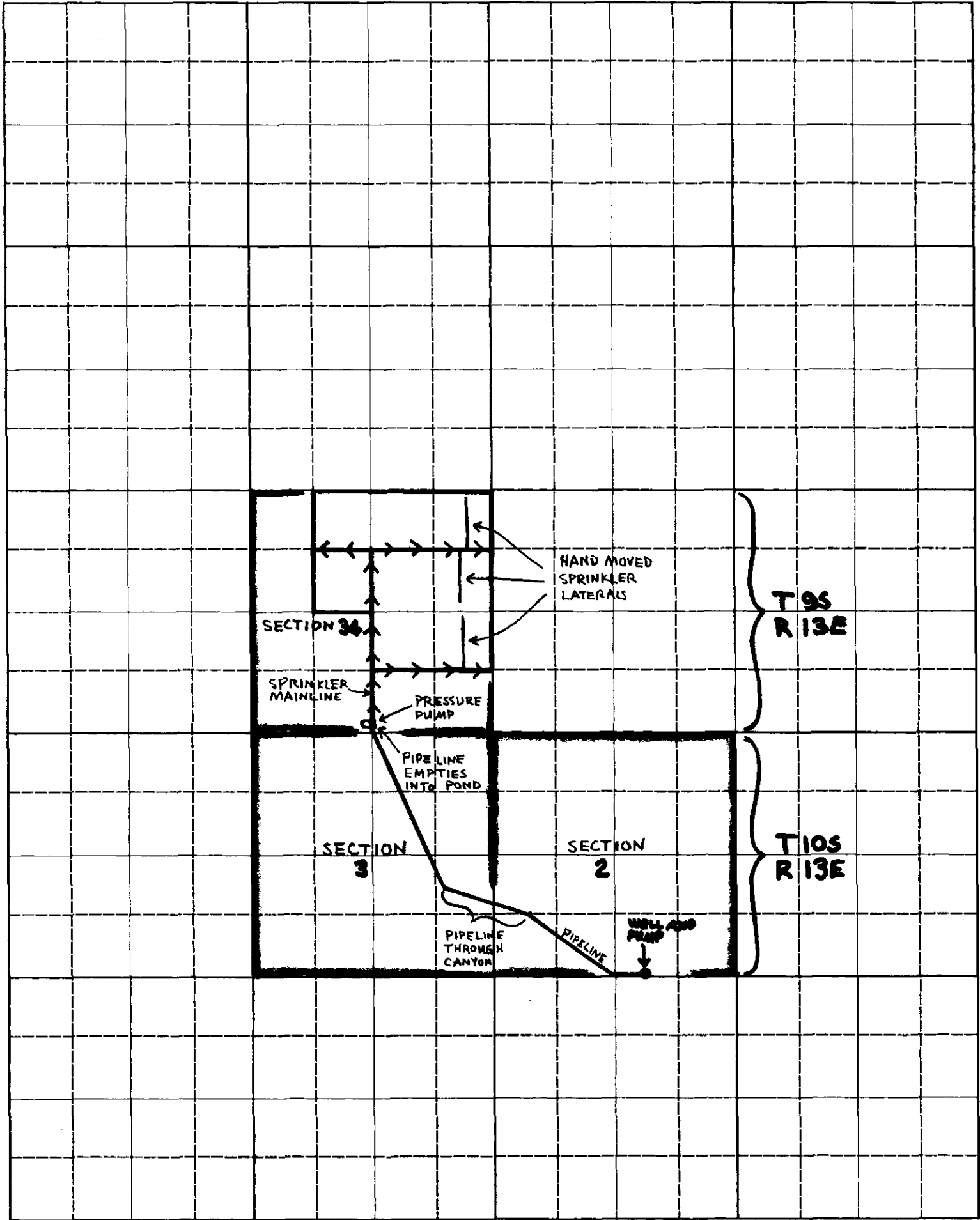
9. a. Who owns the property at the point of diversion Lenard D. Eastenday

b. Who owns the land to be irrigated or place of use U.S. government

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The subject 320 acres is an
allowed Desert Entry Filing No. I-2012 in the
name of Lorene I. Easterday.

10. Remarks _____

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Loraine L. Easterday
(Applicant)

Priority: January 4, 1980

Received by JA Date 1-4-80 Time 3:50 pm

Preliminary check by ADM Fee \$ 95⁰⁰

Receipted by Marya Date 1-4-80 17052

Publication prepared by ADM Date 1/9/80

Published in Times news

Publication dates 1/24 + 1/31/80

Publication approved Marya Date 1/5/80

Protests filed by: Magie Water Co, Inc - Nungester

Copies of protests forwarded by ADM

Hearing held by Decision stipulated Date

Recommended for approval denial by LA Jim

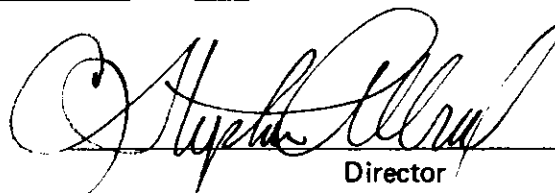
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7618, 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 November 1, 19 85.
- 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: PURSUANT TO MEMORANUM DECISION AND ORDER

Witness my hand this 3 day of December, 19 80.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL
OF APPLICATION FOR PERMIT NO. 47-7618
IN THE NAME OF LORENE I. EASTERDAY

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on the 4th day of December, 1980, true and correct
copies of the foregoing MEMORANDUM DECISION AND ORDER, was mailed, postage prepaid
to:

Lorene I. Easterday
Route 2
Buhl, ID 83316

William L. Nungester
HEPWORTH, NUNGESTER & FELTON
P. O. Box 589
Buhl, ID 83316


RITA I. FLECK
Sr. Secretary
Idaho Department of Water Resources

MAILING UNIT

Affidavit of Publication

Nº 9025

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda L. Capps 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 24, 1980, and ending with the issue dated
January 31, 1980.

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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Linda L. Capps
Subscribed and sworn to before me on this 31 day of

January, 1980.
Trilla Rowlett-Smith

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

RECEIVED
COUNTY CLERK
TWIN FALLS, IDAHO
JAN 31 1980
Use: [illegible]
Person of Use: [illegible]
SWORN
JAN 31 1980
Version: Manual WELL &
PUMP

OK 2-11-80 H

RECEIVED
JAN 31 1980



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

May 5, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210

RE: Water Right No. 47-07615 & 47-07618
Transfer No. 4947 & 4946

Dear Water Right Holder:

The accompanying transfer approvals should be considered and treated as preliminary orders of the department issued pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration and/or files a brief as 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 his own motion.

MICROFILMED

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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:

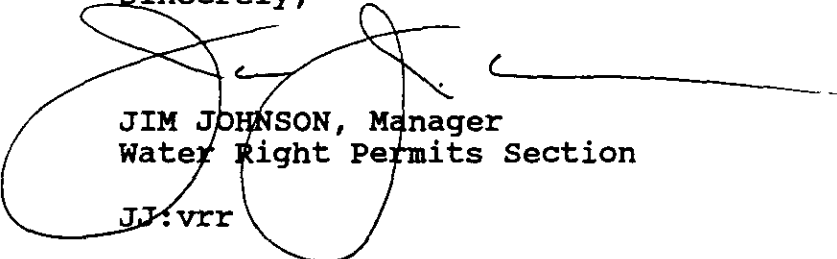
- i. A hearing was held,
- ii. The final agency action was taken,

NOTED
MAY 22 1972

- 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.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:vrr

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of May, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (APPROVED TRANSFERS)** to the person(s) listed below:

WATER RIGHT NO. 47-07615 & 47-07618

**DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210**


**KARI LYNN TOWNSEND
SECRETARY**

MAY 22 1997

MEMORANDUM

TO: FILE NO. 47-07618
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4946
DATE: April 29, 1997

=====

Transfer No. 4946 changes the place of use and creates a 1232.5 acres permissible place of use under Right No. 47-07618. Companion Transfer No. 4947 modifies Right No. 47-07615 using the same diversion system and place of use.

The applicants have purchased the water rights to combine with other rights to serve the entire permissible place of use. These rights were developed from the same well and have a limited combined diversion rate. Also, the system these rights will be diverted through has a limited capacity as described under Right No. 47-07615 licensing conditions, limiting the maximum diversion to 24.71 cfs.

Season of use was adjusted to current standards. Recommended conditions include combined limits, watermaster control, measuring devices, injection/rediversion limits, permissible place of use irrigation overlap and standard transfer conditions.

MICROFILMED
MAY 22 1997

RECEIVED
APR 14 1997

Department of Water Resources

47-07618
APPLICATION FOR TRANSFER OF WATER RIGHT
NO. 4946

RECEIVED

APR 11 1997

Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

I, Charles Ruyon, watermaster of State of Idaho,
of Water District No. 47G, County of Twin Falls, State of Idaho,
whose address is Burley Hwy 1225 Burley Idaho
have read the attached copy of the application for transfer of water right for _____
Dussell Brothers Partnership, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: A measuring device has to be installed
into on the well into Salmon Falls creek and out
of Salmon Falls creek that can be read daily

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Burley, Idaho, this 20 day of 4 1987.

Charles Ruyon
(signature)

MICROFILMED
MAY 22 1997

WR# 47-07618
WR# 47-07615

From: DWR60::AMERRITT 21-JAN-1997 09:36:38.19
To: DWR03::PSKAGGS
CC: AMERRITT
Subj: CONTACT WITH SALMON FALLS CREEK WATERMASTER

I RECENTLY SENT YOU TRANSFERS 4946 & 4947 IN THE NAME OF DRISCOLL. THESE INVOLVE INJECTION OF GROUNDWATER INTO SALMON FALLS CREEK AND REDIVERSION DOWN BELOW. OUR OFFICE ATTEMPTED TO CONTACT CHARLES RUNYON, WATERMASTER, BUT WAS UNABLE TO GET HIS COMMENTS. ON THIS DAY I SPOKE WITH PAT ELKIN, A WATERUSER ON SALMON FALLS CREEK, AND HAVE LEARNED THAT LAST FALL CHARLIE HAD HEART SURGERY AND SHORTLY AFTER LEFT FOR TEXAS TO RECOVER WITH RELATIVES. HE IS NOT EXPECTED TO RETURN UNTIL MAYBE MARCH.

ALLEN

RECEIVED

JAN 23 1997

FROM: Allen Merritt

AM
Department of Water Resources

DATE: January 15, 1997

TO: Transfer File No. 4946 & 4947

In the Name of: Driscoll Brothers Partnership

SUBJECT: Review and Recommendation

These two transfers have been processed without protest. Transfer #4946 deals with license 47-07618 and transfer #4947 deals with license 47-07615. Both of the licenses divert from an artesian hot water well which discharges into Salmon Falls Creek and then is re-diverted from the creek and pumped to the place of use through a large diversion system which provides water from Salmon Falls Creek for several thousand acres. These transfers propose to place the licensed acres in the same 1232.5 acre permissible place of use (PPU). The capacity of the artesian well is 4.88 cfs and the licenses are limited to this capacity when combined. The rights have been under the control of the watermaster on the creek; he has been requested by letter, twice, to submit comments on the transfer applications but has not replied. I have attempted on 1/14/97 & this day several times to contact him by phone (208-543-8601) but get no answer. I appears that the rights have in the past been conditioned to cover the concerns that the watermaster may have and these conditions should continue.

RECOMMENDATION

I recommend that these transfers be approved with the following conditions:

- Conditions as listed on license 47-07615.
- Subject to SRBA.
- Transfer 4946 is limited to irrigation of 320 acres in any one season within the PPU. Transfer 4947 is limited to irrigation of 303 acres in any one season within the PPU.
- Rights are under control of watermaster of Salmon Falls Creek.

RECEIVED

MAY 22 1997

FILE PROGRESS SUMMARY

APPLICANT:

Driscoll

WATER RIGHT NO.

47-07618

[illegible]

RECEIVED

JAN 13 1997

Department of Water Resources
Southern Region

December 11, 1996

Idaho Department of Water Resources
ATTN: Allen D. Merritt
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Water Rights Nos. 47-07615 and 47-07618

Dear Allen:

We, the undersigned, are the current owners of Idaho State Water Rights Nos. 47-07615 and 47-07618. We have recently contracted to transfer and sell both of said water rights to Driscoll Brothers Partnership, to be beneficially used on the agricultural ground recently purchased by Driscoll Brothers Partnership from Dale Wright. We hereby consent to the transfer of said water rights at this time to Driscoll Brothers Partnership.

Sincerely,



Lenard Easterday



Lorene Easterday

RECEIVED
MAY 22 1997

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE: (208) 734-0700
FAX: (208) 735-0041

DEC 12 1996

Department of Water Resource
Southern Region

DATE: December 11, 1996

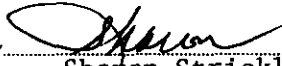
TO: Georgia
IDWR

RE: Driscoll Bros./Easterday

Enclosed is the letter and agreement re
the Easterday/Driscoll water rights.

Please let me know if you need anything
further, and thanks for all your help.

ROSHOLT, ROBERTSON & TUCKER

BY: 
Sharon Strickland



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE STE
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

December 5, 1996

CHARLES RUNYAN WATERMASTER
WATER DISTRICT #47-G
1439 N 1700 E
BUHL ID 83316

SECOND REQUEST

Re: Applications for Transfer-DRISCOLL BROTHERS PARTNERSHIP (T# 4946 (47-7618) and T# 4947 (47-07615)

Dear Mr. Runyan:

Please refer to our correspondence dated October 31, 1996 in which we requested your input regarding the above referenced Applications for Transfer.

Please find enclosed another copy of the Applications for Transfer and Watermaster's Recommendation Forms.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Final processing of the applications cannot be completed until we receive your recommendation; therefore, your prompt response to this request will be appreciated.

If you have any questions about the applications, please contact this office or the applicant.

Very truly yours,

Georgia Satterlee L.S.I.T.
Water Resource Agent

GS:mb

Enclosures

MAILED
MAY 22 1997

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHTS

Notice is hereby given that
DRISCOLL BROTHERS
PARTNERSHIP, 2250 S
3200 W; ABERDEEN, ID
83210 has filed two (2)
transfer applications
pursuant to Section 42-222
of IDAHO CODE. The
purpose of these transfers is
to change place of use and
create a permissible place of
use. Transfer No. 4946,
Water Right No. 47-07618
(4.88 cfs) has a priority
date of 1/7/1980.

Transfer No. 4947, Water
Right No. 47-07615 (4.88
cfs) has a priority date of
9/24/1980. A total of 4.88
cfs of water is being
transferred. These water
rights will be diverted from
a well, injected into Salmon
Falls Creek and re-diverted
by a pumping plant within
SE1/4NE1/4, S20, T10S,
R13E for irrigation of 623
acres per annum within a
1232.5 acre permissible
place of use within parts of
Section 32, T9S, R13E and
parts of Sections 4 and 5,
T10S, R13E; Twin Falls
County. A protest against
approval of any particular
transfer must be filed with
the D W-

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

NOV 22 1996 N^o 28808

I, Emily McKnight being first duly sworn upon oath, depose
and say that I am principle 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 issues,
commencing with the issue dated November 14, 19 96,
and ending with the issue dated November 21, 19 96.

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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 21 day of Nov in the year of 1996, before me,

a Notary Public, personally appeared Emily McKnight,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

NOT RECORDED

MAY 22 1997

REMITTANCE ADDRESS		BILL TO	
THE TIMES-NEWS - LEGAL		DEPT WATER RESOURCES	
P.O. BOX 548, TWIN FALLS, ID 83303-0548			
AD NUMBER	CLASS	SALESPERSON	BILLING DATE
92247	0050 LEGAL	5	11/07/96
AD DESCRIPTION		START DATE	STOP DATE
Water Right Driscoll Brothers		11/07/96	11/07/96
PUBLICATION	INSERTIONS	RATE	NET AMOUNT
4 THE TIMES NEWS LEGAL	1	LGL	47.90
FLAT CHARGE		FC	47.90
TOTAL AD CHARGE			
DAYS RUN			
PURCHASE ORDER		PAY THIS AMOUNT	
		47.90	
		47.90*	

156 = 100 1111

NOV 22 1996

Department of Water Resource
Southern Texas

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL

P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER	CLASS	START DATE	STOP DATE
92247	050 LEGAL	11/07/96	11/07/96
AD DESCRIPTION		BILLING DATE	TELEPHONE NUMBER
Water Right Driscoll Brothers		11/07/96	208-736-3033

GROSS AMOUNT OF
47.90
DUE AFTER

VISA MASTERCARD

EXPIRATION DATE: / SIGNATURE: _____

CREDIT CARD NUMBER

MICROFILMS

MAY 22 1937

TOTAL AMOUNT DUE	
47.90	
ENTER AMOUNT ENCLOSED	
\$	

DEPT WATER RESOURCES
222 SHOSHONE EAST
TWIN FALLS, ID

83301



20400000000922470000000000000000479000000047904

**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHTS**

Notice is hereby given that DRISCOLL BROTHERS PARTNERSHIP, 2250 S 3200 W; ABERDEEN, ID 83210 has filed two (2) transfer applications pursuant to Section 42-222 of IDAHO CODE. The purpose of these transfers is to change place of use and create a permissible place of use. Transfer No. 4946, Water Right No. 47-07618 (4.88 cfs) has a priority date of 1/7/1980.

Transfer No. 4947, Water Right No. 47-07615 (4.88 cfs) has a priority date of 9/24/1980. A total of 4.88 cfs of water is being transferred. These water rights will be diverted from a well, injected into Salmon Falls Creek and re-diverted by a pumping plant within SE1/4NE1/4, S20, T10S, R13E for irrigation of 623 acres per annum within a 1232.5 acre permissible place of use within parts of Section 32, T9S, R13E and parts of Sections 4 and 5, T10S, R13E; Twin Falls County. A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 2, 1996. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Times
News on 11/14 & 11/21/96.

PHOTOGRAPHED

MAY 22 1997



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 4, 1996

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MAILED
MAY 12 1997

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that DRISCOLL BROTHERS PARTNERSHIP, 2250 S 3200 W; ABERDEEN, ID 83210 has filed two (2) transfer applications pursuant to Section 42-222 of IDAHO CODE. The purpose of these transfers is to change place of use and create a permissible place of use.

Transfer No. 4946, Water Right No. 47-07618 (4.88 cfs) has a priority date of 1/7/1980.

Transfer No. 4947, Water Right No. 47-07615 (4.88 cfs) has a priority date of 9/24/1980.

A total of 4.88 cfs of water is being transferred. These water rights will be diverted from a well, injected into Salmon Falls Creek and re-diverted by a pumping plant within SE1/4NE1/4, S20, T10S, R13E for irrigation of 623 acres per annum within a 1232.5 acre permissible place of use within parts of Section 32, T9S, R13E and parts of Sections 4 and 5, T10S, R13E; Twin Falls County.

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 2, 1996. **(Each transfer requires a separate protest)**. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Times News on 11/14 & 11/21/96.

1000000000
MAY 22 1997



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE STE
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

October 31, 1996

BROCK DRISCOLL
DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210

Re: Applications for Transfer Nos. 4946 (47-07618) and 4947 (47-07615)

Dear Mr. Driscoll:

The Department of Water Resources acknowledges receipt of your two (2) Applications for Transfer.

This office has scheduled advertising the applications in The Times News for 11/14 and 11/21/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and a notarized statement from any lien holder on the property agreeing to the proposed change.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Georgia Satterlee L.S.I.T.
Water Resource Agent

GS:mb

cc: Attention: Sharon Strickland at Rosholt, Robertson & Tucker

NOV 12 1996



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

October 31, 1996

CHARLES RUNYAN WATERMASTER
WATER DISTRICT #47-G
1439 N 1700 E
BUHL ID 83316

Re: Applications for Transfer of Water Right Nos. 47-07615
(T#4947) & 47-07618 (T#4946)-Driscoll Brothers Partnership

Dear Mr. Runyan:

Enclosed are copies of Applications for Transfer of a Water Right within your District, and Watermaster's Recommendation Forms.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation forms and return them to this office.

Processing of the applications can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the applications, please contact this office or the applicant.

Very truly yours,

Georgia Satterlee L.S.I.T.
Water Resource Agent

GS:mb

Enclosures

NOV 22 1996

M E M O

TO: File 47-07615 & 47-07618 (both WR & AJ)
FROM: Georgia Satterlee
DATE: 30 September 1996
RE: Transfer(s)

These two rights were temporarily transferred, T#3904, which expired November 1995. These latest two applications for transfer submitted are identical to T#3904 except the applicants (now Driscoll Bros.) are wanting the transfer to be permanent.

According to Twin Falls County ASCS, the lands in CRP are as follows:

Sec 34, T09S, R13E	NE $\frac{1}{4}$ =	159.8 acres
Sec 34, T09S, R13E	NW $\frac{1}{4}$ =	160.0 "
Sec 34, T09S, R13E	SW $\frac{1}{4}$ =	148.9 "
Sec 34, T09S, R13E	SE $\frac{1}{4}$ =	<u>143.8</u> "
		612.5 acres
Sec 35, T09S, R13E	NW $\frac{1}{4}$ =	79.8 acres
Sec 35, T09S, R13E	SW $\frac{1}{4}$ =	<u>157.8</u> "
		237.6 acres

TOTAL 850.1 ACRES

Per 47-07615, Sharon @ Rosholt, Robertson, & Tucker, proof of ownership will be submitted once agreement is signed.

POSSIBLE OVERLAPS:

47-04099 WR & AJ
47-07252 WR & AJ
47-02316A WR & AJ
47-02353 WR & AJ

47-07708

Protested application.

April 1996, A. Merritt sent letter to applicant questioning applicant's pursuit of the construction of proposal.

Sept. 1996, No letter of response in file.

47-07615/47-07618

T #4946



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 9S Range 13E
Section 34, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) 47-07618
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): LENARD D. EASTERDAY
RT. 2 - BOX 85
BUHL, IDAHO 83316

☐ New Owner/Claimant (Purchaser): DRISCOLL BROTHERS PARTNERSHIP
2250 S. 3200 W.

☐ New Mailing Address: ABERDEEN, IDAHO 83210

☐ New Telephone Number: (208) 734 - 0700 (J.Evan Robertson, atty)

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) DRISCOLL BROTHERS PARTNERSHIP Date 7-24-96
By Patrick Driscoll Date 7-24-96

☐ Signature of Former Owner/Claimant(s): Lenard D. Easterday Date 7-22-96
Lenard Easterday Date 7-22-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

MAY 22 1997

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

T # 4946

Change of Ownership

LENARD & LORENE EASTERDAY

**The S1/2 NW1/4 and the SW1/4 of Section 35, T 9 S, R 13 EBM
and the S1/2 SE1/4; the NE1/4; the E1/2 NW1/4
and the N1/2 SE1/4 of Section 34 T 9 S, R 13 EBM
all in Twin Falls County, State of Idaho**

EXHIBIT A

MICROFILMED

MAY 22 1967



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 27, 1994

LENARD D EASTERDAY
LORENE EASTERDAY
RT 2 BOX 85
BUHL ID 83316

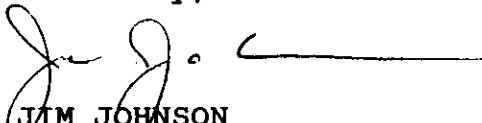
RE: PERMIT NOS. 47-07615 and 47-07618

Dear Water Right Holders:

Enclosed is a copy of your amended water right permit on permit No. 47-07615. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Also enclosed is a copy of your approved Application for Transfer of water right No. 47-07618 (Transfer No. 3904). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

20 07 1994

MEMORANDUM

TO: File 47-07618

FROM: Sharla

DATE: December 14, 1993

RE: SRBA Claim

On this date, Jim Stanton from the Southern Regional Office called to notify me that the Easterday's had been in the office to finalize their SRBA claim. When Trans. #3904 was originally filed, the region recommended it be denied since the SRBA claim was to be rejected, due to an insufficient fee.

The Easterday's have paid the necessary fees to finalize their claim filing - \$979.16 received under Receipt No. S016436. The transfer can now be reviewed for further processing and the amendment of Permit No. 47-07615 will be processed simultaneously.

RECEIVED

FEB 07 1994

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

OCT 18 1992

NO. 47-7618 T 3804

Department of Water Resources
Southern Region Office

RECOMMENDATION OF WATERMASTER

I, Louis Larsen, watermaster of Salmon Falls Ct.,
of Water District No. 476, County of Twinn Falls, State of Idaho,
whose address is Rt 2 Box 13061 ID 83311
have read the attached copy of the application for transfer of water right for _____
Lemah/Lemah Easterday, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: User must provide for measurement
of the well so delivery can be made at
the pump.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Twinn Falls, Idaho, this 13 day of October 1992.

Louis E. Larsen
(signature)

Please use reverse side if needed.

FEB 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

24-Sep-1992

R. KEITH HIGGINSON
Director

LENARD & LORENE EASTERDAY
RT 2 BOX 85
BUHL ID 83316

Re: Application for Transfer No. 47-07618, T#3904

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Buhl Herald on 10/7 & 10/14/92 as well as the Times News on 10/8 & 10/15/92. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

RECEIVED

FEB 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

24-Sep-1992

R. KEITH HIGGINSON
Director

LOUIS LARSEN WATERMASTER
WATER DISTRICT #45G
RT 2
BUHL ID 83316

Re: Application for Transfer of Water Right No. 47-07618,
T#3904 (Easterday)

Dear Mr. Larsen:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosures

FEB 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

24-Sep-1992

R. KEITH HIGGINSON
Director

ATTN BOB BAILEY
BUHL HERALD
PO BOX 312
BUHL ID 83316

Dear Mr. Bailey:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
SEP 24 1992

FEB 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

24-Sep-1992

R. KEITH HIGGINSON
Director

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

FEB 07 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.47-07618

Notice is hereby given that LENARD & LORENE EASTERDAY of Buhl, ID have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

This Application for Transfer proposes to change place of use.

WATER RIGHT AS RECORDED

Water Right No. 47-07618
Priority Date: 1/7/1980
Basis of right: License
Source: groundwater
Amount: 4.88 cfs
Use: irrigation
Point(s) of diversion: SE1/4NE1/4, S20, T10S, R13E; Twin Falls County.
Place of use: 320 acres within NE1/4, E1/2NW1/4, N1/2SE1/4, S34, T09S, R13E; Twin Falls County.

WATER RIGHT NO. 47-07618 TO BE CHANGED AS FOLLOWS:

Water Right No.: 47-07618
Priority Date: 1/7/1980
Period of Use: 3/15 to 11/15
Water Use: irrigation
Amount: 4.88 cfs

Total amount being transferred: 4.88 cfs

Source: groundwater

Point of diversion: SE1/4NE1/4, S20, T10S, R13E (also point of injection into Salmon Falls Creek & point of re-diversion from Creek); Twin Falls County.
Place of use: 1232.51 acres within SE1/4, S32, T09S, R13E; NE1/4, NW1/4, SW1/4, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, S4, T10S, R13E; NE1/4, E1/2NW1/4, E1/2SW1/4, SE1/4, S5, T10S, R13E; Twin Falls County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before October 25, 1992.

R. Keith Higginson, Director

Published in Buhl Herald on 10/7 & 10/14/92 and in Times News on 10/8 & 10/15/92.

MEMORANDUM

RECEIVED

SEP 03 1992

TO: Gary Funderburg

Department of Water Resources
Southern Region Office

FROM: Mary Baldwin

DATE: 19-Aug-1992

SUBJECT: Easterday transfer app, 47-7618, T #3904

I started to do advertising today and found some problems.

I called for proof reports & water right query which should have already been used in the analysis but were missing from the package and found some problems:

fixed ✓

- 1) The total P/U acres for the Part 2 (47-07618) says 320 acres but adds up to 400.
- 2) The P/D & total diversion amount for the Adjudication Claim is different from the underlying water right.
- 3) Appears a Part 2 for the Adjudication claim is needed as part of the transfer app?
- 4) Proof report for A47-07618 shows a tributary for the Groundwater, as does Part 1 of the transfer app. Is this a special situation requiring a tributary??
- 5) Underlying water right 47-07618 appears in only Lorene I. Easterday's name but transfer app. is a joint app.

JS

I give this to you because you received the app in 2/92 & GF may give it back to you.

Thx

MB

894 8-19-92

*SRAA claim was rejected for insufficient fee - ignore it,
advise applicants of this & that right will be lost if claim not filed
eventually*

July 12, 1990

LORENE I. EASTERDAY
RT. 2
BUHL, ID 83316

RE: PERMIT NO. 47-07618

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

MICROFILMED

JUL 23 1990

February 2, 1990

LORENE I. EASTERDAY
RT. 2
BUHL, ID 83316

RE: PERMIT NO. 47-07618

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.

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

RECORDED

JUL 25 1990

MEMORANDUM

TO: FILE/PERMIT NO. 47-7618

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 1-24-90

=====

This file had been in license review despite the fact that it remained on the Swan Falls list.

Review of the file shows that proof of beneficial use was received by the department November 4, 1985 (proof due date was November 1, 1985). The proof statement claimed that beneficial use commenced in 1982. A field exam conducted in 1987 confirmed the irrigation of the 320 acres from the source described under the permit. The IDWR remote sensing report shows that the same 320 acres were classified as irrigated for 1986.

The Bureau of Land Management informed me in 1989 (as per remarks in Swan Falls data base) that the 320 acres under this permit was patented in 1982. The fact that the land was patented in 1982 indicates that the land was developed and irrigated at that time.

There is sufficient documentation in this file confirming that the permit is exempt from the review requirements of Section 42-203D.

MicroFILMED

JUL 25 1990

RECEIVED

MEMO:

APR 8 1981

TO: Bob Fleenor & Files *BF*

Department of Water Resources
Southern District Office

RE: Inspection of Ken Marshall Well - Permit #47-7565
and Easterday well - Permits #47-7614, 47-7615, 47-7616, 47-7617,
47-7618

Date of Inspection: February 26, 1981

The Ken Marshall well is being drilled by Elsing Drilling with a cable tool rig in the Salmon Falls Creek Canyon just downstream from the Balanced Rock crossing. When inspected by Allen and I, the rig was being operated by Ray Gramer. He reported the well depth as 350 feet, drilling in hard, gray rhyolite and obtaining no water.

The well has a 26" casing down to 30 feet. A 20" casing is grouted inside this from the surface down to a depth of 90 feet. The well is 20" open hole from 90 to 200 feet and 12 inch open hole from 200 feet to the bottom.

The operator says artesian water was encountered in the first 90 feet of hole, and this has been sealed out except for a small amount of leakage. Two 3/4 inch pipes have been grouted into the annular space between the 26" and 20" casings to tap some of the artesian flow for possible domestic use. The combined flow of the two taps and the leakage out of the well is no more than 20 gpm.

Gramer said he thought the leakage could be sealed off with additional grout after the well is completed.

We also inspected a well being drilled for La Ray Easterday under Permits # 47-7614, 15, 16, 17, 18, in the SWSE, Sec. 2 T10S, R13E. The well is being drilled by Elsing Drilling with a rotary rig.

The driller reported the depth as 725 feet, drilling in gray rhyolite.

The well has 512 feet of 12" casing installed. The operator said that only 125 gpm of water had been encountered and that this was cased out. He is currently drilling in a dry hole.

Both the Marshall and Easterday wells have hole bottom elevations of less than 3100 feet and therefore any water now encountered can be appropriated under the permits.

MICROFILMED

JUL 2 1980

MICROFILMED

MEMORANDUM

TO: FILE

FROM: ROXANNE MCCARTHY

RE: POINT OF DIVERSION OVERLAP REVIEW

DATE: 1-NOV-1989

The following is a list of the rights showing a point of diversion in the same 1/4 1/4 and their relationship to one-another and Permit 47-7565:

WR No.	Status	Source	Remarks
47-2316ABC	licensed	different	
47-2402	licensed	different	
47-2417	licensed	different	
47-4099	Claim	different	
47-7252	Permit	different pumps	
47-7569	Permit		exam pending
47-7572	Cancelled		
47-7573	Cancelled		
47-7610	Permit		Proof due 5/90
47-7614	Permit		Proof due 11/90
47-7615	Permit	same	two pumps same as -7565
47-7616	Permit		Proof due 11/90
47-7617	Cancelled		
47-7618	Permit	same	two pumps same as -7565
47-7642	Permit		exam pending
47-7708	Application		Protested
47-7774	Application		DLE

RECORDED

JUL 10 1990

PLACE OF USE 1/4 1/4 OVERLAP REPORT

10/26/89

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM		
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
4707618																									
0207100	CANYON VIEW CANAL CO.	A	SNAKE RIVER	09S	13E	34	40	40	40	40	:	40	40	40	40	:	40		40	:	40	40	40	40	560
4702374	RASMUSSEN	L	GROUNDWATER	09S	13E	34					:					:		38	39	:				77	
4702377	EASTERDAY	L	GROUNDWATER	09S	13E	34					:		40	40		:				:				116	
4704015	EASTERDAY	S	WASTE WATER	09S	13E	34					:					:			40	:				40	
4707614	EASTERDAY	P	GROUNDWATER	09S	13E	34					:					:	40		40	:				80	
4707615	EASTERDAY	P	GROUNDWATER	09S	13E	34					:					:				:		40	40	80	
4707618	EASTERDAY	P	GROUNDWATER	09S	13E	34	40	40	40	40	:	40			40	:				:	40	40		320	
L4707615	EASTERDAY	L	GROUNDWATER	09S	13E	34					:					:				:		40	40	80	
L4707618	EASTERDAY	L	GROUNDWATER	09S	13E	34	40	40	40	40	:	40			40	:				:	40	40		320	

JUL 26 1989

RECEIVED

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4 1\4 1\4	LT	#SOURCE	#NAME
4707618	10S	13E	2	SW SE		GROUNDWATER	EASTERDAY, LOR
4707614						GROUNDWATER	EASTERDAY, JAN
4707615						GROUNDWATER	EASTERDAY, LEN
4707616						GROUNDWATER	EASTERDAY, ELD
4707617						GROUNDWATER	EASTERDAY, LAR
4707618	10S	13E	20	SE NE		GROUNDWATER	EASTERDAY, LOR
4702316A						LITTLE SALMON FALLS	MARSHALL, KENN
4702316B						LITTLE SALMON FALLS	MARSHALL, KENN
4702316C						LITTLE SALMON FALLS	MARSHALL, KENN
4702402						LITTLE SALMON FALLS	GUENTZ, GERALD
4702417						LITTLE SALMON FALLS	MARSHALL, KENN
4704099						SALMON FALLS CREEK	WRIGHT, DALE M
4707252						SALMON FALLS CREEK	MAY, RON
4707569						SALMON FALLS CREEK	MARSHALL, HOWA
4707572						SALMON FALLS CREEK	EASTERDAY, LEN
4707573						SALMON FALLS CREEK	EASTERDAY, LOR
4707610						SALMON FALLS CREEK	DAVIS, SUSAN M
4707614						GROUNDWATER	EASTERDAY, JAN
4707615						GROUNDWATER	EASTERDAY, LEN
4707615						GROUNDWATER	EASTERDAY, LEN
4707616						GROUNDWATER	EASTERDAY, ELD
4707617						GROUNDWATER	EASTERDAY, LAR
4707642						SALMON FALLS CREEK	MARSHALL, KENN
4707708						SALMON FALLS CREEK	WRIGHT, DALE
4707774						GROUNDWATER	MARSHALL, WAYN
4707565						GROUNDWATER	GIUFFRE, JEAN
4707618	10S	13E	20	SE NE		GROUNDWATER	EASTERDAY, LOR
4702316A						LITTLE SALMON FALLS	MARSHALL, KENN
4702316B						LITTLE SALMON FALLS	MARSHALL, KENN
4702316C						LITTLE SALMON FALLS	MARSHALL, KENN
4702402						LITTLE SALMON FALLS	GUENTZ, GERALD
4702417						LITTLE SALMON FALLS	MARSHALL, KENN
4704099						SALMON FALLS CREEK	WRIGHT, DALE M
4707252						SALMON FALLS CREEK	MAY, RON

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JUL 23 1990

4707569
4707572
4707573
4707610
4707614
4707615
4707615
4707616

SALMON FALLS CREEK
SALMON FALLS CREEK
SALMON FALLS CREEK
SALMON FALLS CREEK
GROUNDWATER
GROUNDWATER
GROUNDWATER
GROUNDWATER

MARSHALL, HOWA
EASTERDAY, LEN
EASTERDAY, LOR
DAVIS, SUSAN M
EASTERDAY, JAN
EASTERDAY, LEN
EASTERDAY, LEN
EASTERDAY, ELD

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JUN 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Lorene I. Easterday Permit No. 47-7618
Current Address: Rt. 2 Buhl, Idaho, 83316 Phone No. 543-5841
2. Accompanied by: La Ray Easterday EXAM. DATE: 7/6/87
Address: Rt. 2 Buhl, Idaho 83316 Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Applic. 02-7100 - Snake River
Permit 47-7573 - Salmon Falls Creek
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 47-7614, 47-7615, 47-7616, 47-7617
_____ ☐ 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

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JUL 21 1987

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☒ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ 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.)

An artesian hot well discharges directly into Salmon Falls Creek where the water is redirected from CK, in the NESENE Sec. 20 T.10S, R.13E, by the use of several pumps along with other rights. The pumps lift the water out of the canyon to a canal which conveys the water thru several ponds in a large irrigation network. This right is boosted into a pipeline in the NWSWNW of Sec. 9, T.10S, R.13E, from a pond and then the pressure in pipeline is boosted again at the booster site in the SESESW Sec 34 T.9S, R.13E, near the place of use.

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
	See attached Sheets for description of Div. from Creek & Booster Plants				

*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
Well		SE	SE	NE	20	10S.	13E.	Twin Falls	Quad
Re-div. from CK.		NE	SE	NE	20	10S.	13E.	T.F.	Quad

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

Indicate Method of Determination Aerial Photo

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	
9S.	13E.	34	40	40	40	40	40			40					40	40			320

320

NOT RECORDED

JUL 20 1988



CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

SEP 10 1987

FOR PERMIT NO. 47-7618
BY: ADM 7/17/87

Department of Water Resources

	DATE	NUMBER OF DAYS (From Table of Days Between Two Dates)
A. EXAMINATION FEE NOTICE SENT	8/12/86	224
B. DATE FEE DUE (60 days)		284
C. DATE FEE RECEIVED	7/1/87	365 + 182 = 547
D. NUMBER OF DAYS LATE (C - B)		263
E. ORIGINAL PRIORITY DATE (Check Reinstatement, etc.)	1/7/80	7
F. NEW PRIORITY DATE (D + E)	2	270
	Sept 27, 1980	

REMARKS:

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JUL 23 1990

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

MICROFILMED

JUL 23 1990

47-7618

R-13

Not to Scale

C-9

T 1208

40

40

40

1
120.5

40

40

40

2
40.1

3
79.8

4
79.8

40

40

1
35.3

6
81.3

9
62.5

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JUL 23 1960

10
88.0

712.07

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: ADM

Date: 7/6/87

Owner: Esterday's well

Permit No. 47-7615 & 47-7618

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Artesian hot well being injected into Selmon Falls Creek

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 40.2"
T = Pipe Thickness in Inches = 3/16 = 0.19"
ID = 2 [(0.1592 X CIR) - T] = 12.42"

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 12.00"
State ID No. 091430

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.99

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

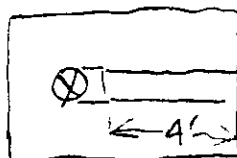
High Reading = 11.5 11.8 12.4 12.7
Low Reading = 4.2 4.2 4.3 4.3
High - Low = H = 7.3 7.6

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(12.42)^2 \cdot (\sqrt{8.0}) \cdot (3.99)}{448.8} = 3.88 \text{ CFS}$$

SKETCH (If not shown on Field Report)

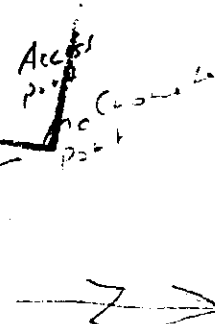


McComete 12.0 ID
78-12-15'
0.010 AF / 111.0 sec. =
3.93 cfs
0.005 AF / 56.2 =
3.86 cfs

12.1
4.1
8.0 8.0 Use 8.0"

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JUL 23 1990



10/23/86

See file 47-7618 for more info.

5/23/86

10" orifice 13 1/8" 2012.2 gpm

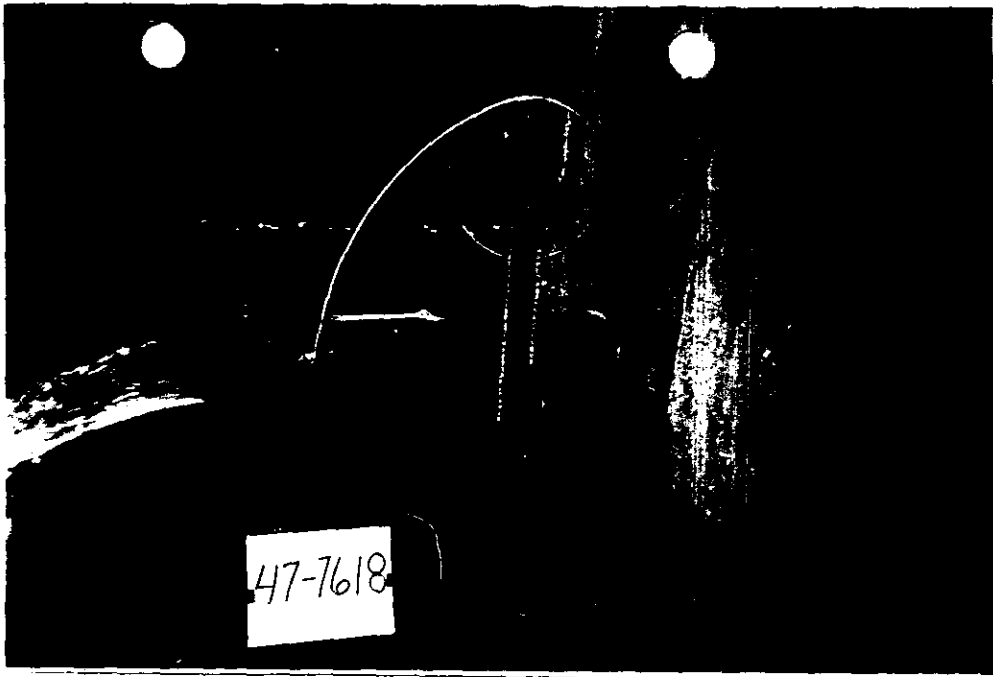
12" diameter 14.1" 2191.6 gpm

5/23/86

10 1/2" orifice 13 1/8" 2012.2 gpm

12" diameter 12 3/8" 20 14.1" 2191.6 gpm

5.3' from well 1' from end of pipe



REFILMED

23 1990

7/6/87

47-7615
47-7618

-1
1/2

Easterday's Well

P/D for 47-7615 &
47-7618

Marshall's well in
foreground with

Wright's pumping
plant & Marshall -
Easterday pumping
plant in background.

#2 Trapezoidal weir
at head of
Marshall - Easterday canal.
Output from pumping
plant on Salmon Falls
Creek measured here.

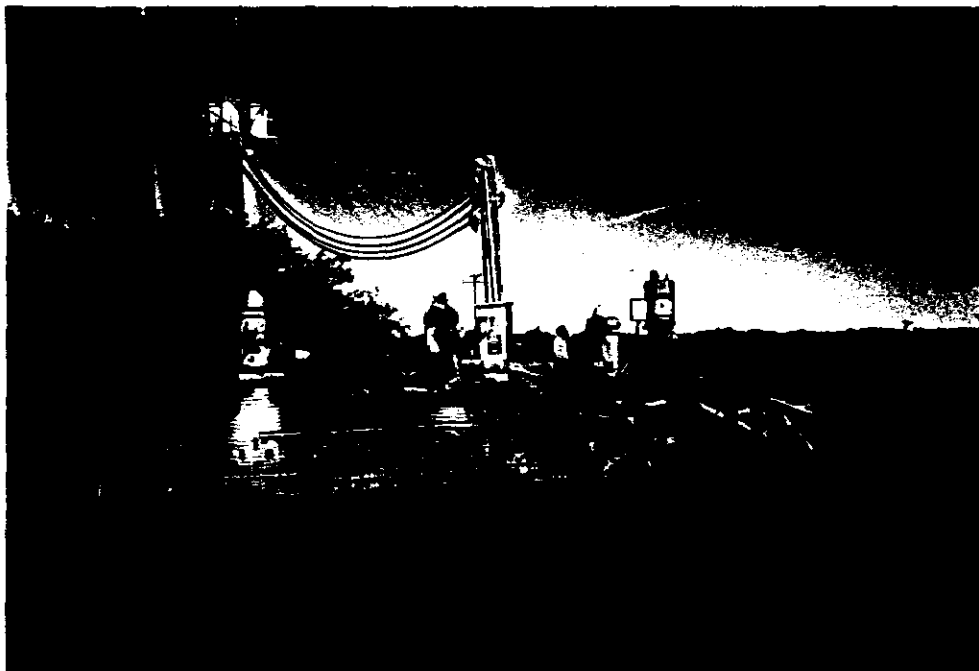
MICROFILMED

JUL 23 1990

7/6/87

47-7615
47-7618

2/2



Booster plant



Booster plant

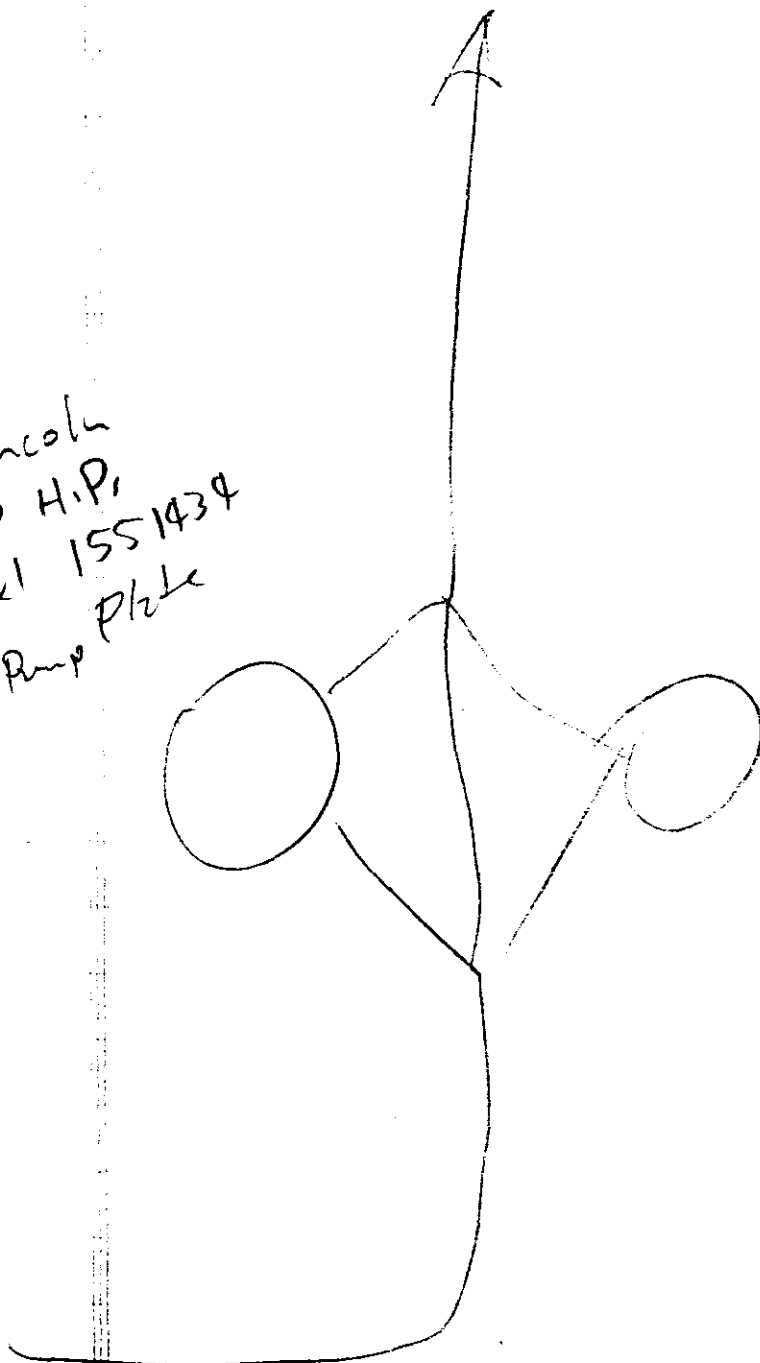
MICROFILMED
JUL 23 1990

Boosters @

SESW Sec. 34 T.9S. R.13E



Lincoln
100 H.P.
Serial 1551434
No Pump Plate



U.S. Electrical Motors
75 H.P.
Serial —
No Pump Plate

RECEIVED
JUL 23 1990

Boosters @ Pond

SWNW Sec 9, T10S, R13E,



#1

GE. 200 H.P.
0VJ210003

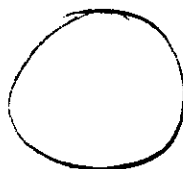
Well Line
T84132



#2

U.S. Motors
150 H.P.
82-01239

Layne Barker
54340



#3

U.S. Motors
150 H.P.
HJ1409499

Vent Line
3X8 70859
2100 GPM
225'



#4

U.S. Motors
60 H.P.
1255278

Layne Barker
44509

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JUL 23 1990

Pumps on Salmon Falls Creek
SENE Sec 20 T.10S, R.13E

* GE 300 ACW/18001
Aurora 3X172360

#6

#5

#4

GE-450hp - DSJ402G14
Aurora 3X171503

BLJ219015

#3

GE 400hp - ~~5K6245~~

Layne 77980

#2

US Electric Motor - 1279324 - 400hp
Vertibond - DC 3337

#1

Motor - GE - 400hp - BLJ219014
Layne - 77981

✓ US motor
250hp

1275190
Layne

14RLXL

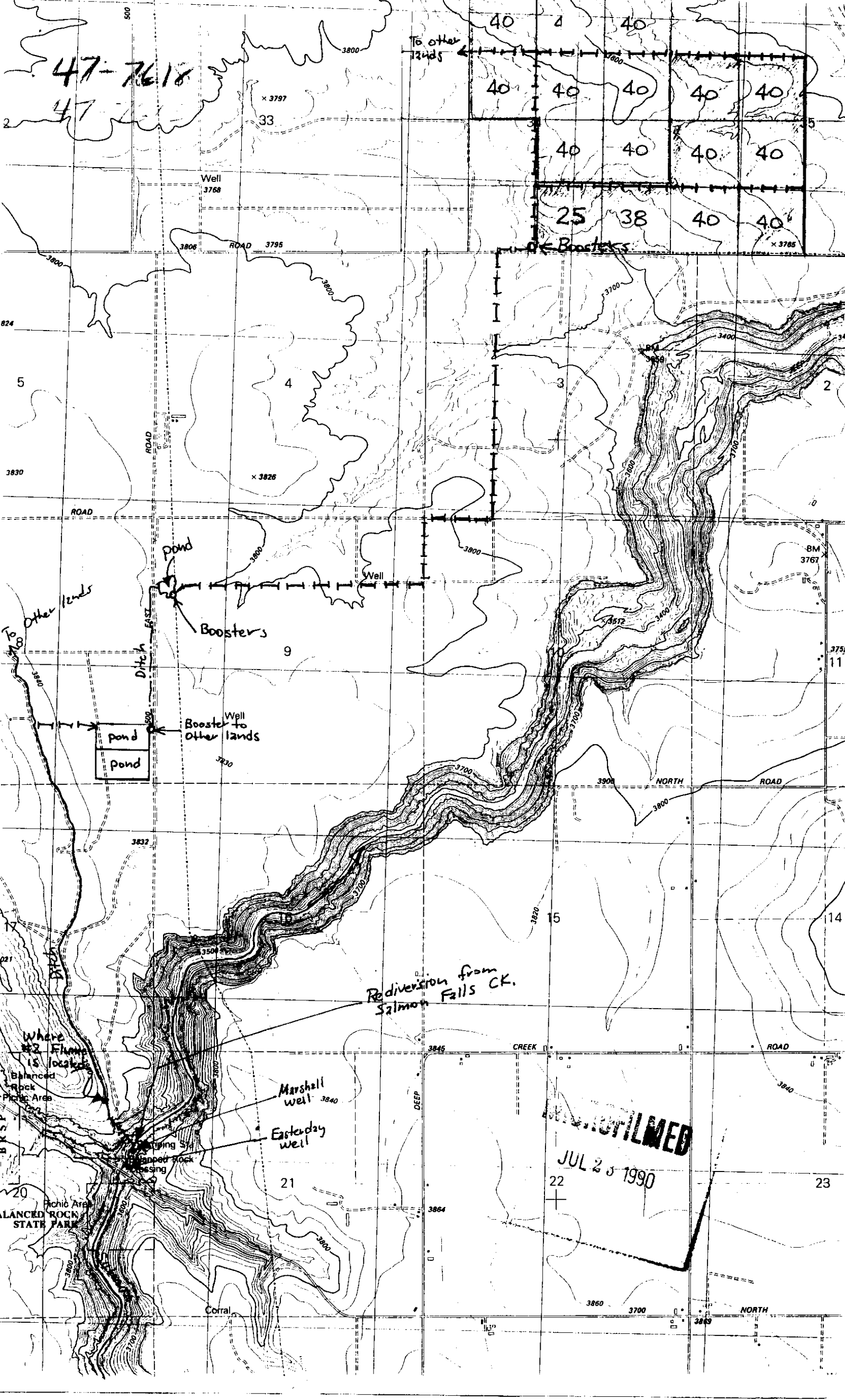
* was probably rebuilt to a 350hp
but the tag says 300hp

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JUL 23 1990

Valerinto

to flame
↓



47-7618

47

To other lands

Well 3768

ROAD 3806

ROAD 3795

Boosters

ROAD

pond

Boosters

Well Boosters to other lands

pond
pond

ROAD

NORTH

ROAD

Rediversion from Salmon Falls CK.

Marshall well 3840

Easterday well

Where #2 Flume is located

Balanced Rock Picnic Area

Picnic Area
BALANCED ROCK STATE PARK

CORRAL

FILMED
JUL 25 1990

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

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

2. Measurements:

5/23/86 annubar meas by Terry Blum of IDWR $\Rightarrow$ 4.88 cfs
(See attached Photos for 5/23/86 meas. Calc. of discharge on back of Photos)
7/6/87 annubar meas by ADM during exam. $\Rightarrow$ 3.88 cfs
Allow 4.88 cfs max. diversion rate from well.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Owens' McCrometer (See data sheet)

F. PUMP EFFICIENCY DATA (Optional)

Well is 2" size

(None taken of Booster complex)

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 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 320 \times 4.0 = 1280.0 \text{ Afz}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (4.88 \times 246 \times 1.9835) = 2381.2$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1280.0 \text{ Afz}$

2. Volume Calculations for Other Uses:

MICROFILMED

JUL 25 1996

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The land is irrigated by approx 16 1/4 mile handlines with 1/8" reinforced nozzles.

When this right combined with other rights shall not exceed 4.88 cfs diversion rate nor 2381.2 Afs

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	4.88	1280.0
* Totals:			4.88	1280.0

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

Allen Merritt

Signature

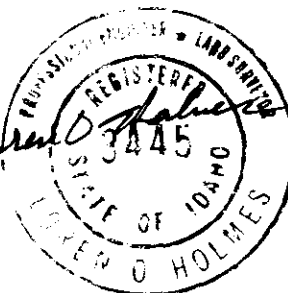
Allen Merritt

Certification Date

5/15/87

Field Report Preparation Date

7/20/87



CONSULTANT SEAL

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

JDM 10/4/89

FILED

4/86

RECEIVED

JUL 1 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received \$200

Date 7/1/87

Receipt # 45053

Receipt by M. Balderson

Sent to S.O. 7/1/87

1. Permit No. 47-7618

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: Loene I. Easterday3. Post Office Address: Route 2 Buhl ID 83316Telephone No. 543-58414. Source of Water: Groundwater

5. Extent of Use:

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

Irrigation 320 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 4.5 cfs _____ acre-feet

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

4/1/81

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

Loene I. Easterday

(Name)

(or Call Permit holder)

RT 2 Buhl ID 83316

(Address)

326-5736

(Telephone Number)

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

7/1/87

Date

Loene I. Easterday
Signature of Permit Holder (and title, if appropriate)

JUL 23 1990

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

(well)

COMMENCEMENT OF WORKS

Permit No. 47-7618

Name(s) of Permit Holder(s): Lorene Easterday

Post Office Address: Route 2, Buhl, Ida

Tel. 543-5841

☒ I hereby certify that construction of diversion work on the above referenced permit began on June 19. I understand that I must

continue to develop the water system with 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.

July 1, 1983
Date

Lorene Easterday
Signature of Permit Holder

MICROFILMED

JUL 23 1990



RECEIVED

JUL 1 1983

Department of Water Resources
Southern District Office

PLACE
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

SERIAL REGISTER PAGE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Legal Reference	File Code	Serial Number
Desert Land Application, Act 3-3-1877	2.0	I- 2012
Name and Mailing Address		I-2012
Lorene I. Easterday Route #2 Buhl, Idaho 83316		
Description of Land		
T. 9 S., R. 13 E., B. M., Idaho Sec. 34: E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$		
Twin Falls County 320 acres		
DATE OF ACTION	ACTION TAKEN	
Dec. 4, 1967	Application filed. Rect. #123900 - \$95.00 filing fee and 1st payment of 1/5. cc of SR to GS and DM I-1., Area Engineer Bureau of Reclamation.	
6-18-68	(Note LO records: Land classified as suitable for entry under D.L. Act.) MICROFILMED	
9-25-68	Alluvial.	
11-12-69	Annual proof sufficient for 1st year	
11-30-70	Annual proof sufficient for 2nd year	
11-4-1971	Annual proof sufficient for 3rd year	
9/7/1973	Extension of 3 years granted to make final proof. Proof due 9/25/1975.	

DATE OF ACTION	ACTION TAKEN
11/6/76	<i>Extension of time granted for three years. Final proof due 9/25/1978.</i>
4/26/79	<i>Appeal Filed.</i>
4/10/1981	Three years extension of time granted to make final proof retroactive to 9/25/1978. Proof due 9/25/1981.
3/2/1982	F.C. Issued Reserving to the U.S.A. D/C, O&G, GEO, P. 11-82-0020. <i>Patented under to Applicant</i>
	PATENT NUMBER PATENT NUMBER MICROFILMED JUL 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 11, 1986

LORENE I. EASTERDAY
RT. 2
BUHL ID 83316

RE: Permit No. 47-7618

Dear Permit Holder:

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

Enclosed please find a copy of an order involving your 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

Enclosure

MICROFILMED

JUL 23 1990

^ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 47-7618

DATE: 1-28-86

Date proof received

307

Nov 4 1985

Proof due

-304

Nov 1

Number of day proof late

3

Priority date

+ 4

Jan 4, 1980

New priority date

7

January 7, 1980

Remarks:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
NOV 4 1985

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. 47-7618

Name(s) of Permit Holder: Lorene I Easterday

Post Office Address: Rt 2 Buhl, ID 83316

Telephone No. 543-5841

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 320 _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 1982

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)

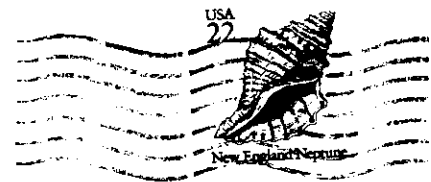
The above information is a true statement of the extent to which the above numbered permit has been developed.

11-1-85
Date

Lorene I Easterday
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

Spencer I. Easterday
Attn
Boise Idaho 83316



**Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720**



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

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138303

EASTERDAY, LORENE I.
ROUTE 2
BUHL, ID 83316

P R O O F D U E N O T I C E

AUGUST 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7618 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

April 26, 1982

RE: Permit No. 47-7618

Lorene I. Easterday
Route #2
Buhl, ID 83316

Dear Ms. Easterday:

Enclosed is a copy of the approved application for amendment submitted for the above referenced permit. Be sure to note the conditions of approval on the second page.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



NOTICE OF CORRECTION

Notice is hereby given that Application for Amendment of a Permit No. 47-7618 in the name of Lorene I. Easterday, of Buhl, Idaho, was advertised incorrectly on November 26 and December 3, 1981. The point of diversion was advertised as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T10S, R13E. Whereas, the actual point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T10S, R13E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before March 22, 1982.

A. KENNETH DUNN
Director

Published in the Times News on March 4 and March 11, 1982.

MICROFILMED

**NOTICE OF
CORRECTION**

Notice is hereby given that Application for Amendment of a Permit No. 47-7818 in the name of Lorene I. Easterday, of Buhl, Idaho, was advertised incorrectly on November 26 and December 3, 1981. The point of diversion was advertised as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T10S, R13E. Whereas, the actual point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T10S, R13E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before March 22, 1982.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
March 4, and 11, 1982.

*ok
mwp
3/2/82*

February 19, 1982

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

Re: Notice of Correction - Application for Amendment of a Permit No. 47-7818
and No. 47-7615

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED

AMENDMENT REVIEW

47-7618

Item 1 P/D

ALSO PT of injection
and redirection

SE⁴ NE⁴
SW⁴ SE⁴

SEC 20
SEC 2

T 10S R13E
T 10S R13E

NO ERRORS FOUND

MAP P/D

CORRECT MAP

SW⁴ SE⁴
SE⁴ NE⁴

SEC 2
SEC 20

ERROR
T 11S R13E
T 11S R13E

ADVERTISEMENT P/D

SE⁴ NE⁴
SW⁴ SE⁴

ERROR
SEC 2 T10S R13E
SHOULD BE SE⁴ NE⁴ SEC 20
T10S R13E

INJECTED OK SE⁴ NE⁴

SEC 20 T10S R13E

RECOMMEND 1) READVERTIZING TO CORRECT
P/D LOCATION

2) Correct MAP

Microfilm

73320 pigl water dept
007.7 IN 10:17

legal notice to start
Thursday, December 3,
1981.

NOTICE OF
AMENDMENT TO
A WATER PERMIT
NO. 47-7818

Notice is hereby given
that Lorene I. Easterday
is the holder of approved
permit No. 47-7818
authorizing the diversion
of 6.4 cubic feet per sec-
ond of water from
groundwater in the
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20;
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S,
R13E County of Twin
Falls, to be used for
irrigation (on 320 acres)
within NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, ~~(N $\frac{1}{2}$ SE $\frac{1}{4}$)~~ Sec.
34, T8S, R13E

The permit holder has
applied to the Depart-
ment of Water Re-
sources for an
Amendment to the
permit, to add re-
diversion point as
follows: Point(s) of
Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S,
R13E, Water diverted in
the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20,
T10S, R13E is to be in-
jected into Salmon Falls
Creek from a flowing
well and rediverted by a
pumping plant approxi-
mately 500 ft down
stream from the injection
point.

Place of Use: NO
CHANGE

Any protest against
approval of the amend-
ing of Permit No. 47-7818
as set forth above must
be filed with the Idaho
Department of Water
Resources 1041 Blue
Lakes Blvd. North, Twin
Falls, Idaho, 83301, on or
before December 21,
1981.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
December 3, and 10,
1981.

*called caretone
maye
11/27/81*

*old
1/13/82*

Sec. 20

PROFILED

November 23, 1981

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

Re: Notice of Amendment to a Water Permit No. 47-7618

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED

Affidavit of Publication

Nº 10936

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

I, H. Inderslie being first duly sworn upon oath, depose and say that I am press 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 December 3, 1981, and ending with the issue dated December 10, 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.

H. Inderslie
Subscribed and sworn to before me on this 16th day of December, 1981.

Gladys J. Lawrence
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Handwritten: H. Inderslie
RECEIVED
COUNTY CLERK
TWIN FALLS, IDAHO
DECEMBER 16 1981

Notice is hereby given that Lorene L. Easterday is the holder of approved permit No. 47-7618 authorizing the diversion of 6.4 cubic feet per second of water from groundwater in the SE¼NE¼, Sec. 20; SW¼SE¼, Sec. 2, T10S, R13E County of Twin Falls, to be used for irrigation (on 320 acres) within NE¼; E½NW¼, N½SE¼, Sec. 34, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to add rediversion point as follows: Point(s) of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R13E, Water diverted in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T10S, R13E is to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 500 ft down stream from the injection point.

Any protest against approval of the amending of Permit No. 47-7618 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before December 21, 1981.

PUBLISH: Thursday,
December 3, and 10,
1981.

of
 Mrs
 and
 at
 at
 at

STATE OF IDAHO, }
COUNTY OF TWIN FALLS }

5

Nº 10936

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

day of

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

Approve the above referenced Amendment provided
that:

1. Provisions of Memorandum Decision issued
12/3/1980 are met

2. Measuring Device of a type approved by
the Department shall be installed at
the point of injection and at the
point of diversion from Salmon
Falls Creek.

3. The use of water under this right is
subject to the control of the water
master of Water District — Salmon Falls
Creek

MICROFILMED

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

Right Number 47- Applicant EASTERDAY, Lorene I.

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☐ Change place of use. ☒ Other add re-diversion point

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) N/A
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. None
- ☒ Approve.
- ☐ Deny.

Conditions Subject to same conditions as noted on earlier
amendment plus applicant required to install
meas. devices and controlling works. (See memo June 16, 1981)
See attached for conditions
By ADM Date 1/19/82

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By J. E. Stanton Date 1/25/1982
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

RECEIVED
APR 9 1982

Department of Water Resources

MICROFILMED

August 21, 1981

RE: Permit No. 47-7618

Lorene I. Easterday
Route #2
Buhl, ID 83316

Dear Ms. Easterday:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECORDED
INDEXED

RECEIVED

JUN 19 1981

Department of Water Resources

June 17, 1981

MEMO:

TO: Files - 47-7615 - 47-7618 (Amendments) & Permit 47-7565

FROM: Loren O. Holmes
Southern Region Supervisor

The well to be drilled under these Amendments is located in Salmon Falls Canyon next to the well recently completed under Permit 47-7565. Copies of the Marshall well log and the logs of the first well drilled under these permits are attached.

Approval of these Applications for Amendment should be conditioned the same as Permit 47-7565.

In view of the fact that the well drilled under 47-7565 is not cased for 500 feet as required by the Permit, but all water encountered above 3100 feet elevation is cased out, same consideration should be given to modifying the conditions of approval to reflect the actual well construction.

A condition should also be added placing the wells under watermaster control if Salmon Falls Creek is to be used as a conveyance for the water.

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 47-7618 Applicant EASTERDAY, Lorene I.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).
☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- No Change ☐ Amount, nature and period of use. If increased, delay date of priority.
- ☐ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- NA ☐ Existing water rights from the same source, amended place of use.
- NA ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions As per Original Permit +

(1) All water encountered above 3100 ft elevation (330 ft hole depth)
must be cased out.

(2) Permit ⁴⁷⁻⁷⁶¹⁸ must be under control if water is commingled
with Salmon Falls Creek.
By Loren Osterman Date 6/17/81

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Jpm Date 7/24/81
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

use above conditions

MED

June 8, 1981

RECEIVED

State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

JUN 8 1981

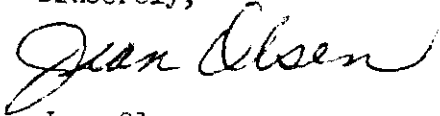
Department of Water Resources
Southeast District Office

Re: Protest against Permit No. 47-7615 & 47-7618

Dear Mr. Holmes,

I am formally withdrawing my protest against the application of the permits 47-7615 & 47-7618 with the stipulation that at any future date the wells that are being dug now, interfere with our water, we will be on record as having protested the original permit.

Sincerely,



Jean Olsen
P.O. Box 167
Buhl, Idaho 83316
Olsen Farms - Magic Water

RECEIVED

May 11, 1981

Notice is given that Magic Water Company opposes the granting of application for amendment 47-7615 and 47-7618 except on the condition that any approval of the applications includes the same well casing conditions as applied to permit No. 47-7565 in the name of Kenneth Marshall.

Kenneth P. Elkin
Route 3
Buhl, Idaho 83316

*Kenneth P. Elkin
Pres Magic Water Co*

RECEIVED

MAY 11 1981

Department of Water
Southern District

MICROFILMED

I do hereby protest the Amendment
to water permits NO 47-7615 and NO 47-7618
for Lenard D Easterday and Lorene I Easterday.

Our farm is fed by the same water
source and while today there is no
problem in that area, in future
years with additional permits being
issued, we may see shortages.

Jean Olsen
PO Box 167
Buhl, Idaho 83316

Olsen Farms
Magic Water

RECEIVED

MAY 14 1981

Department of Water Resources
Southern District Office

100-100000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

May 20, 1981

Lenard D. Easterday
Route 2
Buhl, Idaho 83316

Re: Application for Amendment of a Permit No. 47-7615 - 47-7618

Dear Mr. Easterday:

Enclosed are copies of protests filed against the issuance of a permit pursuant to your Application No 47-7615-7618. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

May 20, 1981

Jean Olsen
P. O. Box 167
Buhl, Idaho 83316
Olsen Farms - Magic Water

Re: Application for Amendment of a Permit No. 47-7615 - 47-7618

Dear Mrs. Olsen:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

MICROFILMED

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-7615

Notice is hereby given that Lenard D. Easterday is the holder of approved permit No. 47-7615 authorizing the diversion of 6.4 cubic feet per second of water from groundwater in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R13E, B.M.

County of Twin Falls, to be used for irrigation (on 320 acres) within S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 35; S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment to add diversion point to the permit, ~~to change the (Point(s) of diversion) (and place of use)~~ as follows:

Point(s) of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T10S, R13E, B.M., Twin Falls
County

Place of Use: No change

Any protest against approval of the amending of Permit No. 47-7615 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 18, 1981

A. KENNETH DUNN
~~XXXXXXXXXXXX~~
Director

Published in the Times News
on April 30 AND May 7, 1981

**NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 47-7615**

Notice is hereby given that Lenard D. Easterday is the holder of approved permit No. 47-7615 authorizing the diversion of 6.4 cubic feet per second of water from groundwater in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R13E, B.M. County of Twin Falls, to be used for irrigation (on 320 acres) within S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 35; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T8S, R13E.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to add diversion point as follows: Point(s) of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T10S, R13E, B.M., Twin Falls County.

Place of Use: No Change

Any protest against approval of the amending of Permit No. 47-7615 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 18, 1981.

A. KENNETH DUNN

Director

PUBLISH: Thursday, Apr. 30, and May 7, 1981.

Legal Notice to Start
Thursday, Apr. 30

*ok
maga
4/27/81*

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

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

April 17, 1981

• Times News ✓
Box 548
Twin Falls, Idaho 83301

and

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Notice of Amended Application for Permit No. 02-7331 ✓
Notice of Proposed Change of Water Right No. 36-0055G
Notice of Amendment to a Water Right No. 47-7615 and 47-7618 ✓

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

9/78

IDENT. NO. 47-7618

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

Initials

Date

Item

ADM

1/9/80

muya

1/10/80

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Wd

12/10/80

December 5, 1980

William F. Ringert
HEPWORTH, NUNGESTER & FELTON
P. O. Box 589
Buhl, ID 83316

Dear Mr. Ringert:

Re: Permit Nos. 47-7615 (Lenard D. Easterday) and 47-7618 (Lorene Easterday)

Pursuant to our telephone conversation, enclosed are the above-referenced permit.

If this office can be of further assistance, please feel free to contact us.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

MICROFILMED

December 4, 1980

Lorene I. Easterday
Route 2
Buhl, ID 83316

Dear Ms. Easterday:

Re: Application for Permit No. 47-7618

Enclosed is a copy of your approved Application for Permit No. 47-7618 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the Order.

Be sure to note the special condition requiring you to install an access port or other devices to provide for the installation of measuring equipment by the Department. Enclosed are the specifications for the installation of an access port.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within twenty (20) days or may appeal directly to the District court within sixty (60) days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: William L. Nungester

MEMORANDUM

TO: Bob Fleenor
FROM: Paul Castelin *PMC*
DATE: October 15, 1980
SUBJ: PROTESTED WATER RIGHT APPS. 47-7614, 7615, 7616, 7617 & 7618 (EASTERDAYS)
AND 47-7565 (MARSHALL) RELATING TO CONDITION NO. 3 MEMORANDUM DECISION
AND ORDER

I agree with the intent of the condition, but as is usual in things geologic, it isn't that simple.

The "first aquifer" referred to in the memorandum decision I assume to be sands and gravels overlying the major aquifers in the area; the Banbury basalt and Idavada volcanics (rhyolite). Most high-yield wells are in the Idavada Volcanics, some in the Banbury, and most groundwater moving to Salmon Falls Creek would move through these units.

Specifically, to avoid any interference with groundwater flows reaching Salmon Falls Creek from the east wells would have to withdraw water from below a confining layer in the Idavada volcanics with an elevation no greater than 3100 feet. Unperforated casing would need to extend to and be sealed into this confining layer. Even then, if significant artesian pressure was encountered below the confining layer, a certain amount of naturally-occurring upward leakage that had been taking place would be reduced by pumpage withdrawals, thus reducing recharge to the shallower system anyway.

By requiring this type of construction the impacts will be minimized on Salmon Falls Creek, especially if well spacing of 0.5 mile or greater between the proposed wells is also considered. Financial costs to the applicants, however, will be greater due to the need to drill to a depth of at least 500 feet and case a like depth.

I hope these comments clarify your question regarding condition No. 3; if not, we can discuss it further.

MICROFILMED

LAW OFFICES
HEPWORTH, NUNGESTER, AND FELTON
PROFESSIONAL CENTER — 1020 MAIN
Post Office Box 589
BUHL, IDAHO 83316
TELEPHONE (208) 543-4368

JOHN C. HEPWORTH
WM. L. NUNGESTER
MICHAEL H. FELTON
D. BRENT MARTENS
JEFFREY E. ROLIG
JOHN T. LEZAMIZ
JOHN C. HOHNHORST

March 17, 1980

TWIN FALLS OFFICE
Twin Falls Bank & Trust Building
Post Office Box 399
Twin Falls, Idaho 83301
Telephone (208) 734-7510

OUR FILE NUMBER

1140

Bobby Fleenor
Department of Water Resources
1041 Blue Lakes North
Twin Falls, ID 83301

Re: Application No. 47-7617, LaRay Easterday;
No. 47-7616, Elden B. Easterday; 47-7615,
Lenard Easterday; No. 47-7614, Janet M.
Easterday; No. 47-7618, Lorene I. Easterday

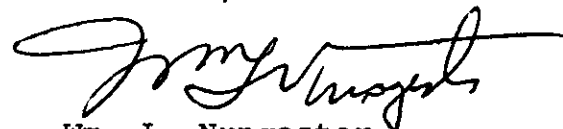
Dear Bobby:

On behalf of Magic Water Company our office has filed protest to the above applications. Since filing the protest we have been informed that these applications were for permit to drill a well on land adjacent to Salmon Falls Canyon. Magic Water still protests these wells, but hereby waives any hearing on their part and consents to your proceeding to make your decision on whether or not the permits should be issued without a hearing.

If you have any questions please let me know.

Very truly yours,

HEPWORTH, NUNGESTER & FELTON


Wm. L. Nungester

WLN:kr

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RE: Application No. 47-7618 - Lorene I. Easterday

This protest is based upon the following:

4. Said application is made for delay and/or speculative purposes.

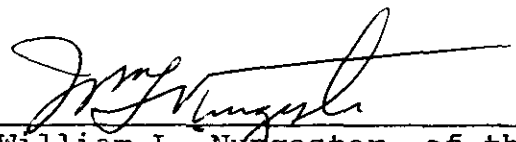
PROTEST-1

1 5. That application lacks sufficient financial
2 resources to complete the work involved.

3 DATED this 6th day of February, 1980.

4 HEPWORTH, NUNGESTER & FELTON
5 1020 Main, Buhl; ID 83316
6 P.O. Box 589

7 ATTORNEYS FOR MAGIC WATER COMPANY,
8 INC.

9 By. 
10 William L. Nungester, of the firm

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

February 15, 1980

Lorene I. Easterday
Route 2
Buhl, Idaho 83316

RE: 47-7618

Dear Ms. Easterday:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearings. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearings. If we can be of any assistance, please contact us.

Sincerely,

LOREN O. HOLMES
Regional Supervisor

LOH:marva

Enclosure

MAR 17 1980
MICROFILMED

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

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

February 15, 1980

Masic Water Company, Inc.
Route 3
Buhl, Idaho 83316

RE: 47-7618

Dear Gentlemen:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

LOREN O. HOLMES
Regional Supervisor

LOH:marva

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

JOHN V. EVANS
Governor

1841 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

January 10, 1980

U. S. Bureau of Land Management
Boise District
230 Collins Rd
Boise, Idaho 83702

Re: Applications for Permit No. 47-7614, 47-7615, 47-7616, 47-7617, 47-7618

Gentlemen:

Enclosed are copies of the above referenced applications for permits for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

RECEIVED

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

42-2618-

EASTERDAY, LORENE I.

ROUTE 2, BUHL, ID 83316

Source: GROUNDWATER

Date Filed: 01/04/1980

Amount: 6.40 CFS

Diversion Point: SWSE Sec 02 T 10S R 13E, TWIN FALLS Co.

Use: IRRIGATION (6.40 CFS) from 03/15 to 11/15

Place of Use: NENE NWNE SWNE SENE NENW SENW NESE NWSE Sec 34 T 09S R 13E
FOR 320 ACRES

Diversion Means: WELL & PUMP

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 11, 1980.

C. STEPHEN ALLRED

Director

Published 1/24 & 1/31/80.

MICROFILMED

ok
meyer
1/15/80

47-7818
EASTERDAY, LORENE I.
ROUTE 2, BUHL, ID 83316
Source: GROUNDWATER
Date Filed: 01/04/1980
Amount: 6.40 CFS
Diversion Point: SWSE Sec
02 T 10S R 13E, TWIN
FALLS Co.
Use: IRRIGATION (6.40 CFS)
from 03/15 to 11/15
Place of Use: NENE NWNE
SWNE SENE NENW
SENE NESE NWSE Sec 34
T 09S R 13E FOR 320
ACRES
Diversion Means: WELL &
PUMP

DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 10, 1980

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 11, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED