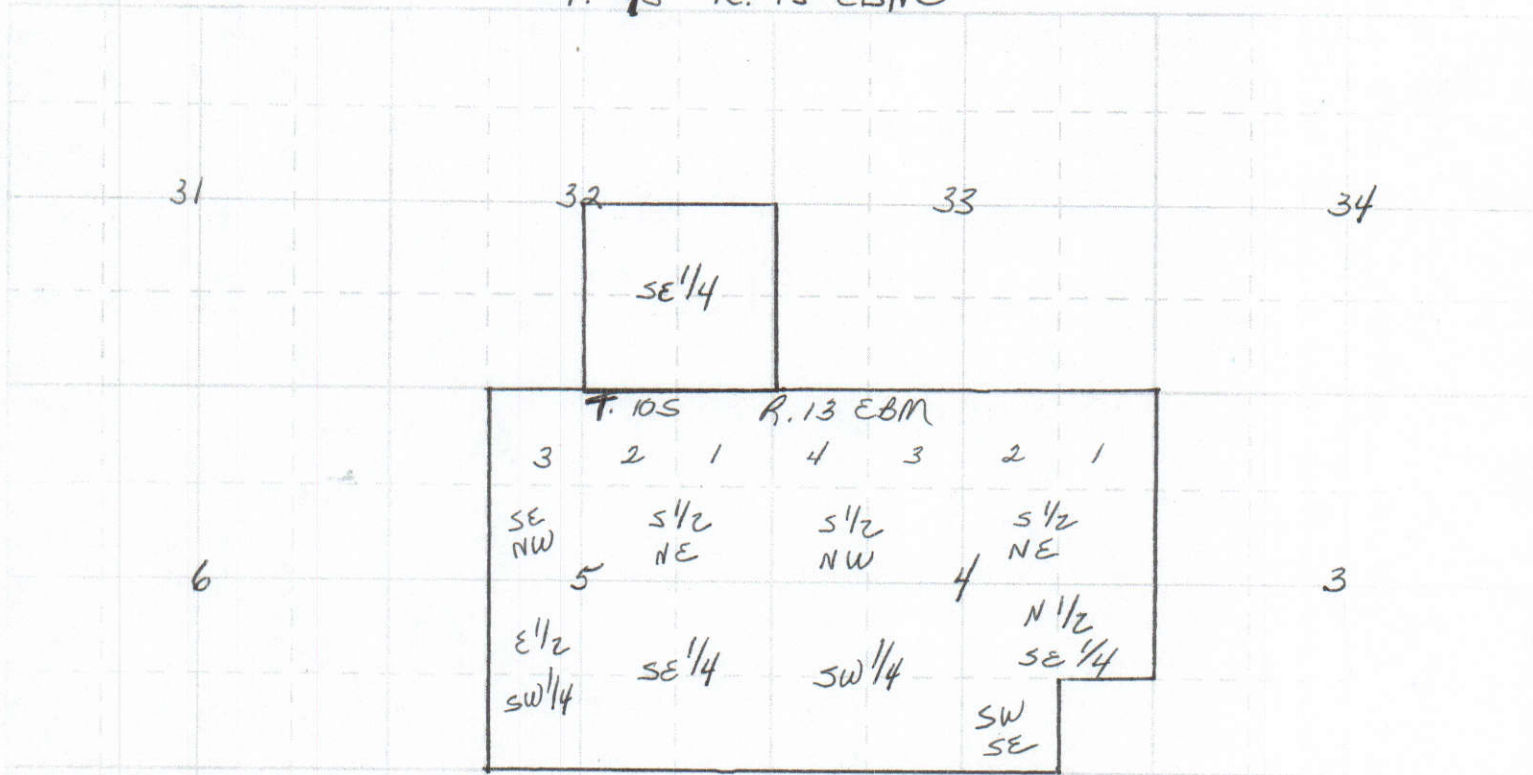


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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 21 1997

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

Scale: 2 inches equal 1 mile.

Signed at Twin Falls, ID, this 5th day of February, 19 92.

Day of February, 19 92.
Edward M. Carter
 (Signature)

Received by JJ Date 2-5-92 5014181

Published in Times News

Publication dates 3/12 + 3/19/92

I, _____, Director of the Department of Water Resources hereby

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

Director

FEB 22 1994

NOTICE OF
AMENDMENT TO
A WATER PERMIT
NO. 47-07615

Notice is hereby given that LENARD D. EASTERDAY of Buhl, ID is the holder of Approved Permit No. 47-07615 authorizing the diversion of 6.4 cubic feet per second of water from groundwater in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, S20, T10S, R13E; SW $\frac{1}{4}$ SE $\frac{1}{4}$, S2, T10S, R13E, County of Twin Falls, to be used for irrigation of 320 acres within S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S35, T9S, R13E; S $\frac{1}{2}$ SE $\frac{1}{4}$, S34, T9S, R13E; Twin Falls County.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to change the Place of Use as follows:

Amount: 4.88 cfs

Period of Use: 3/15 to 11/15

Point of Diversion: No change

Place of Use: 303 acres within SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S4, T10S, R13E; Twin Falls County.

Any protest against approval of the amending of Permit No. 47-07615 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 30, 1992.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

I, Linda Capps McSwine being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated March 12, 1992, and ending with the issue dated March 19, 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 27 day of March in the year of 1992, before me, a Notary Public, personally appeared Linda Capps McSwine, 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.

Shirley R. Feltman
Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County
5/19/94

RECEIVED

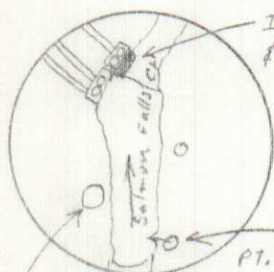
No. 23351

APR 6 1992

FEB 22 1994

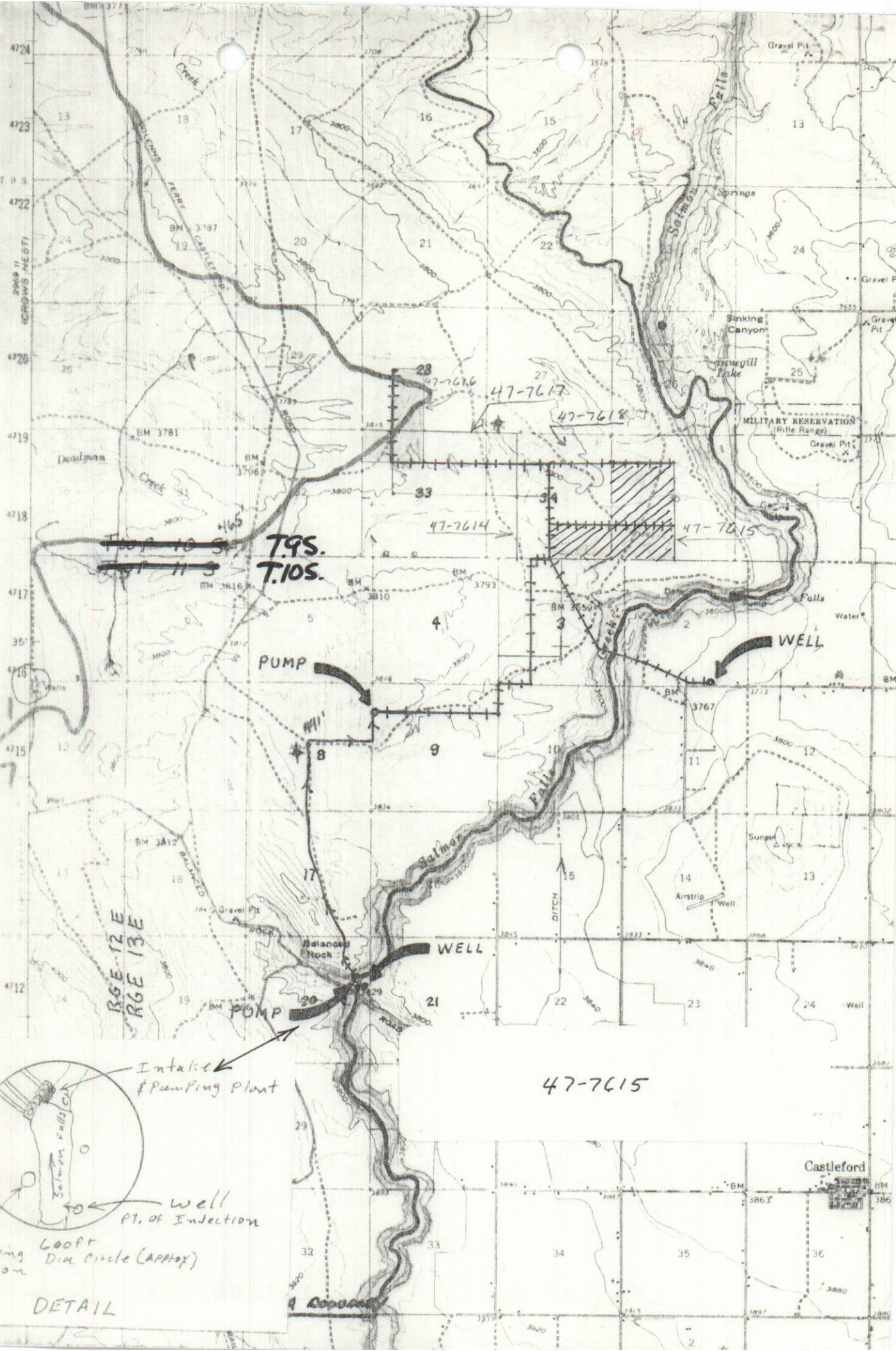
OK
MB
4-23-92

MICROFILMED



Gaging Station

DETAIL



47-7615

Castleford

NOTICE OF CORRECTION

Notice is hereby given that Application for Amendment of a Permit No. 47-7615 in the name of Lenard D. Easterday of Buhl, Idaho was advertised incorrectly on November 26 and December 3, 1981. The point of diversion was advertised as being within the SW 1/4 NE 1/4 Sec. 2, T10S, R13E. Whereas, the actual point of diversion is within the SW 1/4 SE 1/4 Sec. 2, T10S, R.13E.

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.

MINIMUM

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 11269

I, H. Endeuse being first duly sworn upon

doth, 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 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 11 day of

March, 1982.

H. Endeuse
Salvador L. Lawrence

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

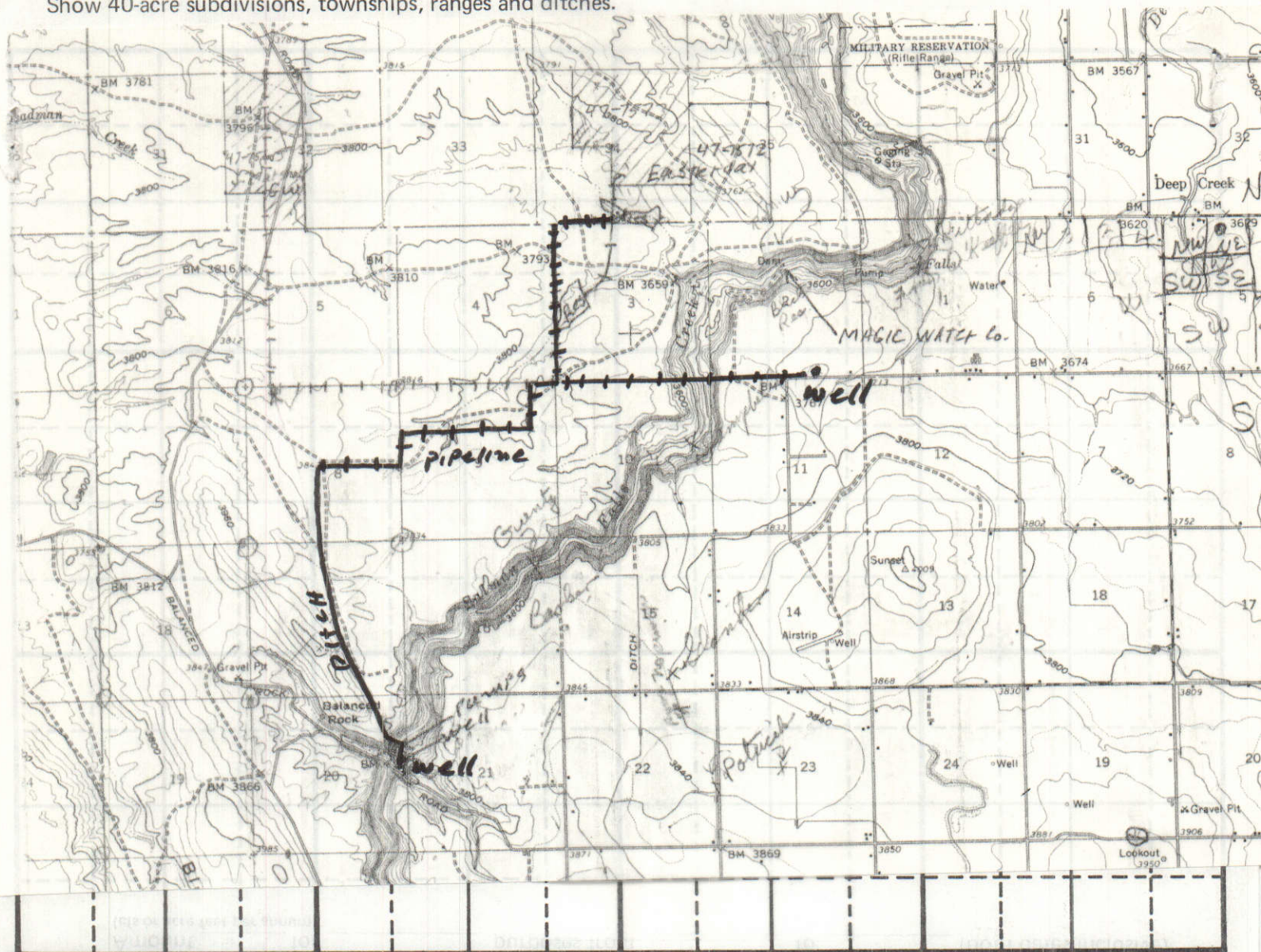
RECEIVED

APR 5 1982

Department of Water Resources

ok
mup

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 Twin Falls, ID, this 10th day of April, 1981.

(Signature)

Preliminary check by Adm Fee = \$20.00

Received by LA Date 4/10/81 #16957

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:

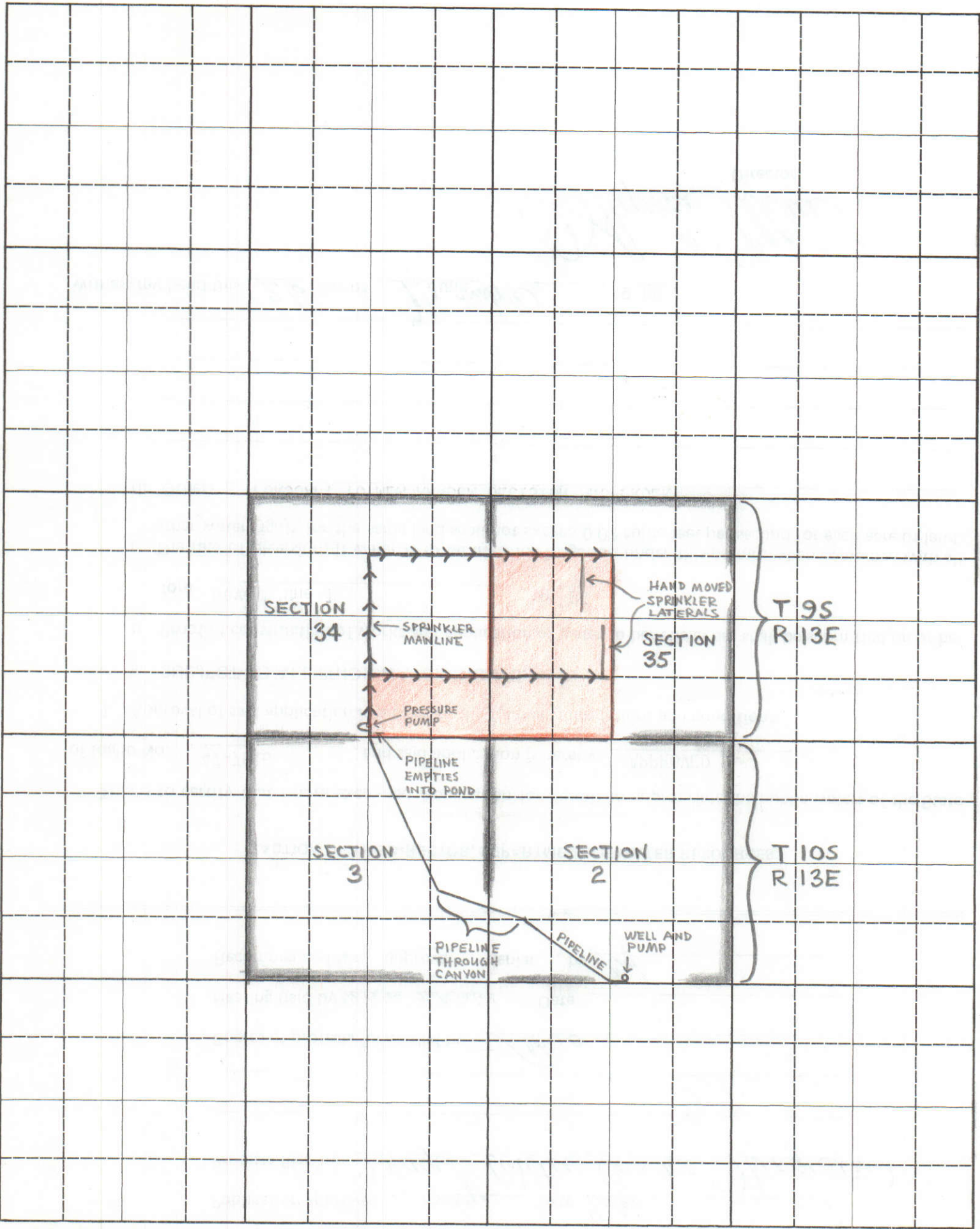
- 1) All water encountered above 3100 feet elevation (330 Ft. hole depth) must be cased out.
- 2) Permit must be under watermaster control if water is comingled with Salmon Falls Creek.

Witness my hand this 6th day of August

st 19 81
A. Glen Saxton
Chief, Operations Bureau

UNPROCESSED

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.

Lenard W. Easterday
(Applicant)

Affidavit of Publication

No 9028

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

47-7615
EASTERDAY, LENARD D.
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 3/15 to 11/15
Place of Use: SWNW SENW
NESW NWSW SWSW
SESW Sec 35 T 09S R 13E
SESE SWSE 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 competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

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

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

MICROFILMED

OK 2-11-80

Salmon Falls Creek Lift Pumps -- Near Balanced Rock

Right No.	Name	Stage	Priority	Source	Div. Rate	Sum Rates	Exam Data	M1	M2	M3	Relift Pumps			W1	W2	W3	Pumping Capacity
47-02316A	Keller	Decreed	1/12/59	Creek	10.50	10.50	1964				M4	M5					10.50
47-04099	Wright	Claim	6/1/66	Creek	8.20	18.70								300 hp	300 hp	400 hp	
47-07252	Wright	License	4/2/74	Creek	16.00	34.70	1984							300 hp	300 hp	400 hp	16.00
47-02316B	Marshall	Decreed	1/12/59	Creek	3.33	3.33	1964	400 hp	250 hp								8.40
47-02316C	Marshall	Decreed	1/12/59	Creek	6.92	10.25	1964	400 hp	250 hp								8.40
47-02402	Marshall	License	4/5/65	Creek	6.40	16.65	1977			400 hp	250 hp	400 hp					16.89
47-02417	Marshall	License	4/19/66	Creek	16.89	33.54	1977			400 hp	250 hp	400 hp					16.89
47-07565	Giuffre	License	8/30/79	GW	4.47	38.01	1986	450 hp	300 hp*								7.82
47-07569	Giuffre	Permit	10/22/79	Creek	5.52	43.53	1986	450 hp	300 hp*								7.82
47-07618	Easterday	License	1/7/80	GW	4.88**	48.41	1987	450 hp	300 hp*	400 hp	400 hp	400 hp					24.71***
47-07642	Marshall	Permit	4/9/80	Creek	12.00	60.41	1981	400 hp	250 hp*	400 hp	250 hp	400 hp					22.48****
47-07615	Driscoll	Permit	9/24/80	GW	4.88**	60.41	1987	450 hp	300 hp*	400 hp	400 hp	400 hp					24.71***

* Backup motor

** 47-07615 and 47-07618 are limited to a combined rate of 4.88 cfs.

*** $7.82 + 16.89$ or $[M1 + (M3 + M4 + M5)]$ See memo in files 47-07642.

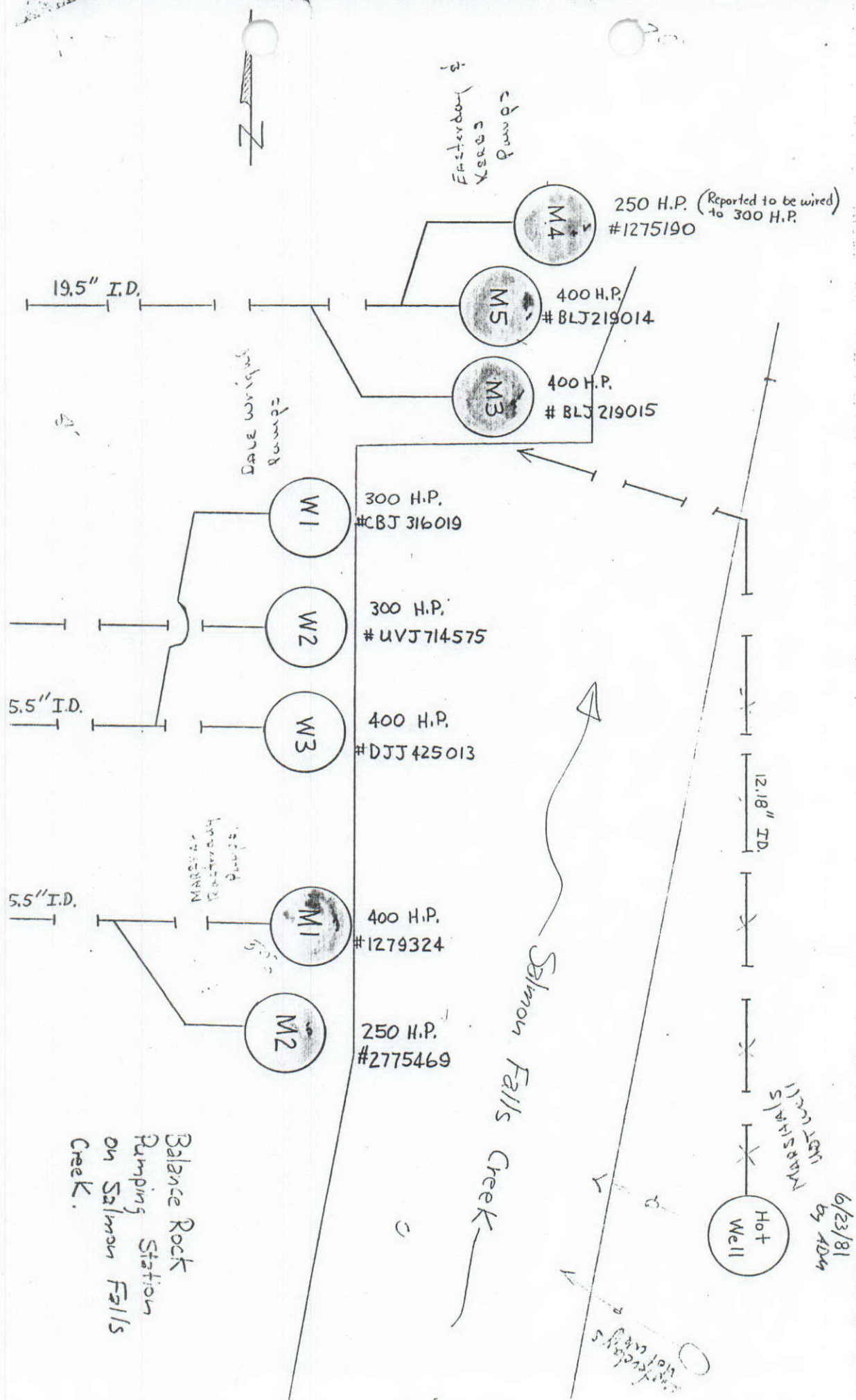
**** $5.59 + 16.89$ or $[M1 + (M3 + M4 + M5)]$ Less than 24.71 cfs because the examiner relied on earlier data.

The combined diversion rate limitation of 24.71 cfs for rights 47-07569, 47-07615, 47-07642 47-02316B, 47-02316C, 47-02402, 47-02417, 47-07565, and 47-07618 is based on the pumping capacity of the diversion/rediversion plant as determined by reviewing information available in the water right files. Rights previously licensed do not carry the combined rate limitation. However, the need was recognized in 1981 as evidenced by Allen Merritt's memo in file 47-02402.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name: <u>James Eastusky</u> Address: <u>Buhl Idaho</u> Owner's Permit No. <u>47-7615</u>		7. WATER LEVEL Static water level: <u>0</u> feet below land surface Pumping level: <u>104</u> G.P.M. flow Artesian: <u>Yes</u> / <u>No</u> Controlled by: <u>104</u> / <u>104</u> G.P.M. Temperature: <u>Good</u>																																																																																																																									
2. NATURE OF WORK ☒ New well ☐ Abandonment (describe method of abandoning) ☐ Replacement ☐ Describe method of abandoning		8. WELL TEST DATA Pump: <u> </u> Bailer: <u> </u> Air: <u> </u> Gas: <u> </u> Discharge G.P.M.: <u> </u> Pumping Level: <u> </u> Hours Pumped: <u> </u>																																																																																																																									
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Stock ☐ Waste disposal or injection (specify type) ☐ Other		9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th>Hole Diam.</th> <th>Depth From</th> <th>To</th> <th>Material</th> <th>Water Yes/No</th> </tr> </thead> <tbody> <tr><td>20</td><td>0</td><td>25</td><td>Blue clay</td><td>X</td></tr> <tr><td>20</td><td>25</td><td>62</td><td>Red clay</td><td>X</td></tr> <tr><td>20</td><td>62</td><td>88</td><td>Loose rock</td><td>X</td></tr> <tr><td>20</td><td>88</td><td>100</td><td>Brown Ryholite</td><td>X</td></tr> <tr><td>16</td><td>100</td><td>118</td><td>Loose rock clay</td><td>X</td></tr> <tr><td>16</td><td>118</td><td>255</td><td>Brown Ryholite</td><td>X</td></tr> <tr><td>12</td><td>255</td><td>400</td><td>Gray Ryholite Hard</td><td>X</td></tr> <tr><td>12</td><td>400</td><td>462</td><td>Brown Ryholite</td><td>X</td></tr> <tr><td>12</td><td>462</td><td>480</td><td>Gray Ryholite</td><td>X</td></tr> <tr><td>12</td><td>480</td><td>658</td><td>Blue Clay Sticky</td><td>X</td></tr> <tr><td>12</td><td>658</td><td>695</td><td>Brown Ryholite</td><td>X</td></tr> <tr><td>12</td><td>695</td><td>730</td><td>Brown + Gray loose Ryholite</td><td>X</td></tr> <tr><td>12</td><td>730</td><td>850</td><td>Gray Ryholite</td><td>X</td></tr> <tr><td>12</td><td>850</td><td>880</td><td>Red Ryholite Loose</td><td>X</td></tr> <tr><td>12</td><td>880</td><td>975</td><td>Gray Ryholite Hard</td><td>X</td></tr> <tr><td>12</td><td>975</td><td>1010</td><td>Gray Brown loose</td><td>X</td></tr> <tr><td>12</td><td>1010</td><td>1055</td><td>Red Brown loose</td><td>X</td></tr> <tr><td>12</td><td>1055</td><td>1105</td><td>Gray Ryholite Hard</td><td>X</td></tr> <tr><td>12</td><td>1105</td><td>1240</td><td>Loose</td><td>X</td></tr> <tr><td>12</td><td>1240</td><td>1261</td><td>Hard Ryholite</td><td>X</td></tr> <tr><td>12</td><td>1261</td><td>1355</td><td>Brown Ryholite</td><td>X</td></tr> <tr><td>12</td><td>1355</td><td>1390</td><td>Hard Ryholite</td><td>X</td></tr> <tr><td>12</td><td>1390</td><td>1440</td><td>Hard Ryholite</td><td>X</td></tr> </tbody> </table>		Hole Diam.	Depth From	To	Material	Water Yes/No	20	0	25	Blue clay	X	20	25	62	Red clay	X	20	62	88	Loose rock	X	20	88	100	Brown Ryholite	X	16	100	118	Loose rock clay	X	16	118	255	Brown Ryholite	X	12	255	400	Gray Ryholite Hard	X	12	400	462	Brown Ryholite	X	12	462	480	Gray Ryholite	X	12	480	658	Blue Clay Sticky	X	12	658	695	Brown Ryholite	X	12	695	730	Brown + Gray loose Ryholite	X	12	730	850	Gray Ryholite	X	12	850	880	Red Ryholite Loose	X	12	880	975	Gray Ryholite Hard	X	12	975	1010	Gray Brown loose	X	12	1010	1055	Red Brown loose	X	12	1055	1105	Gray Ryholite Hard	X	12	1105	1240	Loose	X	12	1240	1261	Hard Ryholite	X	12	1261	1355	Brown Ryholite	X	12	1355	1390	Hard Ryholite	X	12	1390	1440	Hard Ryholite	X
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other		5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other Diameter: <u>20</u> inches From: <u>0</u> feet To: <u>25</u> feet Diameter: <u>16</u> inches From: <u>0</u> feet To: <u>100</u> feet Diameter: <u>12</u> inches From: <u>0</u> feet To: <u>255</u> feet Diameter: <u>12</u> inches From: <u> </u> feet To: <u> </u> feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation: <u> </u> inches by <u> </u> inches Number of perforations: <u> </u> feet Number of perforations: <u> </u> feet Number of perforations: <u> </u> feet Well screen installed? ☐ Yes ☒ No Manufacturer's name: <u> </u> Model No.: <u> </u> Type: <u> </u> Diameter: <u> </u> Slot size: <u> </u> Set from: <u> </u> feet to: <u> </u> feet Diameter: <u> </u> Slot size: <u> </u> Set from: <u> </u> feet to: <u> </u> feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel: <u> </u> feet Placed from: <u> </u> feet to: <u> </u> feet Surface seal depth: <u>100</u> Material used in seal: ☒ Cement ☐ Puddling clay ☐ Slurry pit ☐ Temp. surface casing Sealing procedure used: ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port: <u> </u>																																																																																																																									
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name: <u> </u> Lot No.: <u> </u> Block No.: <u> </u> County: <u>Twin Falls</u> <u>SE 1/4 NE 1/4 Sec. 20 T. 9S R. 13E</u>		10. Work started <u>Mar 30, 81</u> finished <u>Nov 16, 81</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name: <u>Elsing Drilling</u> Firm No.: <u>31</u> Address: <u>Box 119</u> Date: <u>12-15-81</u> Signed by (Firm Official): <u>Arnold Elsing</u> and (Operator): <u>Don Mc Cune Payson</u>																																																																																																																									

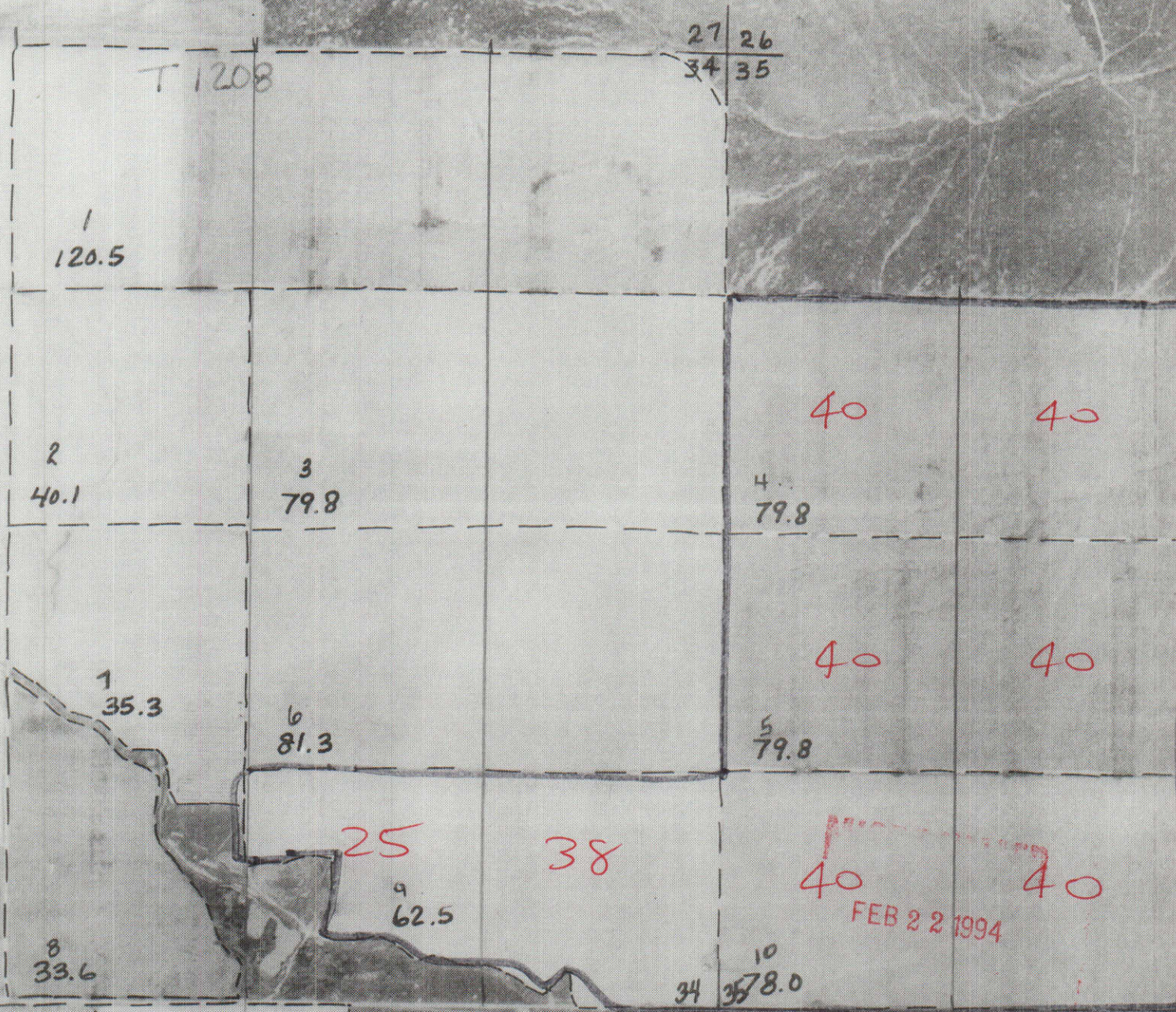


47-615

R-13

Not to Scale

C-9



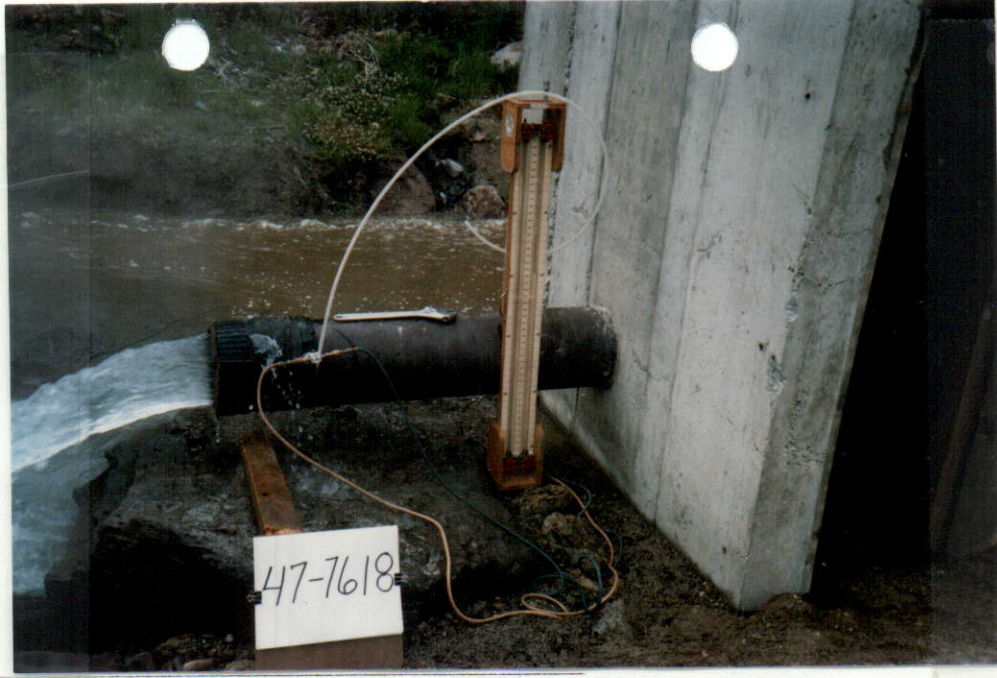
Eastarday well 5/23/86

5/23/86

Q

10" orifice 13 1/8" 2012.2 gpm

12" Annubar 14.1" ~~2191.6 gpm~~



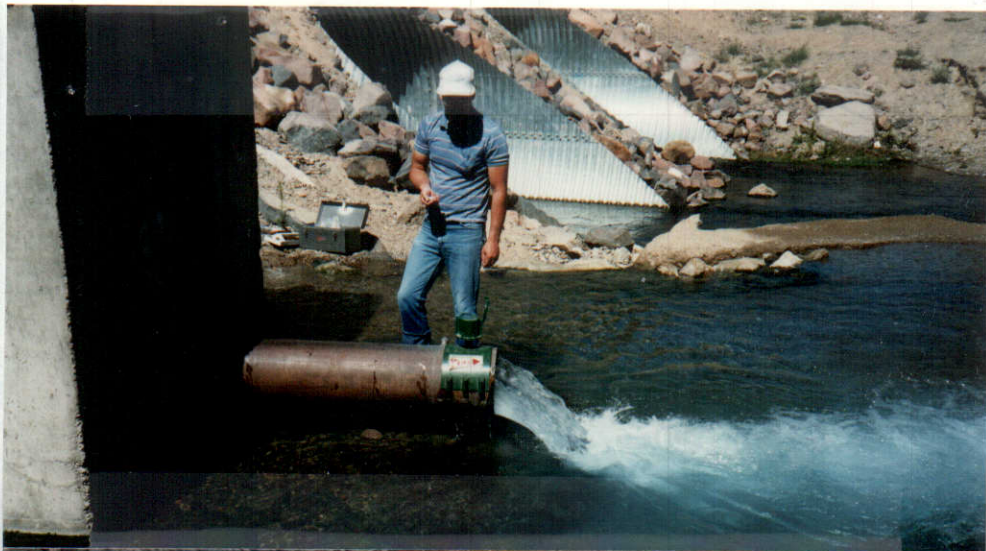
5/23/86 Q
10 1/2" orifice 13 1/8" 2012.2 gpm
12" Annubar 12 5/16" ID 14.1" 2191.6 gpm
5.3' from well 1' from end of pipe

2 2 1994

7/6/87

47-7615
47-7618

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.

UNRECORDED

FEB 22 1994

7/6/87

47-7615
47-7618

2/2



Booster plant

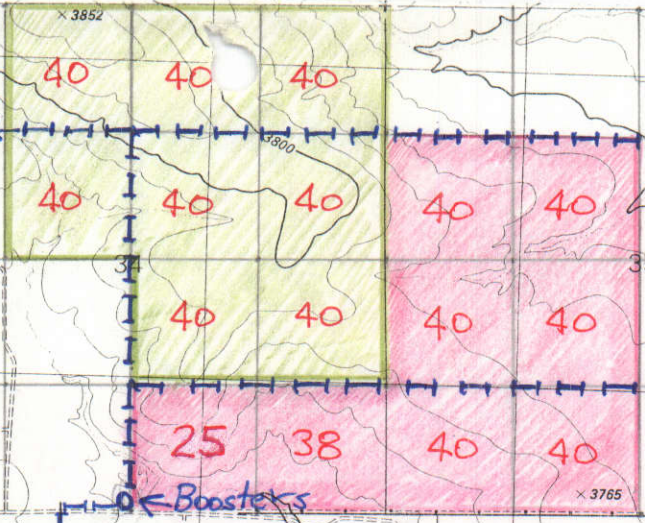


Booster plant

MISSOURI
FEB 22 1994

47-7618

47-7615



To other lands

pond
Boosters

pond
pond
Well
Booster to other lands

Rediversion from
Salmon Falls CK.

Marshall well

Eastday well

Where #2 Flume is located

Balanced Rock Picnic Area

Pumping Sta

Balanced Rock Crossing

Picnic Area

BALANCED ROCK STATE PARK

Corral

UNPROCESSED
FEB 22 1994

LEGAL NOTICE

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, T9S, 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.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

SS.

N^o 10503

I, Rinda Capps McBuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated April 30, 1981, and ending with the issue dated May 7, 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.

Rinda Capps McBuire
Subscribed and sworn to before me on this 11 day of

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

Jews, Twin Falls, Idaho E-3

LEGAL NOTICE

NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 47-7618

Notice is hereby given that Lorene I. Easterday is the holder of approved permit No. 47-7618 authorizing diversion of 6.4 cubic feet second of water from groundwater in the SW $\frac{1}{4}$ Sec. 2 T10S, R13E, B.M., Twin Falls County, to be used for irrigation of 320 acres within NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T9S, 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.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

SS.

N^o 10502

I, Rinda Capps McGuire 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 April 30, 1981, and ending with the issue dated May 7, 1981.

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

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

Subscribed and sworn to before me on this

Rinda Capps McGuire

May 1981 11 day of

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

47-7565 - Marshall, Jan L.

95, 13 E

32: NE NW (02-7100, use = A)

NW NW 02-7100

SW NW 02-7100

SE NW 02-7100

NE SW 02-7100

NW SW 02-7100

SE SW 02-7100

47-7618 - Easterday, Lorene I.

95, 13 E.

34: NE NE 02-7100, (47-7573, use = B)

NW NE 02-7100, 47-7573

SW NE 02-7100, 47-7573

SE NE 02-7100, 47-7573

NE NW 02-7100, 47-7573

SE NW 02-7100, 47-7573

NE SE 02-7100, 47-7573

NW SE 02-7100, 47-7573

NOT RECORDED

47-7614 - Easterday, Janet M.

9S, 13E

34: NESW 02-7100, (47-7654, use = A)
SESW 02-7100, (47-4015, use = A)

10S, 13E

3: NENW (L. 3) 02-7100, 47-4015
NW NW (L. 4) 02-7100
SW NW 02-7100
SE NW 02-7100, 47-4015
NESW 02-7100, 47-7654
NW SW 02-7100

47-7616 - Easterday, Elden B.

9S, 13E

28: NESW 02-7100
SESW 02-7100

33: NENW 02-7100
NW NW 02-7100

47-7615 - Easterday, Lenard

9S, 13E

35: SW NW 02-7100, (47-7572, use = B)
SE NW 02-7100, 47-7572
NESW 02-7100, 47-7572
NW SW 02-7100, 47-7572
SW SW 02-7100, 47-7572
SE SW 02-7100, 47-7572
34: SE SE 02-7100, 47-7572
SW SE 02-7100, 47-7572

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 05/14/97
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

47-07615

DRISCOLL BROTHERS PARTNERSHIP

4.88

FILED
MAY 14 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	SENE 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	SENE 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

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

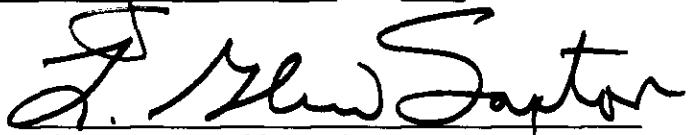
CONDITIONS OF APPROVAL AND REMARKS

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 redirection 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 redirected from Salmon Falls Creek.
10. Flow from the well is authorized only when the redirection pumps from Salmon Falls Creek are operating. Redirection 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

RECEIVED
MAY 21 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4947

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

JAN 23 1997

PART 1

c/o J.Evan Robertson
208-734-0700

Department of Water Resources
Applicant Driscoll Brothers Partnership 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 _____
Original place of use in CRP program.
2. Describe the reason for the proposed changes _____

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 |
|--|----------|-----------------------|---|---------------|
| 47-07615 | 1/4/1980 | 4.88 cfs | irrigation | 4/1 to 10/31 |
| | | | | to |
| | | | | 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: | | | | |

[illegible]

5. 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	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		595.1
10S	13E	5	38.9	39.1	40	40	39.4*			40	~~79.4~~			40	40	40	40	40	477.4
											40*								
																			MICROFILMED
			* CORRECTED OR ADDED PER PHONE CONVERSATION W/ SHARON @ MAY 21 1987																
			OFFICE OF ROSS HOLT, ROBERTSON, TUCKER 25 SEPT 96 GLS																

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 injected 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 21 1987

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-07615

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.88 CFS	1212.0 AF

SOURCE

GROUNDWATER

Priority: 09/24/1980

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>ACRES</u>	<u>TOTAL</u>
09S	13E	34	SWSE 25	SESE 38			63
		35	SWNW 40	SENE 40	NESW 40		
			NWSW 40	SWSW 40	SESW 40		240
Total number of acres irrigated:							303

CONDITIONS/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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. The total combined rate of diversion under this right and Right 47-07618 shall not exceed 4.88 cfs nor a combined annual This right when combined with Rights 47-02316B, 47-02316C, 47-02407, 47-02417, 47-07565, 47-07569, 47-07618, and 47-07642 shall not exceed 24.71 cfs.
5. Water under this right is injected into and rediverted from Salmon Falls Creek.
6. The right holder shall maintain measuring devices of a type approved by this department at the point of diversion and the

MICROFILMED
MAY 21 1987

Water Right No. 47-07615

point of redirection. Diversion is not authorized at any time accurate measurements are not available to the watermaster.

7. Flow from the well is authorized only when the redirection pumps from Salmon Falls Creek are operating. Rediversion from Salmon Falls Creek under this right shall never exceed the rate at which water is diverted from the well and injected into Salmon Falls Creek.
8. diversion volume of 2071.4 af.

RECORDED
MAY 21 1987

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. 47-07615 issued by the Idaho Department of Water Resources.
- c. Claim No. 47-07615 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 1/4/1980

5. Water is used for the following purpose:

amount 4.88 cfs for irrigation purposes from 4/1 to 10/31
(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 _____ 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	
		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 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	35							40	40	40	40	40	40		*40	*40		240
9S	13E	34														40	40		80

Total acres 320

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

PART 2

Transfer No. 4947

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:

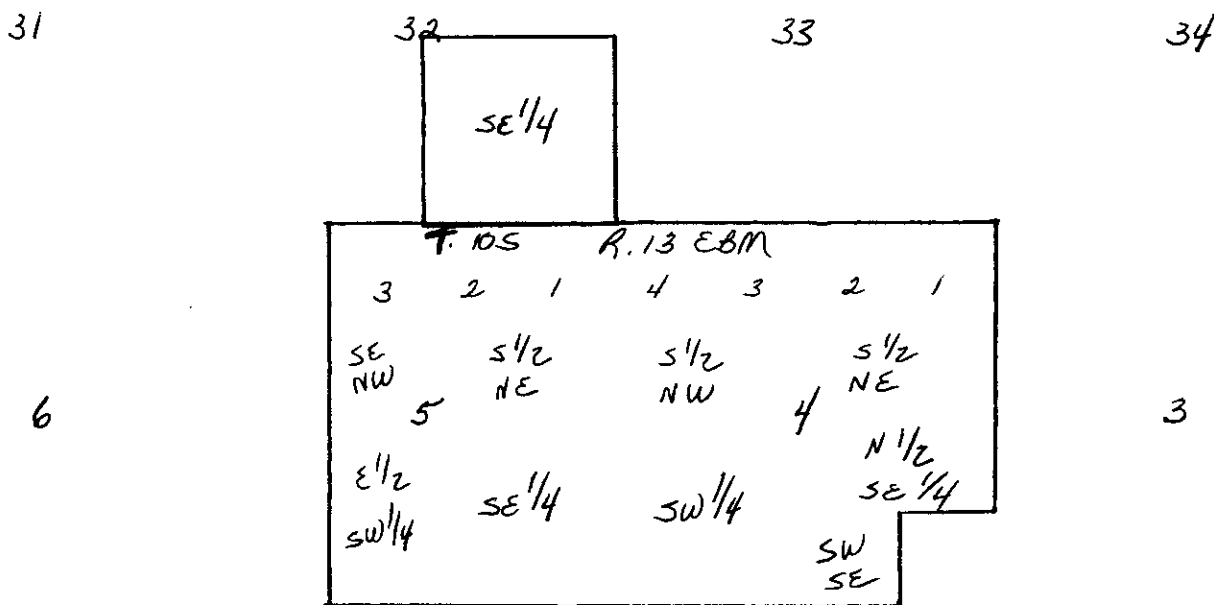
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

RECEIVED
 MAY 21 1952

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 BY BRUCE DRISCOLL
(Signature of Applicant)

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

Koehn
(Notary Public)

My commission expires 12-20-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by SEE BELOW (RIGHT) Date

Protest filed by None

Prelim. check by GLS 30 Sept 96 Fee \$100.00

Receipted by GLS (5019545) Date 25 SEPT 96

Published in James News

Copies of protest forwarded by

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

Hearing held by Date

Watermaster recommendation requested on 11/14 12/31/96

Recommended for ☒ approval ☐ denial

12/5/96 rec'd. —

by APM

Copy of transfer sent to lien holder

RECEIVED

SEP 24 1996 3:25 PM

Department of Water Resources
Southern Region

\$100.00
Ch # 24984 04

December 11, 1996

RECEIVED
DEC 12 1996
Department of Water Resources
Sourthern Region

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07615

Priority: September 24, 1980

Maximum Diversion Rate:

4.88 CFS

Maximum Diversion Volume:

1212.0 AF

This is to certify, that DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W

ABERDEEN ID 83210

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 February 7, 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	04/01 to 10/31	4.88 CFS	1212.0 AF

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	34	SWSE 25	SESE 30		63
		35	SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	240

Total number of acres irrigated: 303

CONDITIONS OF APPROVAL AND 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 that 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
6. 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.

OCT 10 1996

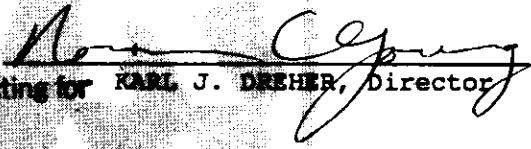
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 47-07615

CONDITIONS OF APPROVAL AND REMARKS

7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. The total combined rate of diversion under this right and Right 47-07618 shall not exceed 4.88 cfs nor a combined annual diversion volume of 2071.4 af.
9. This right when combined with Rights 47-02316B, 47-02316C, 47-02407, 47-02417, 47-07565, 47-07569, 47-07618, and 47-07642 shall not exceed 24.71 cfs.
10. Water under this right is injected into and rediverted from Salmon Falls Creek.
11. The right holder shall maintain measuring devices of a type approved by this department at the point of diversion and the point of rediversion. Diversion is not authorized at any time accurate measurements are not available to the watermaster.
12. Flow from the well is authorized only when the rediversion pumps from Salmon Falls Creek are operating. Rediversion from Salmon Falls Creek under this right shall never exceed the rate at which water is diverted from the well and injected into Salmon Falls Creek.

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 23rd
day of SEPTEMBER, 1976.


Acting for KARL J. DREHER, Director

OCT 10 1976

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
47-07615 IN THE NAME OF)
DRISCOLL BROTHERS PARTNERSHIP)
_____)

**ORDER ADVANCING
DATE OF PRIORITY**

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 47-07615 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On November 26, 1980, the Department approved Application for Permit No. 47-07615 to appropriate the public waters of the State of Idaho with a proposed priority of January 4, 1980.

2. On February 7, 1985, the original permit holder submitted proof of beneficial use;

3. On August 12, 1986, the department sent the original permit holder an Examination Fee Notice and informed him that he had sixty (60) days to submit the required examination fee or the priority would be advanced.

4. On July 1, 1987, the permit holder submitted the \$200.00 examination fee. However, the department did not issue an order advancing the date of priority.

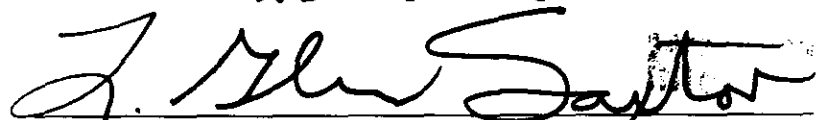
CONCLUSIONS OF LAW

1. The Department should issue an order showing that the priority has been advanced to September 24, 1980.

ORDER

IT IS THEREFORE HEREBY ORDERED that the date of priority of Permit No. 47-07615 is advanced to September 24, 1980.

Dated this 23rd day of September, 1996.



L. GLEN SAXTON, Chief
Water Allocation Bureau

OCT 10 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF WATER RIGHT

WATER RIGHT NO. 47-07615

This is to certify that: **LENARD D 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 approved, 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: 01/04/1980

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	
			SESE 40			160
10S	13E	4	NENE 38.7	NWNE 38.8	SWNE 40	
			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	595.1
		5	NENE 38.9	NWNE 39.1	SWNE 40	
			SENE 40	SENE 40	NENW 39.4	
			NESW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	477.4
Total number of acres irrigated:						1232.5

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.

APPROVED

FEB 22 1994

AMENDMENT
WATER RIGHT NO. 47-07615

CONDITIONS/REMARKS:

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 acre feet.
5. Flow from the well is only authorized when redirection pumps from Salmon Falls Creek are operating. Likewise, redirection 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 this amendment ends on November 1, 1995. On that date, the place of use shall revert back to lands identified prior to the amendment approval.
9. Point of redirection is from Salmon Falls Creek.

Dated this 24th day of January, 1994.


Chief, Water Alloc. Bureau

RECEIVED
FEB 22 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

FEB 07 1992 To change the point of diversion and/or the place of use.

Department of Water Resources

Southern Region Office

Comes now Legend & on Lorene Easterday

of (address) Rt. 2 Box 85, 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. 47-07615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: $\frac{1}{4}$ $\frac{1}{4}$, Section , Township , Range , B.M.,
County of . Other points of diversion:

No Change

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

Amount 4.88 for Irrig. purposes from 3-15 to 11-15 (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)

** Capacity of Well including Lic. 47-7618

3. Place of use or land to be irrigated: * Number of Acres found on licensing exqm.

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>10S</u>	<u>13E</u>	<u>4</u>				<u>23</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>		<u>303</u> [*]

Total number of acres to be irrigated = 303

4. a. Who owns the property at the point of diversion? Permittees via easement from Ken & Wayne
b. Who owns the land to be irrigated or the place of use? Dale Wright Marshall
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: While original P/U is in the CRP Program (until Nov. 15, 1995) water is being leased to Dale Wright to supplement existing surface rights.

MICROFILMED

FEB 22 1994

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

N2 23351

I, Linda Capps McQuinn being first duly sworn upon oath, depose and say that I am Business Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated March 12, 1992, and ending with the issue dated March 19, 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 ~~will 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

FEB 22 1994

On this 27 day of March in the year of 1992, before me, a Notary Public, personally appeared Linda Capps McQuinn 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.

Shirley R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

OK
MB
4-23-92

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

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

Comes now Lenard D. 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. 47-7615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: ^{WELL} 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
^{WELL & RED.}
Water diverted in the SE ¼ NE ¼, 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	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-2011

MICROFILMED

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

[illegible]

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

Signed at Twin Falls, this 30 day of October, 1981

Frank H. Carter
(Signature)

Preliminary check by AS Fee = \$20.00

Publication prepared by MLK. Date

Publication dates 11/26 + 12/3/81

Received by mmk Date 10/30/81 # 20626

Published in Times News

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

APPROVE the above 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
L. Glen Saxton
Chief, Operations Bureau

MICROFIL MFD

Getting lost (approx)

NOTICE OF CORRECTION

Notice is hereby given that Application for Amendment of a Permit No. 47-7035 in the name of Lenard D. Eastday of Buhl, Idaho, was advertised incorrectly on November 28 and December 3, 1982. The point of diversion was advertised as within the SW 1/4 Sec. 2, T10S, R13E. Whereas, the actual point of diversion was within the SW 1/4 Sec. 2, 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.

UNRECORDED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 11269

I, W. E. Ingersoll being first duly sworn upon oath, depose and say that I am general 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 extra issue of said newspaper, and not in any supplement thereof, for 2 consecutive week, commencing with the issue dated March 1, 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; 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 11 day of

March, 1982

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

APR 10 1982

Department of Water Resources

ok myp

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

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

APPROVED

Comes now Lenard D. 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. 47-7615, 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 NE 1/4 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

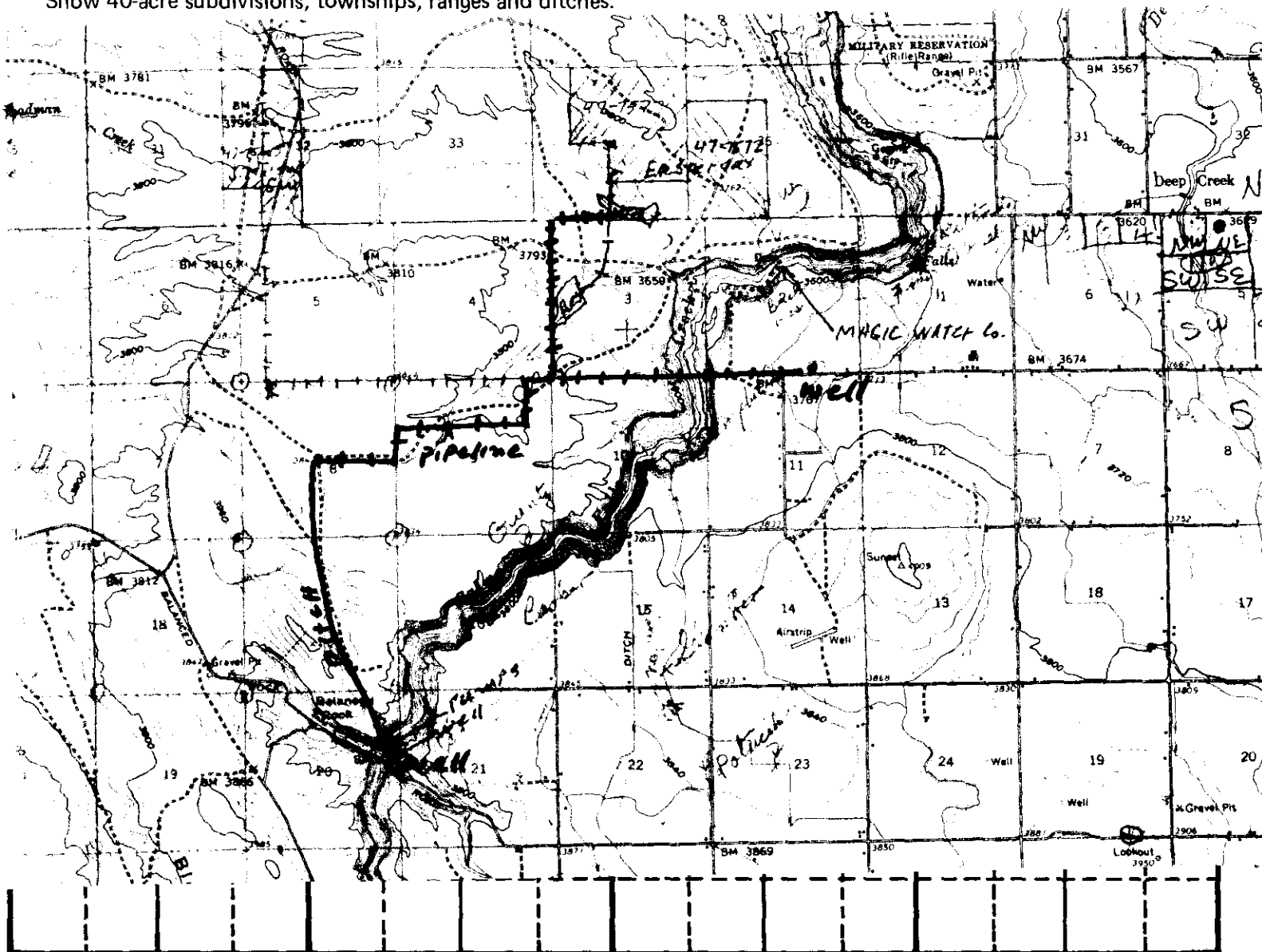
TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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 I-2011

Complete the following map by showing land and point of diversion as proposed by this amendment.

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



Scale: 2 inches equal 1 mile.

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

Signed at Twin Falls ID, this 10th day of April, 1981.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by ADM Fee = \$20.00

Received by [Signature] Date 4/10/81 #16957

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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 must be under watermaster control if water is comingled with Salmon Falls Creek.

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

[Signature]
Chief, Operations Bureau

RECEIVED

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. 47-7615 IN)
THE NAME OF LENARD D. EASTERDAY)

MEMORANDUM DECISION
AND ORDER

On January 4, 1980, Lenard D. 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 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 35, S $\frac{1}{2}$ 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. I-2011 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. 47-7615 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 26 day of November, 1980.


C. STEPHEN ALLRED

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES, **BOISE**
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Lenard D. 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. A diesel powered turbine pump delivers water through a steel pipeline to a holding pond where it is pumped into a sprinkler mainline.
- 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.

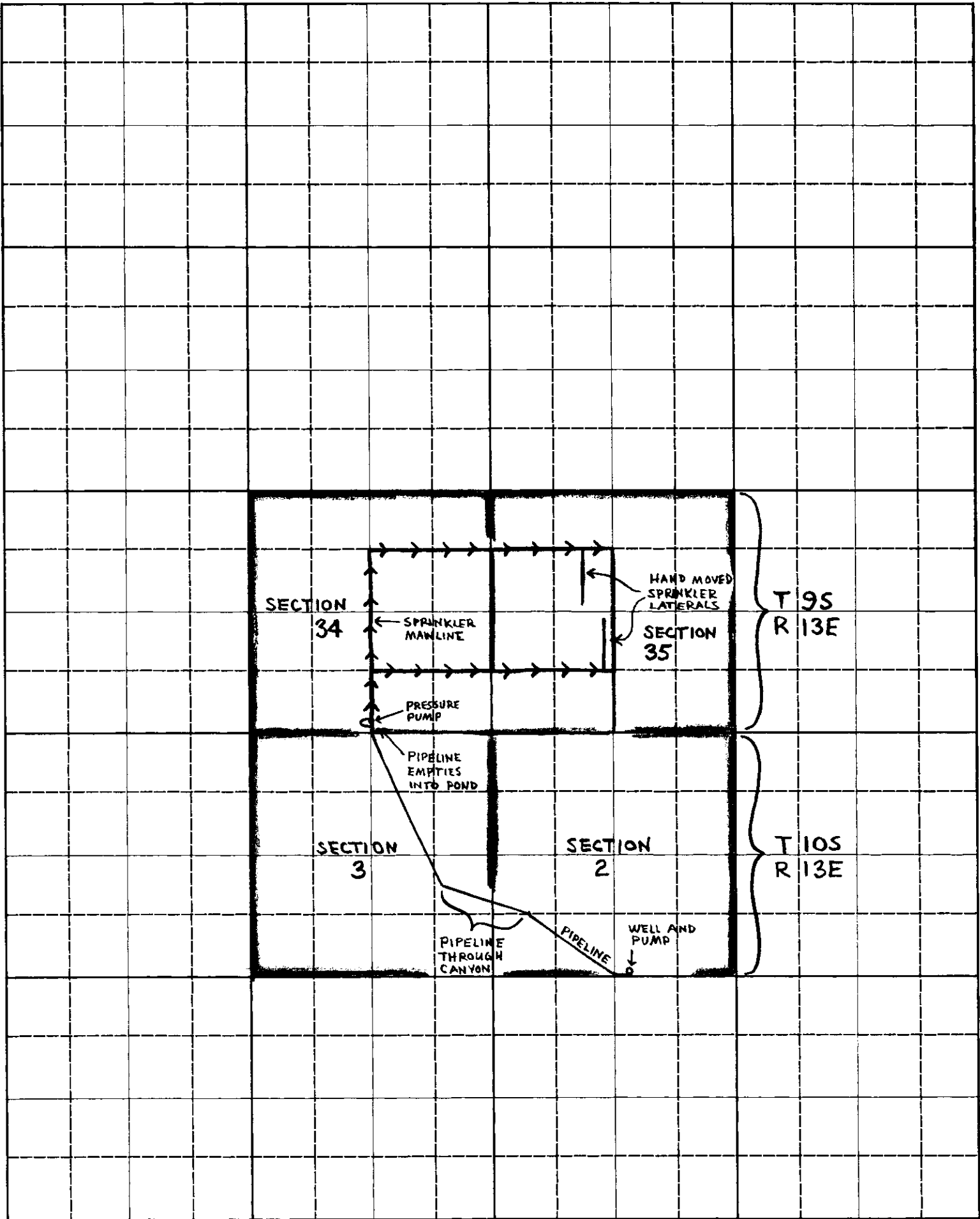
9. a. Who owns the property at the point of diversion Lenard D. Easterday

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-2011 in the
name of Lenard D. Easterday.

10. Remarks This application is made in conjunction with applications from LaRay Easterday, Elden Easterday, Janet Easterday, and Lorene Easterday. The cost of the delivery system will be shared by the applicants.

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.

Leonard W. Easterday
(Applicant)

Priority: January 4, 1980

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

Preliminary check by Jan Funderberg Fee \$ 95

Receipted by marrya 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 marrya Date 1/15/80

Protests filed by: Mage Water Co, Inc - Nungesser

Copies of protests forwarded by Storia

Hearing held by Decision Stipulated Date _____

Recommended for approval denial by LJ

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. 47-7615, 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 MEMORANDUM DECISION AND ORDER

Witness my hand this 26 day of November, 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. 47-7615
IN THE NAME OF LENARD D. 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:

Lenard D. 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

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 9028

I, Linda L. Coppe 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 competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

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

January, 1980.
Irrelba Rowlett-Smith

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

4-785
TWIN FALLS, IDAHO
JAN 24 1980
R 156 FOR 300 ACRES
DIVERSION IRRIGATION WELL & PUMP

OK 2-11-80

MICROFILMED



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

DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210

KARL J. DREHER
DIRECTOR

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.

100-11120
MAY 11 1997

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

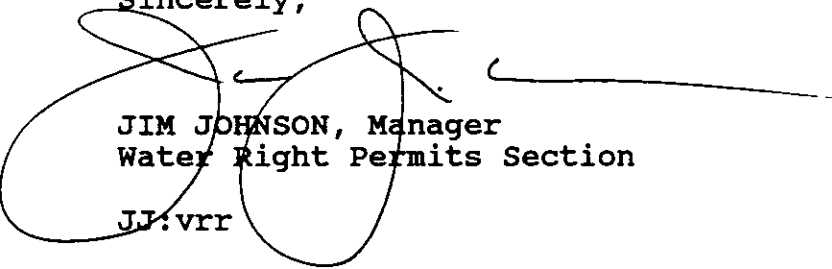
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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

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

- 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

MAY 21 1987

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**

Handwritten:
8/11/97

MEMORANDUM

TO: FILE NO. 47-07615

FROM: PAM SKAGGS²⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 4947

DATE: April 29, 1997

=====

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

Recommended conditions include combined limits, watermaster control, measuring devices, injection/rediversion limits, permissible place of use irrigation overlap and standard transfer conditions.

MAY 21 1997

RECEIVED

APR 11 1997

Department of Water Resources

47-07615
APPLICATION FOR TRANSFER OF WATER RIGHT
NO. 4947

RECOMMENDATION OF WATERMASTER

RECEIVED

APR 11 1997

Department of Water Resources
Southern Region

I, Charles Remyan, watermaster of State of Idaho,
of Water District No. 42G, County of Twin Falls, State of Idaho,
whose address is 1225 Burley Av Buhl 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 Buhl 4-10-1997, Idaho, this 10 day of 4-0 1997.

Charles Remyan
(signature)

RECEIVED

MAY 21 1997

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

WR = 1-57618
WR # 97-07615

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. It 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.

RECORDED
MAY 21 1997

RECEIVED

JAN 13 1997

AGREEMENTDepartment of Water Resources
Southern Region

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 \$10,000 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 \$100,000 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 \$110,000 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 \$110,000, \$100,000 representing the agreed upon value of the Water Rights, and \$10,000 representing the agreed upon value of the Pipe.
2. Driscoll shall pay said \$110,000 to Easterday in the following manner:
 - a. A down payment of \$20,000 has already been paid, and the receipt thereof is hereby acknowledged.
 - b. The final payment of \$90,000 shall be made on January 6, 1997.

AGREEMENT - 1

RECEIVED
MAY 21 1997

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE: (208) 738-0041
FAX: (208) 738-0041

DEC 12 1996

Department of Water Resource
Southern Region

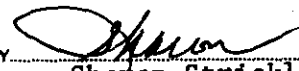
DATE: December 11, 1996

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

MAY 21 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

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

RECEIVED
DEC 12 1996
MAY 2 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.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

NOV 22 1996 No 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, 1996 and ending with the issue dated November 21, 1996.

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.

Heva R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

OK
MB
11/25/96

OK
11/25

NOV 22 1996
Department of State Resource
Southern Region

legal

GROSS AMOUNT OF
47.90
DUE AFTER

TOTAL AMOUNT DUE	
	47.90
ENTER AMOUNT ENCLOSED	
\$	

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**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.



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

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

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Karl J. Dreher, Director

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

11/14/96
11/21/96



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

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 21 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

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#4947



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 1996

DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210

RE: WATER RIGHT NO. 47-07615

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. Also enclosed is an Order Advancing the Date of Priority to September 24, 1980. If you have any questions, please contact me within 10 days of receipt of this license.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

RECEIVED
OCT 10 1996

MEMORANDUM

DATE: September 23, 1996

TO: File 47-07615

FROM: Shelley W. Keen *SWK*

RE: Phone call from Dale Wright

Dale Wright, who has been leasing and farming the land under Permit 47-07615, called this morning to answer some questions that I had about the development. He confirmed that there are two sets of relift pumps near Balanced Rock in the Salmon Falls Creek Canyon. One set (the Wright pumps) has three pumps totaling 1000 h.p. The other set (the Marshall pumps) has five pumps. Mr. Wright said that he thinks the pumping capacity estimate of 24.71 cfs for the five Marshall pumps is "pretty close."

Mr. Wright said that the well head for the artesian well associated with Permit 47-07615 and Right 47-07618 has been protected from vandalism by constructing a concrete enclosure with a locked steel gate. Mr. Wright has the key to the gate. He said that the flow from the well is controlled with a valve. He assured me that the valve is sufficient to shut off the entire flow during the non-irrigation season.

RECORDED

OCT 1 0 1996

Salmon Falls Creek Lift Pumps -- Near Balanced Rock

Right No.	Name	Stage	Priority	Source	Div. Rate	Sum Rates	Exam Data	M1	M2	M3	Relift Pumps			W1	W2	W3	Pumping Capacity
47-02316A	Keller	Decreed	1/12/59	Creek	10.50	10.50	1964										10.50
47-04098	Wright	Claim	8/1/66	Creek	8.20	18.70								300 hp	300 hp	400 hp	
47-07252	Wright	License	4/2/74	Creek	16.00	34.70	1984							300 hp	300 hp	400 hp	16.00
17-02316B	Marshall	Decreed	1/12/59	Creek	3.33	3.33	1964	400 hp	250 hp								8.40
47-02316C	Marshall	Decreed	1/12/59	Creek	8.02	10.25	1964	400 hp	250 hp								8.40
47-02402	Marshall	License	4/5/65	Creek	8.40	16.65	1977			400 hp	250 hp	400 hp					16.89
47-02417	Marshall	License	4/19/68	Creek	16.89	33.54	1977			400 hp	250 hp	400 hp					16.89
47-07565	Giuffre	License	8/30/79	GW	4.47	38.01	1986	450 hp	300 hp*								7.82
47-07569	Giuffre	Permit	10/22/70	Creek	5.52	43.53	1988	450 hp	300 hp*								7.82
47-07618	Easterday	License	1/7/80	GW	4.88**	48.41	1987	450 hp	300 hp*	400 hp	400 hp	400 hp					24.71***
47-07642	Marshall	Permit	4/9/80	Creek	12.00	60.41	1981	400 hp	250 hp*	400 hp	250 hp	400 hp					22.48****
47-07615	Driscoll	Permit	9/24/80	GW	4.88**	60.41	1987	450 hp	300 hp*	400 hp	400 hp	400 hp					24.71***

* Backup motor

** 47-07615 and 47-07618 are limited to a combined rate of 4.88 cfs.

*** $7.82 + 16.89$ or $[M1 + (M3 + M4 + M5)]$ See memo in files 47-07642.

**** $5.59 + 16.89$ or $[M1 + (M3 + M4 + M5)]$ Less than 24.71 cfs because the examiner relied on earlier data.

The combined diversion rate limitation of 24.71 cfs for rights 47-07569, 47-07615, 47-07642 47-02316B, 47-02316C, 47-02402, 47-02417, 47-07565, and 47-07618 is based on the pumping capacity of the diversion/redirection plant as determined by reviewing information available in the water right files. Rights previously licensed do not carry the combined rate limitation. However, the need was recognized in 1981 as evidenced by Allen Merrill's memo in file 47-02402.

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

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

RECEIVED

AUG 15 1996

DATE: August 14, 1996

Department of Water Resources

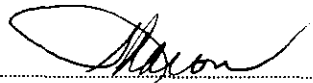
TO: Cindy Zimmerman
IDWR

RE: DRISCOLL BROTHERS
PERMIT #47-07615

Per our telephone conversation earlier
this week, I'm enclosing a list of the
partners of Driscoll Brothers Partnership.
Please call if you need additional
information. Thanks for your help.

ROSHOLT, ROBERTSON & TUCKER

BY



Sharon Strickland
Legal Assistant

RECEIVED
OCT 10 1996

**ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW**

**142 THIRD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, ID 83303-1906
(208) 734-0700
FAX (208) 736-0041**

MEMORANDUM

TO: SHS
FROM: Jana
DATE: August 14, 1996
RE: Driscoll Brothers

RECEIVED

AUG 15 1996

Department of Water Resources

Partners of Driscoll Brothers Partnership, an Idaho general partnership

Wallace Brock Driscoll
2250 South 3200 West
Aberdeen, Idaho 83210

Martin Dirk Driscoll
3340 West 2200 South
Aberdeen, ID 83210

Loraine D. Driscoll
2370 Dean Sub Road
American Falls, ID 83211

Thayne Jay Driscoll
1118 South 2600 West
Aberdeen, Idaho 83210

08139601jer

RECEIVED
OCT 10 1996



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

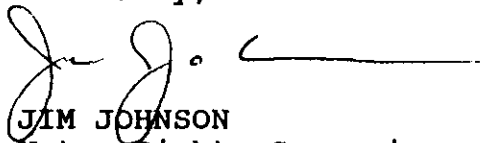
RE: PERMIT NOS. 47-07615 and 47-07618

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.

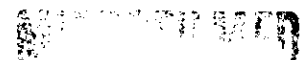
Also enclosed is a copy of your approved Application for Transfer of water right No. 47-07618 (Transfer No. 3904). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure



FEB 22 1994

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-07615

Notice is hereby given that LENARD D. EASTERDAY of Buhl, ID is the holder of Approved Permit No. 47-07615 authorizing the diversion of 6.4 cubic feet per second of water from groundwater in the SE1/4NE1/4, S20, T10S, R13E; SW1/4SE1/4, S2, T10S, R13E, County of Twin Falls, to be used for irrigation of 320 acres within S1/2NW1/4, SW1/4, S35, T9S, R13E; S1/2SE1/4, S34, T9S, R13E; Twin Falls County.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to change the Place of Use as follows:

Amount: 4.88 cfs

Period of Use: 3/15 to 11/15

Point of Diversion: No change

Place of Use: 303 acres within SE1/4NE1/4, SW1/4, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, S4, T10S, R13E; Twin Falls County.

Any protest against approval of the amending of Permit No. 47-07615 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 30, 1992.

R. Keith Higginson, Director

Published in the Times News on 3/12 & 3/19/92.

APPROVED
FEB 22 1994

✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

27-Feb-1992

CECIL D. ANDRUS
Governor

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.

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 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

27-Feb-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

LENARD EASTERDAY
RT 2 BOX 85
BUHL ID 83316

Re: Application for Amendment, 47-07615

Dear Mr. Easterday:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office will be advertising the application in the Times News on 3/12 & 3/19/92. 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.

If the application is not protested, it will be forwarded to our State Office in about five weeks. 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. A typical processing time for an unprotested application is about eight weeks.

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 22 1992

WELL DRILLER'S REPORT

James Eastman
Bill Lohr
47-7615

X 0
104 Need

X

X

9. LITHOLOGIC LOG

Hole	Depth	Remarks	Water
Diam	From	To	Yes No
20	0	25	
20	25	62	
20	62	87	
20	87	100	
16	100	118	
16	118	255	
12	255	300	
12	300	462	
12	462	480	
12	480	658	
12	658	675	
12	675	730	
12	730	750	
12	750	800	
12	800	820	
12	820	875	
12	875	1000	
12	1000	1055	
12	1055	1085	
12	1085	1100	
12	1100	1140	
12	1140	1261	
12	1261	1355	
12	1355	1390	
12	1390	1440	

4. METHOD DRILLED

X Hydraulic Reverse rotary

5. WELL CONSTRUCTION

Concrete Other
Diameter inches 20 inches 0 feet 25 feet
Diameter inches 16 inches 0 feet 100 feet
Diameter inches 12 inches 0 feet 255 feet

Was casing drive shoe used? X Yes No
Was a packer or seal used? X Yes No
Perforated? Yes No

How perforated? Factory Knife Torch

Size of perforation inches by inches

Number perforations From feet To feet

perforations feet feet feet

perforations feet feet feet

Well screen installed? Yes No

Manufacturer's name

Type Model No.

Diameter Slot size Set from feet to feet

Diameter Slot size Set from feet to feet

Gravel packed? Yes No Size of gravel

Placed from feet to feet

Surface seal depth 100 Material used in seal: X Cement

Puddling clay Well cuttings

Sealing procedure used: Slurry pit Temp. surface casing

Overbore to seal depth

Method of joining casing: Threaded Welded Solvent

Weld

Cemented between strata

Describe access port

In 1981 - Flow 2500 gpm

Department of Water Resources

10. Work started Mar 30, 81 finished Nov 16, 81

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name

Lot No. Block No.

County Twin Falls

SE 1/4 NE 1/4 Sec 20 T. 45 N. R. 13 W.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Elsing Drilling Firm No. 31

Address Box 217 Date 12-15-81

Signed by (Firm Official) Harold Elsing

and

(Operator) Don M. C. C. C.

September 17, 1990

LENARD D. EASTERDAY
RT. 2 BOX 85
BUHL, ID 83316

RE: PERMIT NO. 47-07615

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.

Please note that the date of priority of this right has been advanced due to late submittal of the examination fee &/or exam fee information sheet.

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

RECEIVED
FEB 22 1994

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 47-7615

FROM: JOHN MCLEOD

RE: PRIORITY ADVANCE REVIEW

DATE: 30-DEC-1988

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	JANUARY 04 1980	4
EXAM FEE NOTICE		
Exam Fee Notice Date:	AUGUST 12 1986	224
Exam Fee/Info Sheet Received Date:	JULY 01 1987	547
Exam Fee or Info Due Date:	OCTOBER 11 1986	284
Days Late:		263 DAY(S)
NEW PRIORITY DATE		
Orginial Priority Date:	JANUARY 04 1980	4
Total Days Late:		263 DAY(S)
New Priority Date:	SEPTEMBER 24 1980	267

RECORDED

FEB 22 1984

SEP 13 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 47-7615
1. Owner: Lenard D. Easterday Phone No. 543-5841
Current Address: Rt. 2 Buhl, Idaho 83316
2. Accompanied by: Larry Easterday EXAM. DATE: 7/6/87
Address: Rt. 2 Buhl, Idaho 83316 Phone No. 326-5736
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 47-7572 - Salmon Falls Creek
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 47-7614, 47-7616, 47-7617, 47-7618
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☒ 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 Salmon Falls Creek in the ^{along with other rights,} NE SE NE Sec. 20, T.10S, R.13E. by the use of several pumps. The pumps lift the water out of the canyon into a canal which conveys water thru several ponds in a large irrigation network. This right is boosted into a pipeline in the NW SW NW of Sec 9, T.10S, R.13E, from a pond and then the pressure increased by another booster site in the SE SE SW Sec 34 T.9S, R.13E. near the place of use. The water is applied

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.	Twin Falls	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														25	38		63
9S.	13E.	35						40	40	40	40	40	40						240

303

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 = 2192 gpm $\Rightarrow$ 4.88 cfs
7/6/87 annubar meas by Adam during exam. = 3.88 cfs
Allow 4.88 cfs max. diversion rate from well.

See attached photos for 5/23/86 meas. Calc. on back of photo

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: Owner's Mcrometer (see data sheet)

F. PUMP EFFICIENCY DATA (Optional)

Well is artesian. None taken of Booster plants.

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 303 \times 4.0 = 1212 \text{ Afa}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (4.88 \text{ cfs}) (246 \text{ days}) (1.9835) = 2381.2 \text{ Afa}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1212 \text{ Afa}$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Via approx. 15 handlines with 1/8" rainbird nozzles.

When this rt. combined with other rights from same well shall not exceed 4.88cfs diversion rate nor 2381.2 Af²

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 cfs	1212.0 Af ²
* Totals:			4.88 cfs	1212.0

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

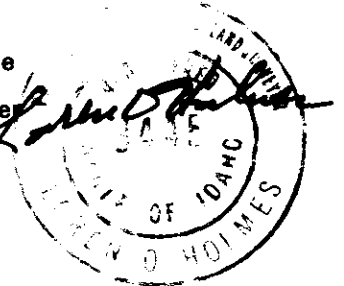
Certification Date

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.

DOM 12/30/88

CANYON

1 (1) ✓ 400 H.P. G.E. SCT BLJ219014 Layne Short Couple Turbine 77981
1 (1) ✓ 400 H.P. G.E. SCT 1279324 Layne Vertiline 6332
1 (1) ✓ 400 H.P. G.E. SCT BLJ219015 Layne Turbine 77980
1 (1) ✓ 250 H.P. U.S. SCT 1275190 Vertiline D-000167

5 (1) 250 H.P. Motor Only - No serial number, (extra back-up motor)

1280 ft. of 16 inch penstock.

1280 ft. of 20 inch penstock.

Reservoir

The size of the reservoir is approximately 30 acres surface area. Depth is unknown without measurement. It is estimated to be 6 to 7 feet.

- (1) 100 H.P. G.E. Splitcase R4162034 - Peerless Pump - No serial #.
- (1) 75 H.P. U.S. Splitcase 1AFP11482 - Palo Pump - M-5050-5
- (1) 40 H.P. Duty (Master) Splitcase Y143333A2 - Auroa Centrifical Pump - 7903279-1

The size of pipe out of the reservoir was 14 inches, then split into 3 mainlines that were 8 and 10 inches. (To the best of our knowledge.)

Ground Irrigated

See orange color coded map as to ground irrigated out of reservoir.

Land Farmed

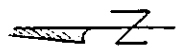
Acreage per farm map is the actual cultivated acreage.

Measurement of Pumping Plant on Salmon Falls Creek Below Balanced Rock Grade
6/23/1981 by ADM

Measurement Source (Number)	Meter Used		Annubar Used			Measured Pipe Diameter			Observed Meter Reading (" of H2O)	Adjusted Reading (" of H2O)	Discharge (cfs)
	0-13" #091464	10-80" #091475	12.00" #091430	15.25" #091442	19.25" #091450	12.18"	15.5"	19.5"			
Hot Well		X	X			X			19.0	16.60	5.19
M1	X			X			X		8.3	7.35	5.59
M2	X			X			X		3.2	2.34	3.15
M1 + M2		X		X			X		19.0	16.60	8.40
M3	X				X			X	4.6	3.71	6.28
M4	X				X			X	1.75	0.91	3.11
M5	X				X			X	4.4	3.52	6.12
M3 + M4	X				X			X	10.6	9.61	10.11
M3 + M5		X			X			X	15.5	12.93	11.73
M4 + M5	X				X			X	10.6	9.61	10.11
M3 + M4 + M5		X			X			X	26.0	23.94	15.96
W1	X			X			X		5.4	4.50	4.37
W3	X			X			X		8.6	7.64	5.70
W1 + W3		X		X			X		24.0	21.85	9.63

W2 was not operating

Eschschol
Kees
Pump



250 H.P. (Reported to be wired
to 300 H.P.)
#1275190



400 H.P.
#8LJ219014



400 H.P.
#8LJ219015



19.5" I.D.

Base
Ramps

300 H.P.
#C8J316019



300 H.P.
#UVJ714575



400 H.P.
#DJJ425013



5.5" I.D.

400 H.P.
#1279324



5.5" I.D.

250 H.P.
#2775469



Balance Rock
Pumping Station
on Salmon Falls
Creek.

Salmon Falls Creek

12.18" I.D.

Massachusetts
Hot Well

6/23/81
by ADH



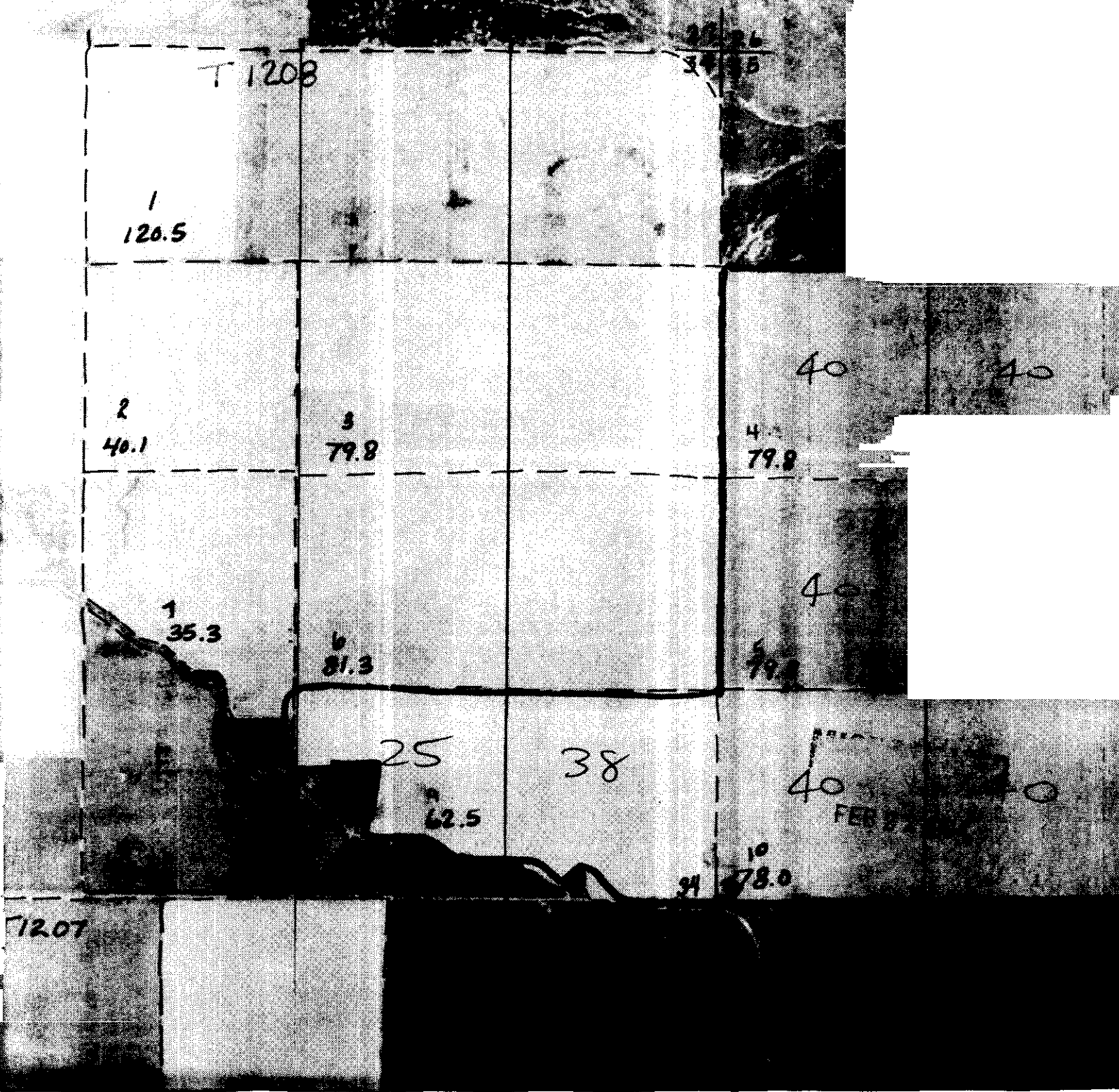
5.5" I.D.
3/22/81
ADH

47-615

R-13

Not to Scale

C-9



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

Measured by: Adm
Owner: Exterday's well

Date: 7/6/87
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)

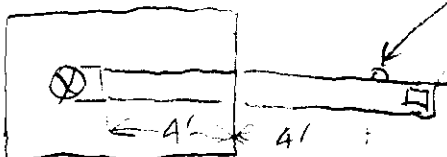
High Reading = 11.5 11.8 12.4 12.7
Low Reading = 4.2 4.2 4.3 4.3
High - Low = H = ... 7.3 7.6

CALCULATION OF DISCHARGE IN CFS (Q)

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

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

SKETCH (If not shown on Field Report)



McConete 12.0 ID
78-12-15'

$$0.010 \text{ AF} / 111.0 \text{ sec} = \underline{3.93 \text{ cfs}}$$

$$0.005 \text{ AF} / 56.2 = \underline{3.86 \text{ cfs}}$$

FEB 22 1994

Access
point
McConete

102104 well 5/23/86

5/23/86

Q

10" orifice 13 1/8" 2012.2 gpm

12" Annular 14.1" ~~2191.6 gpm~~

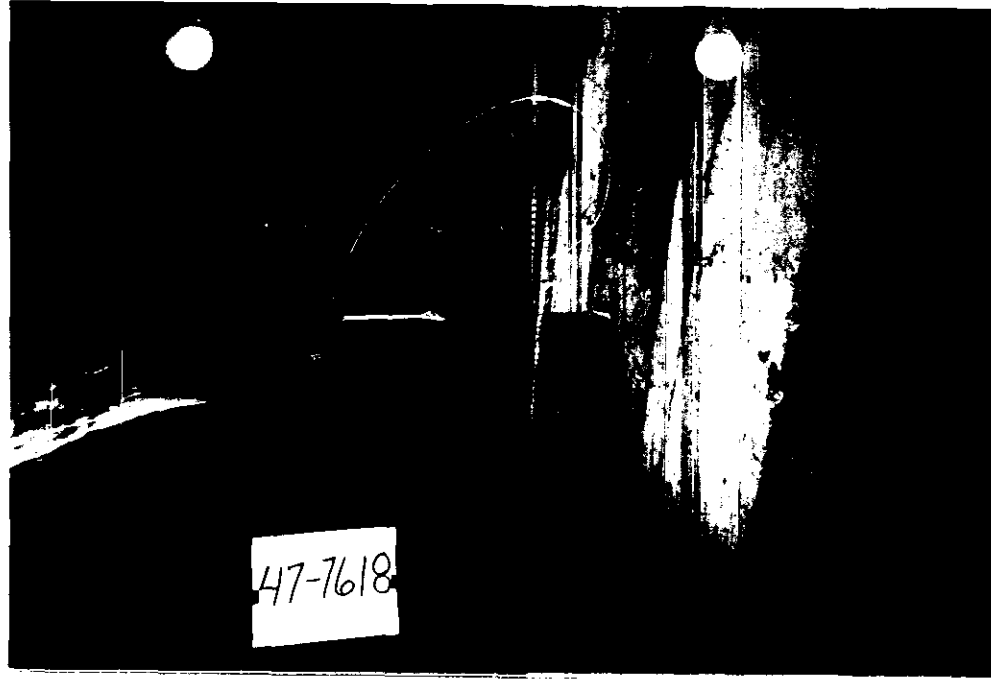
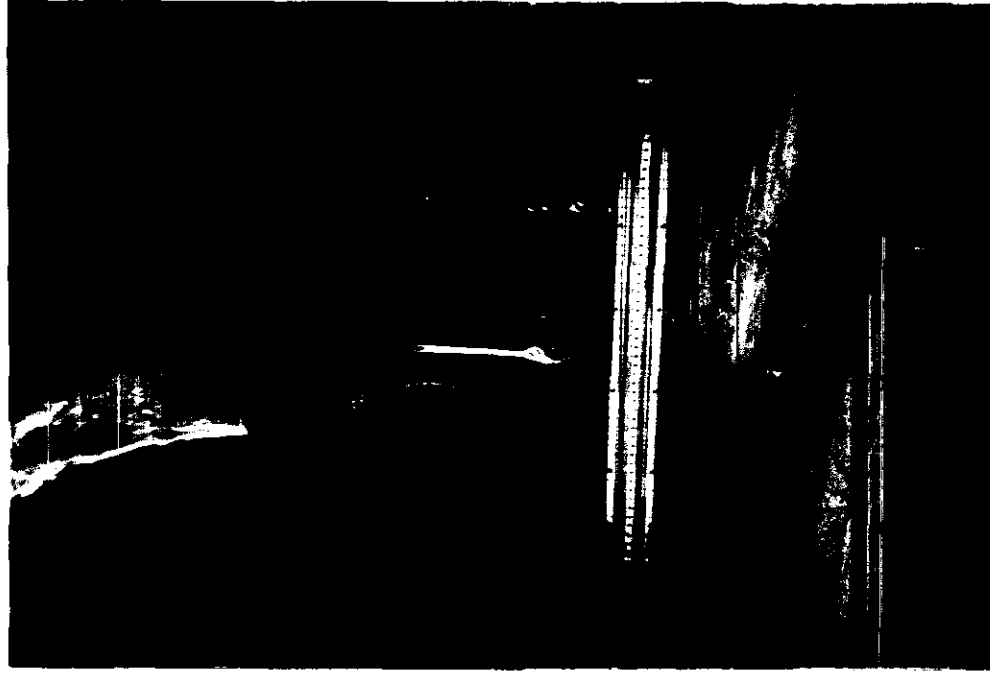
5/23/86

Q

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

12" Annular 12 7/16" ID 14.1" 2191.6 gpm

5.3' from well 1' from end of pipe



7/6/87

47-7615
47-7618

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.

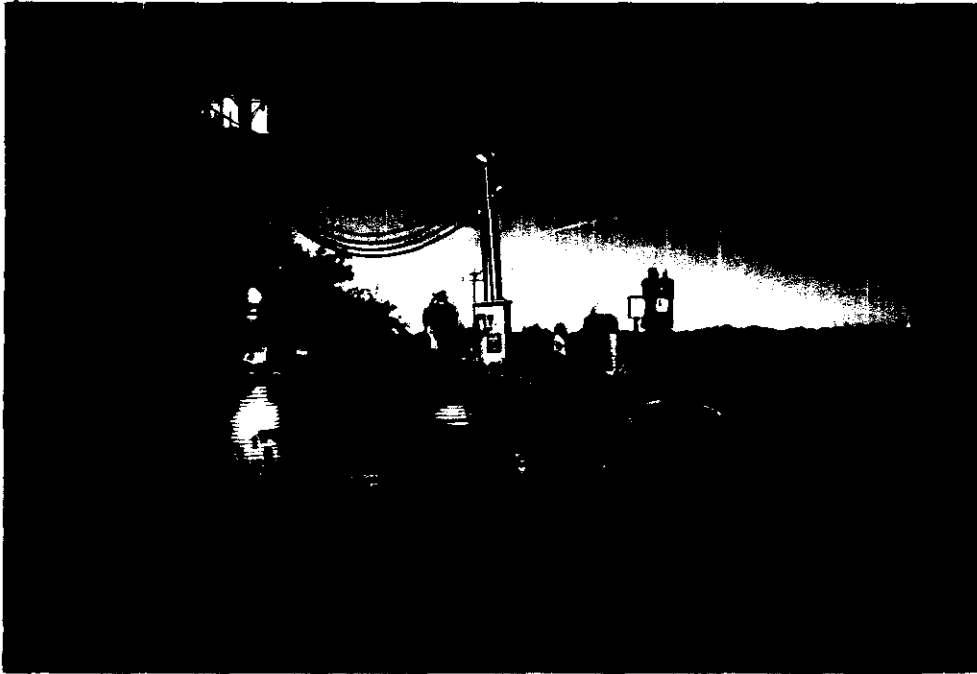
RECEIVED

FEB 22 1994

7/6/87

- 47-7615
47-7618

2/2



Booster plant



Booster plant

FEB 22 1984

47-7165

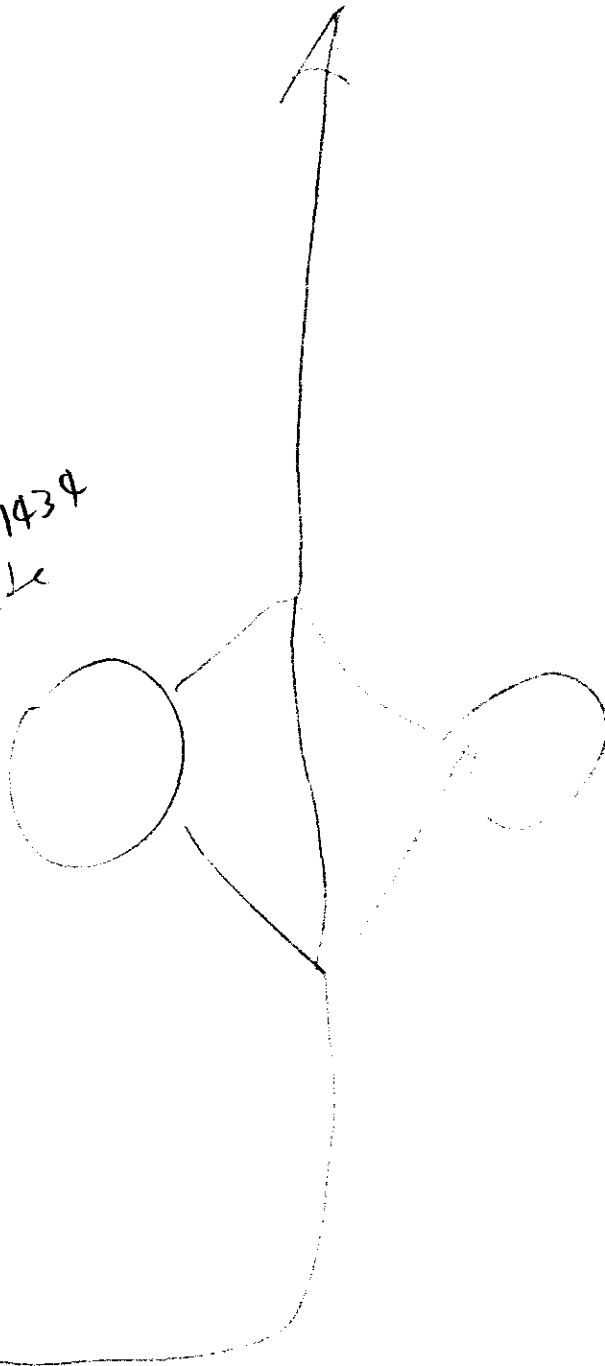
Boosters @

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



RECORDED

FEB 22 1951

Boosters @ Pond

SWNW Sec 9, T10S, R13E,



#1

GE. 200 H.P.
0VJ210003Well Line
T84132

#2

U.S. Motors
150 H.P.
82-01239Layne Bunker
54340

#3

U.S. Motors
150 H.P.
HJ1409499Vent Line
3X8 70859
2100 GPM
225'

#4

U.S. Motors
60 H.P.
1255 278

FEB 22 1994

Layne Bunker
44509

Pump on Salmon Fell Creek 47-7165
SENE Sec 20 T.10S. R.13E.

* GE 300 ACW118001
Cummins 3X172360

#5

#4 GE-450hp - DSJ402G14
Cummins 3X171503

BLJ219013

GE 400hp - ~~516218~~

#3

Layne 77980

#2

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

#1

Motor - GE - 400hp - BLJ219014
Layne - 77981

#6

✓ US motor
250hp

375110
Layne

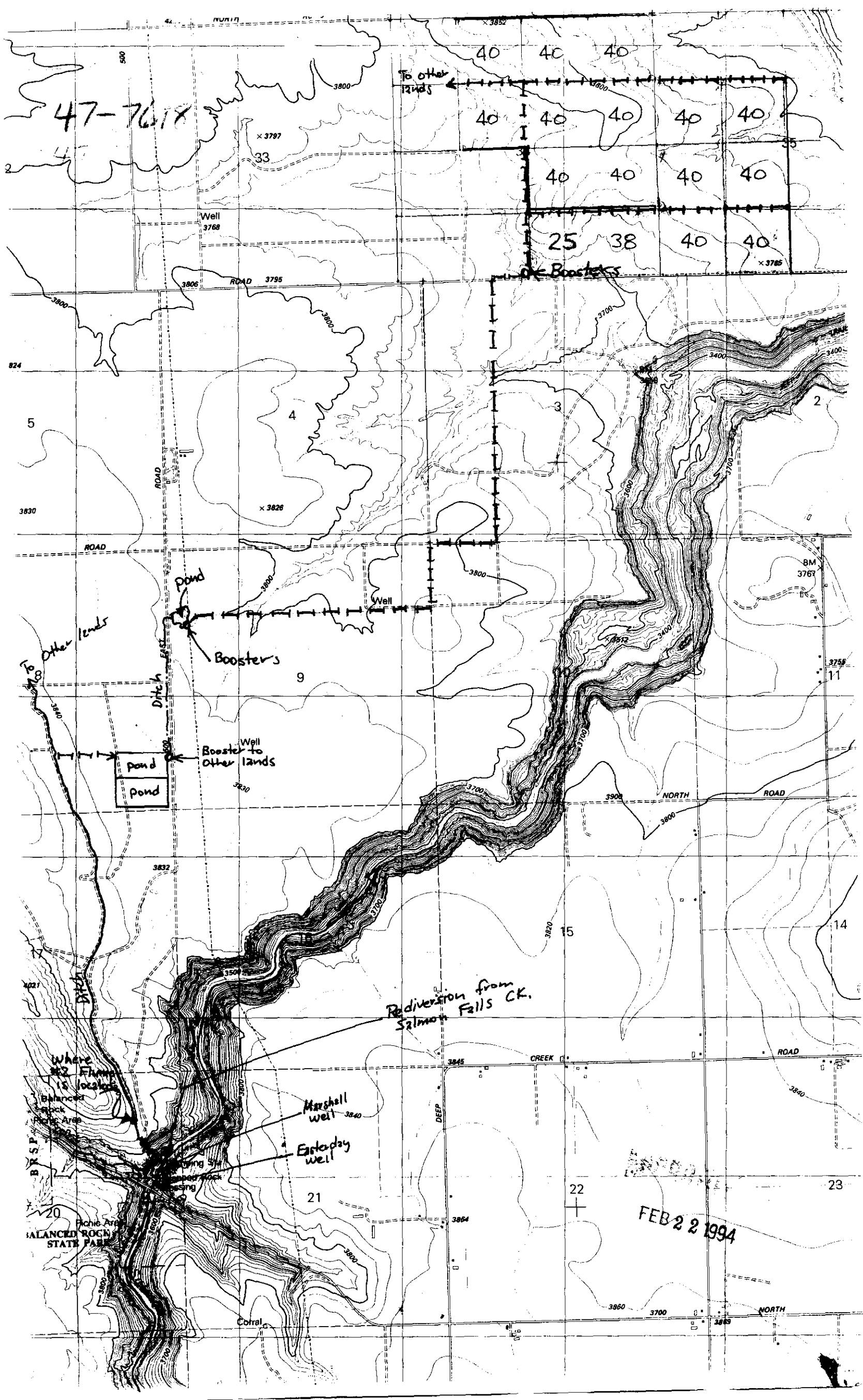
14RLXL

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

Adelanto

FEB 22 1994

to flame
↓



4/86

RECEIVED

JUL 7 1987

Department of Water Resources
Southeastern RegionDepartment of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received 200Date 7/1/87Receipt # 45053Receipt by M. BaldwinSent to S.O. 7/01/871. Permit No. 47-7615

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: Lenard D. Easterday3. Post Office Address: Rt 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:

4/1/1981

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

Lenard Easterday

(Name)

(or Call Permit Holder)

Rt 2, Buhl ID 83316

(Address)

FEB 22 1994

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 I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

1-7-87

Date

Lenard D. Easterday

Signature of Permit Holder (and title, if appropriate)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

47-7615
EASTERDAY, LENARD D.
RT. 2 BOX 85
BUHL, ID 83316

138136

August 12, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot ~~later change~~ your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

FEB 22 1994

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

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

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department office.

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Sincerely,


LOREN HOLMES
Southern Regional Manager

Enclosures


FEB 22 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

(well)

Permit No. 47-7615
Name(s) of Permit Holder(s): Lenard Easterday
Post Office Address: Route 2, Buhl, Ida.
Tel. No. 543-5841

☒ I hereby certify that construction of diversion works for the above referenced permit began on June 1981 . I understand that I must
(date)
continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the ~~above~~ referenced project has not yet begun due to the following reason beyond my control:"
FEB 2 1991

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

July 1, 1983
Date

Lenard D. Easterday
Signature of Permit Holder

PLACE
STAMP
HERE

MIDBODIEN

FEB 22 1994



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

FEB 1 1994

Idaho Department of Water Resources

January 29, 1986

Lenard D. Easterday
Rt. 2
Buhl, ID 83316

Dear Mr. Easterday:

Re: Permit No. 47-7615

Returned is the proof of beneficial use form submitted on October 31, 1985.

The department previously received a proof form in February 1985. It is not necessary to file more than one proof form to fulfill the requirement of beneficial use.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED

FEB 22 1994

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7615.

Name(s) of Permit Holder: Leonard D. Carterday

Post Office Address: Apt. 1305 855

Buhl, Idaho 83316 Tel. No. 543-5841

Source of Water: artesian well

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 322 (acres)
☐ Other

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

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

2-6-85

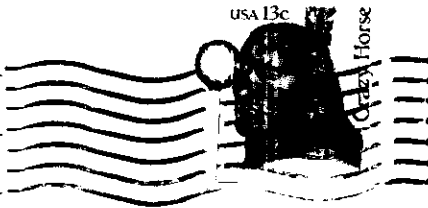
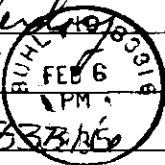
Date

MICROFILMED

Signature of Permit Holder

Leonard D. Carterday

Leonard Oosterbos
P.O. Box 85
Buhl, Ida. 83316



RECEIVED

FEB 7 1985



IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources STATEHOUSE

BOISE, IDAHO 83720

MICROFILMED

April 26, 1982

RE: Permit No. 47-7615

Lenard D. Easterday
Route #2
Buhl, ID 83316

Dear Mr. 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

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Application for Amendment of a Permit No. 47-7615 in the name of Lenard D. Easterday of Buhl, Idaho was advertised incorrectly on November 26 and December 3, 1981. The point of diversion was advertised as being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T10S, R13E. Whereas, the actual point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R.13E.

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

10867 pigt water dept proc
020.9 IN 08:30

legal notice to start
Thursday, March 4, 1982

**NOTICE OF
CORRECTION**

Notice is hereby given that Application for Amendment of a Permit No. 47-7615 in the name of Lenard D. Easterday of Buhl, Idaho was advertised incorrectly on November 26 and December 3, 1981. The point of diversion was advertised as being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T10S, R13E. Whereas, the actual point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R.13E.

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.

legal notice to start
Thursday, March 4, 1982.

MICROFILMED

*al
mayer
3/1/82*

February 19, 1982

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

Re: Notice of Correction - Application for Amendment of a Permit No. 47-7813
and No. 47-7015

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 J. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

N^o 10908

I, H. Enderbe 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
November 24, 1981, and ending with the issue dated
December 3, 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 Tw
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.

Subscribed and sworn to before me on this 4th day of
December, 1981.

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

1092
Department of Public Resources
Southern District Office

**NOTICE OF
AMENDMENT TO
A WATER RIGHT**

Notice is hereby given that Lenard D. Easterday is the holder of approved permit No. 47-7615 authorizing the diversion of 6.40 cubic feet per second of water from groundwater in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R13E, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, 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, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to add re-diversion point as follows:

Point(s) of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T10S, R13E; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T10S, R13E; Water diversion 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 section point

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 December 14, 1981.

A. KENNETH DUNN
Director

PUBLISH: Thursday, November 26, and December 3, 1981.

STATE OF IDAHO,

Affidavit of Publication

19 and ending with the issue dated

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

19

day of

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

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 6.40
cubic feet per second of water from groundwater in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S, R13E, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T10S, R13E, R.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, T9S, R13E

The permit holder has applied to the Department of Water Resources for an Amendment
to add re-diversion point.

to the permit, ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ as follows:

Point(s) of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T10S, R13E; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 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 jecton point.

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
December 14, 1981.

A. KENNETH DUNN

~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Times News
on 11/26 AND 12/3/81.

MICROFILMED

RECEIVED
JAN 25 1982

Department of Water Resources

12126 pigl water right

007.8 IN 12:31

Legal Notice to start
Thursday, November 26,
1981.

**NOTICE OF
AMENDMENT TO
A WATER RIGHT**

Notice is hereby given
that Lenard D. Easterday
is the holder of approved
permit No. 47-7615
authorizing the diversion
of 6.40 cubic feet per
second of water from
groundwater in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T10S,
R13E, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 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, T9S,
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 $\frac{1}{4}$, Sec. 20, T10S,
R13E; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2,
T10S, R13E; Water
diversion 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
jection point

Place of use: NO
CHANGE

Any protest against
approval of the amend-
ing 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 December 14,
1981.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
November 26, and De-
cember 3, 1981.

ok
mwp
11/20/81

MICROFILMED

November 17, 1961

Times News
P. O. Box 542
Twin Falls, Idaho 83301

Re: ~~Notice~~ of Amendment to a Water Permit No. 47-7615

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

Encl:

Bill submitted: _____

MICROFILMED

August 20, 1981

RE: Permit No. 47-7615

Lenard D. Easterday
Route #2
Buhl, ID 83316

Dear Mr. 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



MEMO:

LK

TO: Bob Fleenor & Files *SD*

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.

[Stamp]

RECEIVED

JUN 19 1981

June 17. 1981

MEMO:

Department of Water Resources

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
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

JUN 1 1981
Department of Water Resources
Boise District Office

1. WELL OWNER

Name Estorday Farms
Address Rt. 2 Buhl, Idaho 83316
Owner's Permit No. _____

7. WATER LEVEL

Static water level 150 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

3. PROPOSED USE

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

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
	0	6	Top soil		
	6	8	Hard pan		
	8	32	Sandy clay		
	32	38	Broken lava		
	38	85	Grey lava		
	85	98	Reddish brown broken lava		
	98	152	Grey lava		
	152	172	Broken grey lava		
	172	487	Sand & Gravel	X	
	487	511	Grey shale & rock	X	
	511	695	Black rock		
	695	725	Brown rhyolite		
	725	780	Grey lava hard		
	780	810	Grayline soft		
	810	940	Grey hard rock		
	940	970	Brown rock-some water	X	
	970	985	Grey rock		X
	985	1265	Reddish brown rock		
	1265	1270	Black sand rock		
	1270	1360	Brown sand rock		
	1360	1390	Broken red rhyolite		
	1390	1420	Solid rhyolite, some cracks		
	1420	1525	Hard brown rhyolite		
	1525	1665	Hard black rhyolite		X

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>2 3/8</u> inches	<u>1 1/2</u> inches	<u>1</u> feet	<u>3 1/2</u> feet
<u>2 1/2</u> inches	<u>1 1/2</u> inches	<u>2</u> feet	<u>3 1/2</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 3 1/2 Material used in seal: ☐ Cement grout
☐ Puddling clay ☒ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld _____
☐ Cemented between strata
Describe access port _____

10.

Work started 12-17-80 finished 3-20-81

6. LOCATION OF WELL

Sketch map location must agree with written location.

N
W 2 E
S

Subdivision Name _____
Lot No. _____ Block No. _____
County Twin Falls
SE 1/4 SE 1/4 Sec. 2 T. 10 S. R. 13 E.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name Elzing Well Drilling Firm No. 31
P.O. Box 919
Address Twin Falls, Idaho Date March 81
Signed by (Firm Official) Arnold Elzing
and
(Operator) Shelby Hayden

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well

RECEIVED
JUN 1 1981
Department of Water Resources
District Office

WELL OWNER
Name Jean Marshall
Address 185 Blair Drive
Twin Falls, Idaho 83301
Owner's Permit No. 47-7565

7. WATER LEVEL
Static water level _____
Flowing? ☒ Yes ☐ No
Artesian closed-in pressure 72 p.s.i.
Controlled by: ☒ Valve ☐ Cap ☐ Plug
Temperature 107 OF. Quality good

NATURE OF WORK
☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA
☐ Pump ☐ Baller ☐ Air ☒ Other _____
Discharge G.P.M. 3321
Pumping Level _____
Hours Pumped _____

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

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
26"	0	12	Loose rock & boulders		X
26"	12	23	Sand & gravel	X	
26"	23	40	Cindery lava (loose)		X
26"	40	48	Cindery lava (loose)	X	
26"	48	64	Red riolite	X	
26"	64	66	Red clay with red riolite		X
26"	66	90	Brown Riolite		X
20	90	188	Brown riolite		X
12	188	362	Gray riolite		X
	362	467	Brown riolite		X
	467	503	Red riolite		X
	503	581	Gray riolite		X
	581	630	Brown riolite & black		X
	630	705	Gray riolite		X
	705	745	Blue clay (sticky)	X	
	745	868	Loose brown riolite some water some clay		X
	868	876	Sticky red clay		X
	876	918	Brown riolite	X	
	918	925	Gray riolite (loose)		X
	925	930	Loose gray & brown riolite	X	
	930	985	Gray & brown riolite		X
	985	1016	Loose gray riolite		X
	1016	1025	Loose brown riolite	X	
	1025	1280	Loose red & brown riolite lost cuttings	X	

METHOD DRILLED
☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

WELL CONSTRUCTION
Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness _____ Diameter _____ From _____ To _____
.250 inches 20 inches + 1 feet 95 feet
.500 inches 26 inches 1 feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 95' Material used in seal: ☒ Cement grout
☐ Puddling clay ☐ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☒ Cemented between strata
Describe access port Fitting on top of well

10. Work started 1-21-81 finished 4-17-81

LOCATION OF WELL
Sketch map location must agree with written location.
N
W 30 E
S
County Twin Falls
Subdivision Name _____
Lot No. _____ Block No. _____
T. 10 N. 13 E. 30 Sec. 30

11. DRILLERS CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name Elsing Well Drilling Firm No. 31
P.O. Box 919
Address Twin Falls, Idaho Date May 25, 1981
Signed by (Firm Official) Arnold Elsing
and
(Operator) Brian Peterson

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

MICROFILMED

June 8, 1981

RECEIVED

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

JUN 8 1981

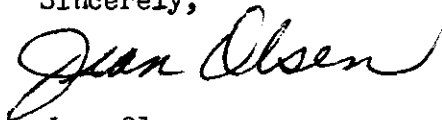
Department of Water Resources
Southern District Office

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

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 Resources
Southern District Office

INDEXED



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:

RECEIVED
MAY 21 1981



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

RECORDED
MED

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-7618

Notice is hereby given that Lorene I. 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 SW1/4, Sec. 2
T10S, R13E, B.M., Twin Falls County

~~XXXXXXXXXXXXXXXXXXXX~~, to be used for irrigation of 320 acres

~~XXXXXXXXXXXXXXXXXXXX~~ within NE1/4, E1/4, N1/4, 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, ~~XXXXXXXXXXXXXXXXXXXX~~ as follows:

Point(s) of Diversion: SE1/4, Sec. 20; SW1/4, 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
~~XXXXXXXXXXXXXXXXXXXX~~
Director

Published in the Times News

on April 30 AND May 7, 1981

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1001 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3576

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

Affidavit of Publication

Nº 10503

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

LEGAL NOTICE

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 47-7815

Notice is hereby given that Lenard D. Easterday is the holder of approved permit No. 47-7815 authorizing the diversion of 8.4 cubic feet per second of water from groundwater in the SW¼SE¼, Sec. 2, T10S, R13E, B.M. County of Twin Falls, to be used for irrigation (on 320 acres) within SW¼NW¼, SW¼, Sec. 35; SW¼SE¼, Sec. 34, T9S, 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: SE¼NE¼, Sec. 20, SW¼NE¼, Sec. 2, T10S, R13E, B.M., Twin Falls County

Place of Use: No Change
Any protest against approval of the amending of permit No. 47-7815 as set forth above must be filed with the Idaho Department of Water Resources 1041 N. Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 18, 1981.

A. KENNETH DUNN
Director

PUBLISHED: Thursday, Apr. 10, and May 7, 1981.

I, Ronda Capps McBuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated April 30, 1981, and ending with the issue dated May 7, 1981.

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

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

Subscribed and sworn to before me on this 11 day of May, 1981

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

MICROFILMED

ews, Twin Falls, Idaho E-3

LEGAL NOTICE

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 authoriz-
ing diversion of 8.4 cubic
feet second of water
from groundwater in the
SE 1/4, Sec. 2 T10S,
R13E, B.M., Twin Falls
County, to be used for ir-
rigation of 320 acres within
the SE 1/4, E 1/2 NW 1/4, N 1/2 SE 1/4,
R13E, T10S, R13E

The permit holder has
filed to the Department of
Water Resources for an
amendment to the permit, to
diversion point as
follows: Point(s) of
diversion: SE 1/4 NE 1/4, Sec.
2, T10S, R13E, B.M., Twin Falls
County

Use of Use: No change
protest against ap-
proval of the amending of
No. 47-7818 as set
above must be filed
with the Idaho Department
of Water Resources 1041
Lakes Blvd. North,
Twin Falls, Idaho, 83301, on
or before May 18, 1981.

KENNETH DUNN

Director

WTH: Thursday, Apr.
May 7, 1981.

Affidavit of Publication

Nº 10502

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

I, Ronda Capps McSwire 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
April 30, 1981, and ending with the issue dated
May 7, 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 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.

Subscribed and sworn to before me on this 11 day of

May, 1981

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

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

Lenard D. Easterday
Route 2
Buhl, ID 83316

Dear Mr. Easterday:

Re: Application for Permit No. 47-7615

Enclosed is a copy of your approved Application for Permit No. 47-7615 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

MICROFILMED

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.

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47-7565 - Marshall, Jan L.

95, 13 E

32: NENW (02-7100, inc = A)

NWNW 02-7100

SWNW 02-7100

SENW 02-7100

NESW 02-7100

NWSW 02-7100

SESW 02-7100

47-7618 - Easterday, Lorene I.

95, 13 E.

34: NENE (02-7100, 47-7573, inc = B)

NWNE 02-7100, 47-7573

SWNE 02-7100, 47-7573

SENE 02-7100, 47-7573

NENW 02-7100, 47-7573

SENW 02-7100, 47-7573

NESE 02-7100, 47-7573

NWSE 02-7100, 47-7573

NOT RECORDED

47-7614 - Easterday, Janet M.

9S, 13E

34: NESW 02-7100, (47-7654, use = A)
SESW 02-7100, (47-4015, use = A)

10S, 13E

3: NENW (L. 3) 02-7100, 47-4015
NWNW (L. 4) 02-7100
SWNW 02-7100
SENW 02-7100, 47-4015
NESW 02-7100, 47-7654
NWSW 02-7100

47-7616 - Easterday, Elden B.

9S, 13E

28: NESW 02-7100
SESW 02-7100

33: NENW 02-7100
NWNW 02-7100

47-7615 - Easterday, Lenard

9S, 13E

35: SWNW 02-7100, (47-7572, use = B)
SENW 02-7100, 47-7572
NESW 02-7100, 47-7572
NWSW 02-7100, 47-7572
SWSW 02-7100, 47-7572
SESW 02-7100, 47-7572
34: SESE 02-7100, 47-7572
SWSE 02-7100, 47-7572

47-7617- Easterday, La Ray L.

9S, 13E

33: NE NE 02-7100, (47-4174, use = 1)

NW NE 02-7100, 47-4174

SW NE 02-7100, 47-4174

SE NE 02-7100, 47-4174

SE NW 02-7100

34: NW NW 02-7100

SW NW 02-7100

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 389
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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RECEIVED

FEB 7 1980

Department of Water Resources
Southern District Office

P R O T E S T

TO: C. Stephen Allred, Director
Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, ID 83301

RE: Application No. 47-7615 - Lenard D. Easterday

NOTICE IS HEREBY GIVEN that Magic Water Company, Inc.,
an Idaho corporation, with its principal place of business at
Route 3, Buhl, Idaho, does hereby make written protest to the
granting of the above referred to applications to appropriate
water by drilling a well at the bottom of Salmon Falls Canyon.
Magic Water Company owns water permit number 24128 for water
out of the Salmon Falls Creek and the point of diversion of said
water is down-stream from the proposed well site.

This protest is based upon the following:

1. That proposed well would reduce quantity of water
available to fulfill Magic Water Company's permit in that said
well would reduce the amount of water in Salmon Falls Creek and
also inhibit or reduce spring flowing into Salmon Falls Creek.

2. That the water supply is insufficient for the
purpose of which it is sought to be appropriated.

3. That the application is not made in good faith.

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

PROTEST-1

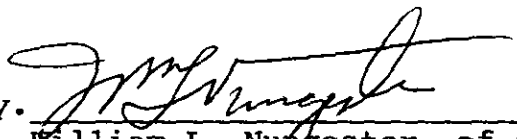
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1 5. That application lacks sufficient financial
2 resources to complete the work involved.

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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28 PROTEST -2

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

Lenard D. Easterday
Route 2
Buhl, Idaho 83316

RE: 47-7615

Dear Mr. 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 hearings, 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

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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
S o u t h e r n R e g i o n

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

February 15, 1980

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

RE: 47-7615

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 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 purpose intended?
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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 D. HOLMES
Regional Supervisor

LOH:marva

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

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:

MICROFILMED

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

42-2615-

EASTERDAY, LENARD D.

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: SWNW SENW NESW NWSW ^{SW} ^{SW} ~~SWNW~~ ~~SENW~~ Sec 35 T 09S R 13E SESE SWSE
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.

ok
mays
1/15/60

47-7815
EASTERDAY, LENARD D.
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 3/15 to 11/15
Place of Use: SWNW SENW
NESW NWSW SWSW
SESW Sec 35 T 09S R 13E
SESE SWSE 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.

RECEIVED
JAN 14 1980