

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

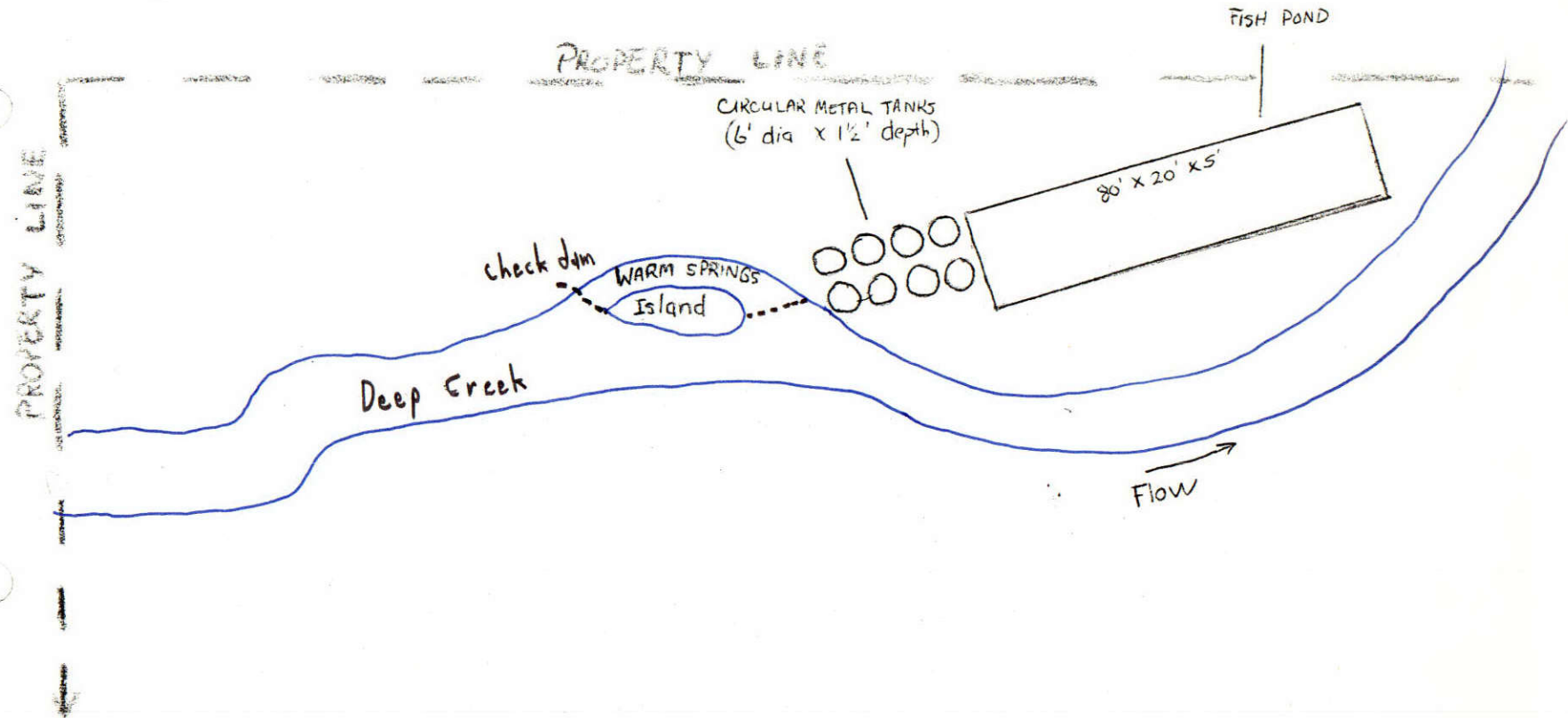
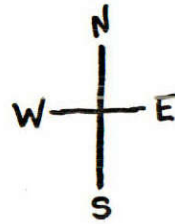


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Steven R. Davis
(Applicant)

SE 1/4 of SE 1/4, SECT. 9, TOWNSHIP 9 S, RANGE 14 E. B.M.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 47-7495

1. Owner: Steven R. Davis

Phone No. 543-8053

Current Address: 936 Katherine St., Buhl, ID 83316

2. Accompanied by: Mr. Davis

EXAM. DATE: 6-26-90 & 6-29-90

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Springs tributary to Deep Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

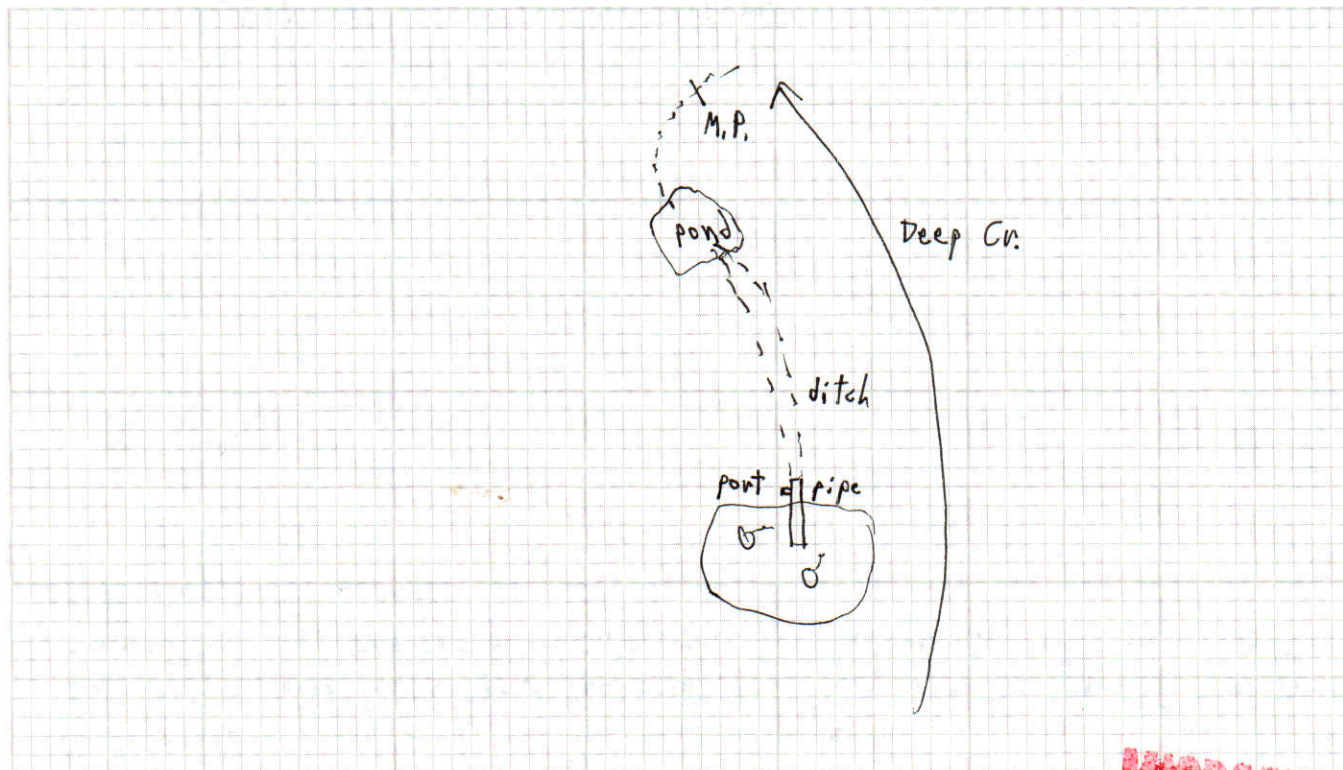
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

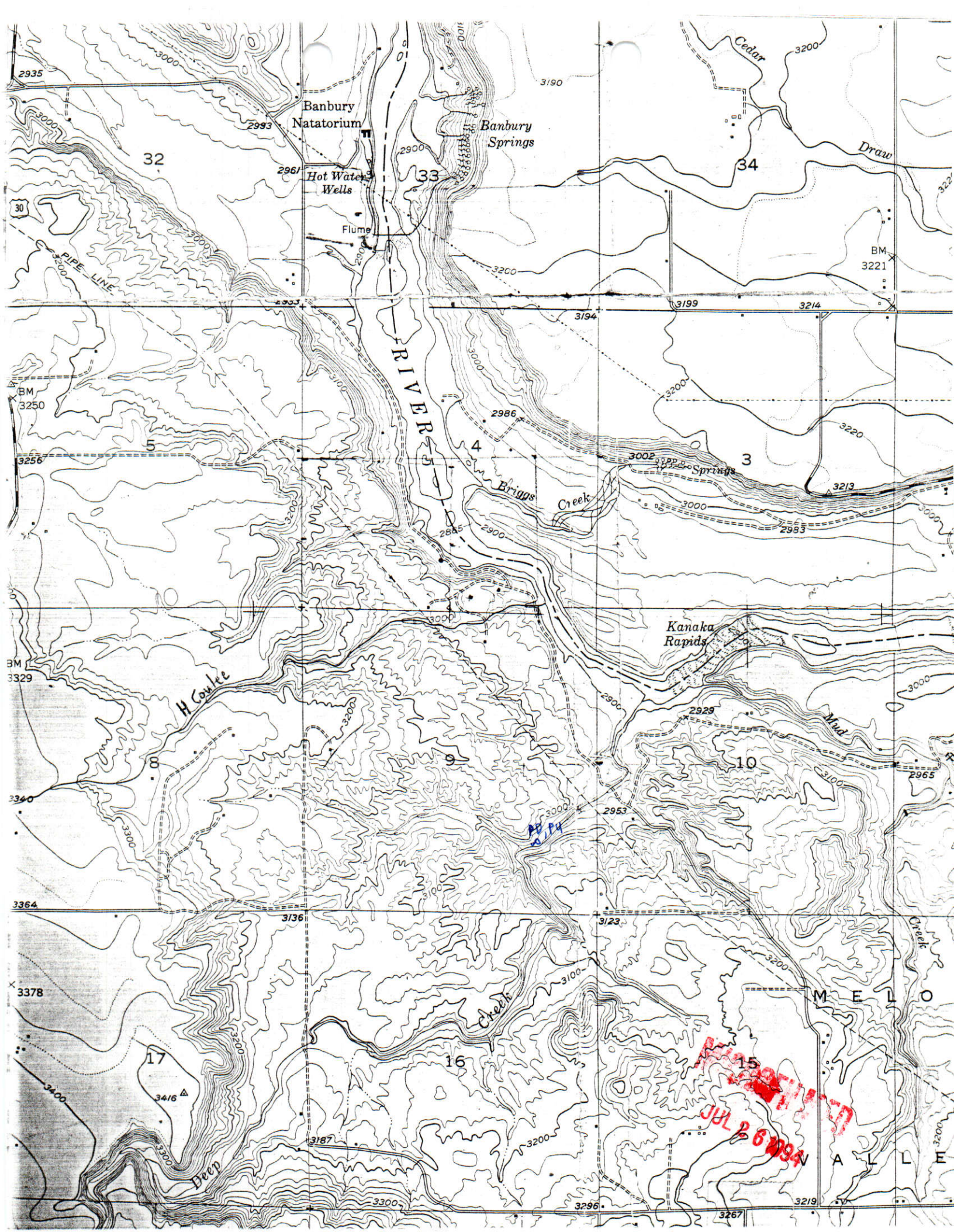
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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

RECEIVED

JUL 26 1994





PD PU

16115

RECEIVED
JUL 26 1994

47-7495



↑
Overall Site View



↑
Catch Basin

Outlet of Catch
Basin,
Access port on pipe



MILBURN
JUL 26 1994

47-7495



Ditch to Fish Pond



Fish Pond



Measuring Device

RECEIVED
JUL 26 1954

NOTICE OF APPLICATION
FOR WATER RIGHT

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

47-7494

Name: F.W. HARDER CO.
Address: 565 MONTE VISTA DRIVE, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 10/19/1978

County: TWIN FALLS

Amount: 0.45 CFS

Point of Diversion: LOT 02 S19 T12S R17E

Use: IRRIGATION from 03/15 to 11/15

Place of Use: NENW LOT 01 (NWNW) LOT 02

(SWNW) SENW, NESW LOT 03 (NWSW)

S19 T12S R17E LOT 04 (SWSW) SESW S19

T12S R17E FOR 218 ACRES

Means: WELL AND PUMP

47-7495

Name: DAVIS, STEVEN R.
Address: 936 KATHERINE ST., BUHL, ID 83316

Source: WARM SPRINGS tributary to DEEP CREEK

Date Filed: 10/20/1978

County: TWIN FALLS

Amount: 3.00 CFS

Point of Diversion: SESE S09 T09S R14E

Use: FISH PROP. from 01/01 to 12/31

Place of Use: SESE S09 T09S R14E

Means: DAM AND PIPE

If issued, the permit(s) will be subject to all prior 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 on or before

C. STEPHEN ALLRED NOVEMBER 20, 1978

Director

PUBLISH: Thursday, Nov. 2, and 9, 1978.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

No 7758

I, Tha L. Aughlin being first duly sworn up
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 Thursdays, commencing with the issue dated
November 2, 1978, and ending with the issue dated
November 9, 1978.

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.

Tha L. Aughlin
Subscribed and sworn to before me on this 20 day of

November, 1978.

Ray L. Marney

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

ok
marney
10/14/78
MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07495

Priority: October 20, 1978

Maximum Diversion Rate:

1.30 CFS

Maximum Diversion Volume:

941.1 AF

This is to certify, that STEVEN R DAVIS

RT 3 BOX 3730

BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 20, 1978; and has submitted Proof of Beneficial Use on June 1, 1990. An examination indicates that the works have a diversion capacity of 1.300 cfs of water from:

SPRINGS

tributary to DEEP CREEK

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>
FISH PROPAGATION	01/01 to 12/31	1.30 CFS	941.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSESE , Sec. 9, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

09S 14E 9

SESE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.
6. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
9. Facility volume is 257.3 cubic feet.

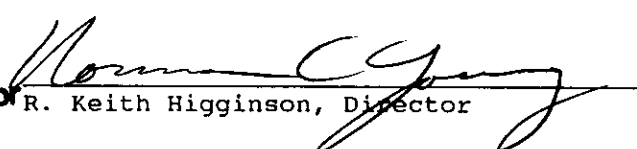
JUL 26 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07495

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 29TH
day of April, 1994.

Acting for  R. Keith Higginson, Director

JUL 26 1994

RECEIVED

JUN 1 - 1990

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JUN 5 1990

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 47-7495 Telephone No. (208)543-8053

Name(s) of Permit Holder(s): Steven R. Davis

Post Office Address: 936 Katherine Street, Buhl, Idaho 83316

Source of Water: Spring

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Aquaculture

Total rate and/or volume for which proof is submitted 1.5 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: May 29, 1990

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 125 (See License Examination Fee Schedule)

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

Steven R. Davis Name home → 543-8053 Telephone No. work → 837-4457

936 Katherine Street, Buhl, Idaho 83316 Address

RECEIVED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JUN 27 1990

May 30, 1990
Date

Steven R. Davis
Signature (and title if on behalf of a company or organization)

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 12 1990

REQUEST FOR EXTENSION OF TIMETo provide additional time in which to submit proof
of beneficial use for a water right permit

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-07495Name(s) of Permit Holder: Steven R. DavisPost Office Address: 936 Katherine Street, Buhl, Idaho 83316Telephone No. (208)543-8053Date Proof is Due: June 1, 1990Describe what work has been completed toward the development of this water right: (1) constructed and re-con-(This must be filled out! If no work has been completed, show "none".)

structed (after flood) rock check dam, (2) made a culturing pond and a trench (to be lined with plastic I already have) from the warm springs area to the aquaculture site; also dug a trench for the concrete diversion structure, drilled holes in the bedrock with rented equipment, bought and installed reinforcement bar, made concrete forms, bought gravel/sand mixture to be used in concrete, and will soon buy the cement needed, (3) installed about half of the pipe that will be used; bought the remaining half of the pipe and had an approved water flow measurement port installed on the pipe, (4) made and installed a weir for flow measurement, (5) transported, sanded, and painted 14 circular steel tanks, (6) have personally done much Costing \$ 2350 surveying and had the U.S. Soil Conservation Service survey and obtained their advice; paid professional engineer to establish property line for this project

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

During the spring and summer of 1989 I rebuilt the rock check dam that was severely damaged by flooding conditions in February of 1989 as was discussed in the last "Request For Extension Of Time". (CONTINUED ON THE ATTACHED SHEET)

Permit holder(s) request an extension to December 1, 19 90.
(1 yr. minimum)

Steven R. Davis
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be **DENIED**, since the department is not authorized to grant additional extensions of time for development of the proposed project.

Signed this 26TH day of March, 19 90.

Director

JUN 27 1990

CONTINUATION SHEET

I was planning to pour concrete for the diversion structure in October of 1989, since this is usually when Deep Creek's water level is greatly reduced due to the canal (irrigation) water being shut off by the Twin Falls Canal Company. However, the water level continued extremely high till December, 1989, due to water being diverted away from a canal company electrical generating facility. The winter months are too cold for producing good quality concrete, so I decided to wait until March, 1990, to pour the concrete. The water level of Deep Creek does not normally get high until about the first of April when the canal company turns the irrigation water into the canals. However, in talking to the manager of the canal company office in Buhl, I discovered that this year is going to be different from the past, since the canal company will again be diverting water away from their electrical generating facility; he told me to plan on this being the case for the entire month of March, 1990. This means that the water level of Deep Creek will be quite high through March and because of canal (irrigation) water being "turned in" about the first of April, it will continue to be too high to pour the concrete until the hot months of the summer or October. Therefore, I am very much in need of a 6 month extension of time.

MICROFILMED

JUN 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

APR 05 1989

To provide additional time in which to submit proof
of beneficial use for a water right permit

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-07495

Name(s) of Permit Holder: Steven R. Davis

Post Office Address: 936 Katherine Street, Buhl, Idaho 83316

Telephone No. (208) 543-8053

Date Proof is Due: June 1, 1989

Describe what work has been completed toward the development of this water right: (1) constructed rock check dam,
(This must be filled out! If no work has been completed, show "none".)

(2) made a culturing pond and a trench from the warm springs area to the aquaculture site; also completed approximately half of an earth coffer dam for diverting the warm spring, (3) hauled, sanded, and painted 14 circular steel culturing tanks, (4) bought and transported about half of the pipe that will be needed; will soon be buying the rest of the pipe needed, (5) have personally done much surveying and have had the U.S. Soil Conservation Service do some surveying and asked them for advice; also paid professional engineer to establish property line, which is immediately north of this project

Costing \$ 1300

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Due to rare flooding conditions on Deep Creek near the end of February of this year (1989), the rock check dam was severely damaged, much of the earth in the half-completed coffer dam was washed away, and a portion of the trench from the warm spring area to the aquaculture site was filled with sediment. The rock check dam must be rebuilt entirely by hand, which is an extremely time consuming project. Also, much of the rest of the restoration work will be done by hand. (If the flood had not occurred, this aquaculture facility would have been finished in time.)

Permit holder(s) request an extension to June 1, 19 90.

(1 yr. minimum)

(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1990.

MICROFILMED

Signed this 17th day of April, 19 89.
JUN 13 1989

A. Shw Saylor
Chief, Water Allocations Bureau

MAY 16 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received <u>15.00</u> <i>ccu</i>
Date <u>5-16-84</u>
Receipt # <u>34617</u>

Department of Water Resources

REQUEST FOR EXTENSION OF TIME**To provide additional time in which to submit
proof of beneficial use on a water right permit**Steven R. Davis

(Name)

of 936 Katherine St. Buhl

(Address)

State of Idaho, deposes and says:That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 47-7495.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

June 1, 19 84.That he has heretofore performed the following work described under said permit: 1. transported and placed

(This must be filled out! If no work has been completed put none.)

by hand much rock in construction of check dam, which is well under way. 2. cleared vegetation from an area near construction site to make it much easier to get to and work in area. 3. had aquaculture area surveyed for horizontal distance and vertical fall. 4. bought and hauled 163 feet of 8 inch diameter pipe to be used in the project.5. have placed all construction materials necessary at site to soon build a temporary foot bridge to make it much easier to build diversion dam Costings 170.60

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

1. prevented from starting on project till the spring of 1983, because another person had a permit on almost all of this water, which expired March 1, 1983
2. had to wait for a stream alteration permit from the Dept. of the Army till Oct. 7, 1983, even though I filed for it April 25, 1983.
3. unable to complete project in my 6 month extension period because of cold weather and the tremendous amount of time the project requires; have spent all my available time working at it, which is many many hrs. - about 95 hrs. since March 1, 1984; this does not include the many hrs. spent on it before this time

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to Dec. 1, 19 88.

(1 yr. minimum, 5 yrs. maximum)

NOTE

AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Steven R. Davis

(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit the statement of beneficial use is extended to June 1, 1989.

Signed this 23rd day of May, 19 84.L. Glen Saxton

Chief, Operations Bureau

MICROFILMED

*Commenced work
see previous
Sept 1984*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

For Office Use Only
Fee Received 15.00
Date 11-25-83
Receipt # 33605

RECEIVED
NOV 25 1983

Department of Water Resources

Steven R. Davis

(Name)

of

936 Katherine Street, Buhl

(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 47-7495.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

December 1, 19 83.

That he has heretofore performed the following work described under said permit: The construction of
(This must be filled out! If no work has been completed put none.)

a "dumped rock riprap" stream alteration dam (the check dam on the drawing) has been
started and is well underway.

Costing \$ about \$15.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

I was planning to start the construction of the check dam the 1st part of May, 1983,

but in April, 1983, discovered that a Dept. of the Army permit and IDWR permit were

needed for doing so, since it would be a stream alteration. I applied for this permit

April 25, 1983, but did not receive the last of these two permits (the Dept. of the Army
permit) until Oct. 7, 1983. This did not give me sufficient time.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to December 1, 19 88.

(1 yr. minimum, 5 yrs. maximum)

NOTE

AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Steven R. Davis

(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within

which to submit the statement of beneficial use is extended to June 1, 1984.

Signed this

20th

day of

December

, 19 83.

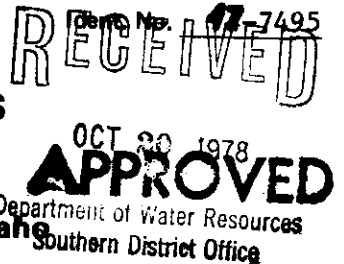
L. Glen Saxton

L. GLEN SAXTON, Chief, Operations Bureau

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho



1. Name of applicant Steven R. Davis Phone 543-8053

Post office address 936 Katherine St., Buhl, Idaho 83316

2. Source of water supply Warm Springs which is a tributary of Deep Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 9S

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

4. Water will be used for the following purposes:

Amount 3.0cfs for fish prop. purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 3.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Dam in one branch of stream channel,
pipe to place of use

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 _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

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

(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 9S

Range 14E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head

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

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: propagation of warm-water fish for
commercial purposes

MICROFILMED

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

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion Seth E. Davis

b. Who owns the land to be irrigated or place of use Seth E. Davis (father of applicant)

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing verbal agreement

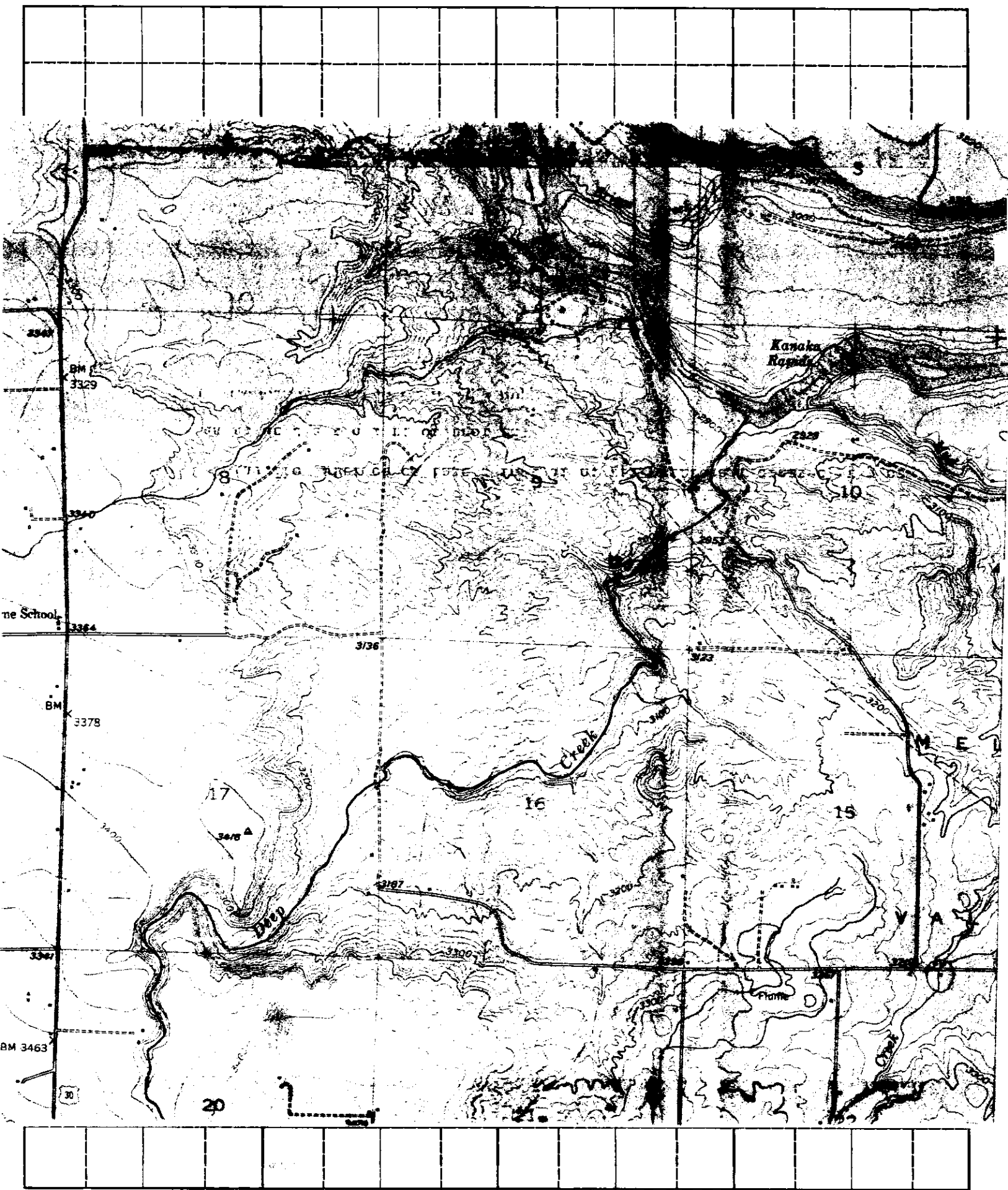
10. Remarks Springs arise in the bottom of Deep Creek where it splits at a small island.

Springs arise on one side of the island. This part of Deep Creek will be blocked off so that main stream will flow on the other side of the island.

Spring flow will be collected in a pipe; flow will be increased if possible,
as about 2 cfs now flows from the springs.

Estimated cost of project is \$725.

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.

Steven R. Davis
(Applicant)

Proposed Priority 10-20-78

Received by JP Date 10-20-78 Time 3:55 pm
Preliminary check by L.S. Fee \$ 55.00
Received by maria Date 10/20/78 # 12603
Publication prepared by maria Date 10/25/78
Published in times news
Publication dates 11/2 & 11/9/78
Publication approved maria Date 11/14/78
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADM 12-7-78 S.S.

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. 47-7495, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

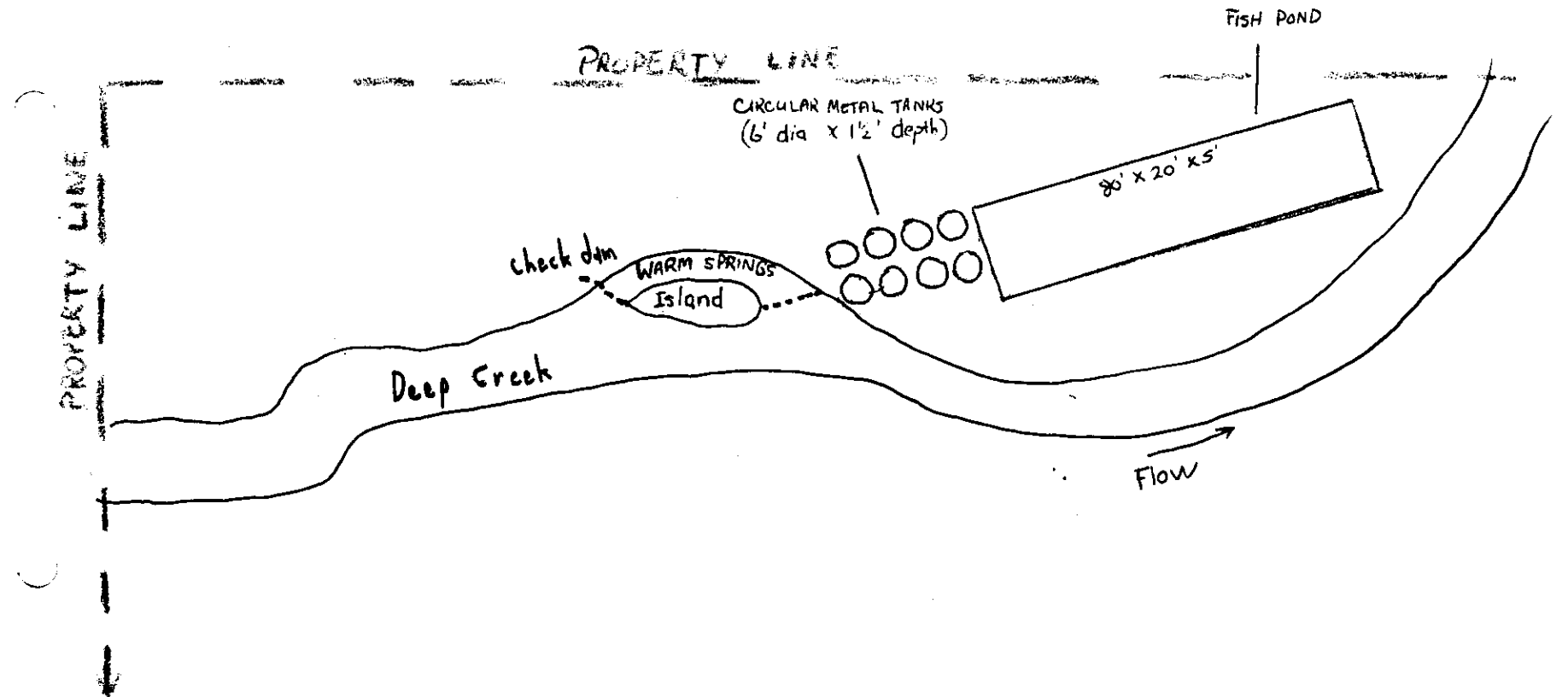
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another.
(2) Measuring devices of a type approved by this Department shall be permanently installed and maintained by the point of diversion and the point of effluent discharge.

Witness my hand this 11th day of December, 19 78.

J. Glen Saxton

Chief, Operations Bureau

SE 1/4 of SE 1/4, SECT. 9, TOWNSHIP 9 S, RANGE 14 E. D.M.



TWIN FALLS COUNTY ASSESSMENT NOTICE — 1978

Property situated in Twin Falls County, Idaho

NAME AND ADDRESS OF OWNER AND PROPERTY DESCRIPTION

Seth E. Davis et ux
812 N. Broadway
Buhl, Idaho 83316

Sec 9 T. 9S R. 14E
SE $\frac{1}{2}$ SE $\frac{1}{2}$

THIS IS NOT A NOTICE OF TAXES DUE.

EXAMINE THIS ASSESSMENT

In Case of Error — Notify the Assessor's Office BEFORE the 4th Monday in June.

Absolutely no adjustments after this day.

Please examine this statement — your tax dollar is determined by your assessed value and levy. IF ANY ERROR IS DETECTED — CONTACT ASSESSOR'S OFFICE. Do not wait until you receive your tax notice in November!

Your assessor can correct errors IF REPORTED AT ONCE. Please advise assessor NOW of any questions you have. Provisions for the corrections are shown on the reverse side.

Property is listed by category number. Please check your Assessment against number description listed on the reverse side.

MEMO

REAL AND PERSONAL PROPERTY ASSESSMENT					
CATE- GORY	EST. MARKET VALUE	ASSESSED AT %	ASSESSED VALUE	ACRES	CODE
5 TOTAL	840 840*	18	151 151*	40.00 40.00* <i>acres</i>	11

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS

Absent _____

Refused to List _____

Statement Mailed _____

I, _____, do solemnly swear (or affirm) that (to the best of my knowledge and belief) the information contained herein is a full, true and correct statement of all property of the owner herein named, subject to assessment by the Assessor of said County at 12:01 o'clock A.M., on January 1, in the year in which taxes are levied; that no property of said owner has been wilfully concealed, removed, transferred, misrepresented or omitted from the above statement for the purpose of evading taxation; that all real property above described is owned by the person named as owner in said statement, and any taxes levied against the above described personal property are just and valid lien against such real property.

Taxpayer's Signature _____

Subscribed and sworn to before me this _____ day of _____, 1978.

(Bill) Clark, Assessor

Assessor, Twin Falls County

Deputy _____

Description of State Lands or Location of Improvement	57 EQUITIES IN STATE LAND					Improvements
	Acres	Actual Value	Purchase Price	Amount Paid Thereon	Assessable Value	Value

PERSONAL PROPERTY

Mobile Home

Make	
Model	
Year	
Width	
Decal No.	

IMPORTANT INFORMATION ON REVERSE SIDE!

NOT REFINED

120 E. 300 South
Burley, ID 83318
June 24, 1998

RECEIVED

JUL 01 1998

Department of Water Resources

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Dear Sirs/Madams:

For the following water rights and ~~SRBA~~ claims, please change
the mailing address to that shown in the upper left corner
of this letter:

A 47-04215

47-04215-Decreed

✓47-08354

✓47-07495

✓47-08066

RECEIVED

JUN 29 1998

Department of Water Resources
Southern Region

WR 2 database
updated - 7.1.98
Ret

Thank you.

Sincerely,
Steven R. Davis
Steven R. Davis



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

May 2, 1994

STEVEN R DAVIS
RT 3 BOX 3730
BURLEY ID 83318

RE: WATER RIGHT NO. 47-07495

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JUL 26 1994

RECEIVED

APR 6 1992

Department of Water Resources

Route 3, Box 3730
Burley, Idaho 83318
April 3, 1992

Dear Sirs and/or Madams:

I am writing to let you know that my address has changed to that shown above. (I have water right permits 47-7495[✓], 47-08066[✓], and 47-08094.) Thank you.

Sincerely,

Steven R. Davis
Steven R. Davis

RECEIVED

JUL 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 47-7495

1. Owner: Steven R. Davis

Phone No. 543-8053

Current Address: 936 Katherine St., Buhl, ID 83316

2. Accompanied by: Mr. Davis

EXAM. DATE: 6-26-90 & 6-29-90

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Springs tributary to Deep Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

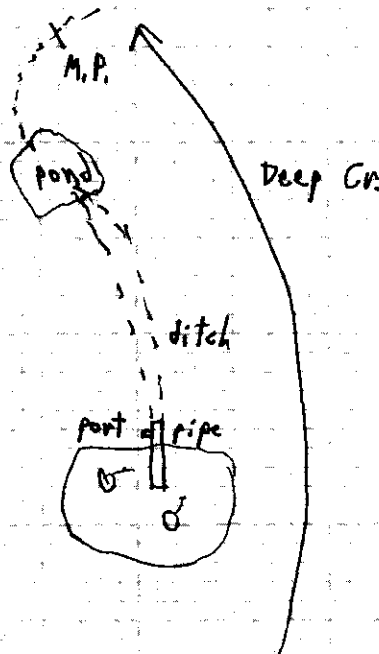
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

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

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

JUL 26 1994

System Description (continued)

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

Concrete/dirt/clay wall around area where warm springs arise. 12" pipeline from catch basin into plastic-lined ditch. Water drops from end of pipe ditch to small pond where tropical fish are raised.
Pond is 12 1/2' wide x 19' long x 13" average depth.
Extension on pipe feeding pond increases drop into pond by about 4" (for more oxygenation) but reduces flow into pond. System operates with or without extension depending on fish needs.

☐ 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

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	SE	9	9S	14E	Twin Falls	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	9																H	

RECEIVED

JUL 26 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

outlet
Inlet

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
3' rectangular Weir						
Annubar, Manometer					12"	

2. Measurements:

Measured 0.20' head average across weir = 0.887 cfs. with pipe extension.
 Measured 0.23' head " " " = 1.09 cfs without pipe extension.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)
 Water HP: (3) x (4) ÷ 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 Ampsx .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

Pond volume - $12\frac{1}{2}' \times 11' \times 13'' \text{ depth} = 257.3 \text{ cu. ft.}$

RECEIVED
JUL 26 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Water is 90° with zero ~~oxygen~~ oxygen. Drop adds oxygen to support Tropical Fish of various species. Fish are mainly raised in cages in pond.

There appears to be very little loss in this system. Water is in a pipeline or plastic-lined ditch from the source to the P/U. Fish pond is also plastic lined. Exit ditch has a hard clay bottom. Reason for measured loss is unknown.

System has inlet access port & outlet measuring device. Recommend inlet reading be used for ~~flow~~ licensing purposes.

Property was surveyed prior to development to verify legal description.

Water returned to Deep Cr SESE S9 T9S R14E (Jf 12/91)

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Pond Annual Volume V (af-ft) V (af-ft) ³
	From	To		
Fish Propagation	1-1	12-31	1.30	257,354 ³
Totals:			1.30	

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

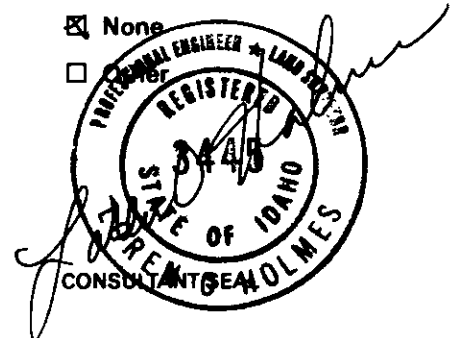
J. AUTHENTICATION

Field Examiner's Name J. E. Stanton

Signature J. E. Stanton

Certification Date 4/10/91

Field Report Preparation Date 7-2-90



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

RECORDED

JUL 26 1991

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

Measured by: J.E. Stanton Date 6-29-90
Owner: Steve Davis Permit No. 47-7495

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

Measured with pipe extension of 12"
Outlet weir measured 1.09 cfs

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots$ 11 7/8"

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 12"

State ID No. _____

Select C based on size from Table below.

<u>Nominal Pipe Size</u>	<u>C</u>
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 = 8.4

Low Reading = 7.3

High - Low = H = 1.1

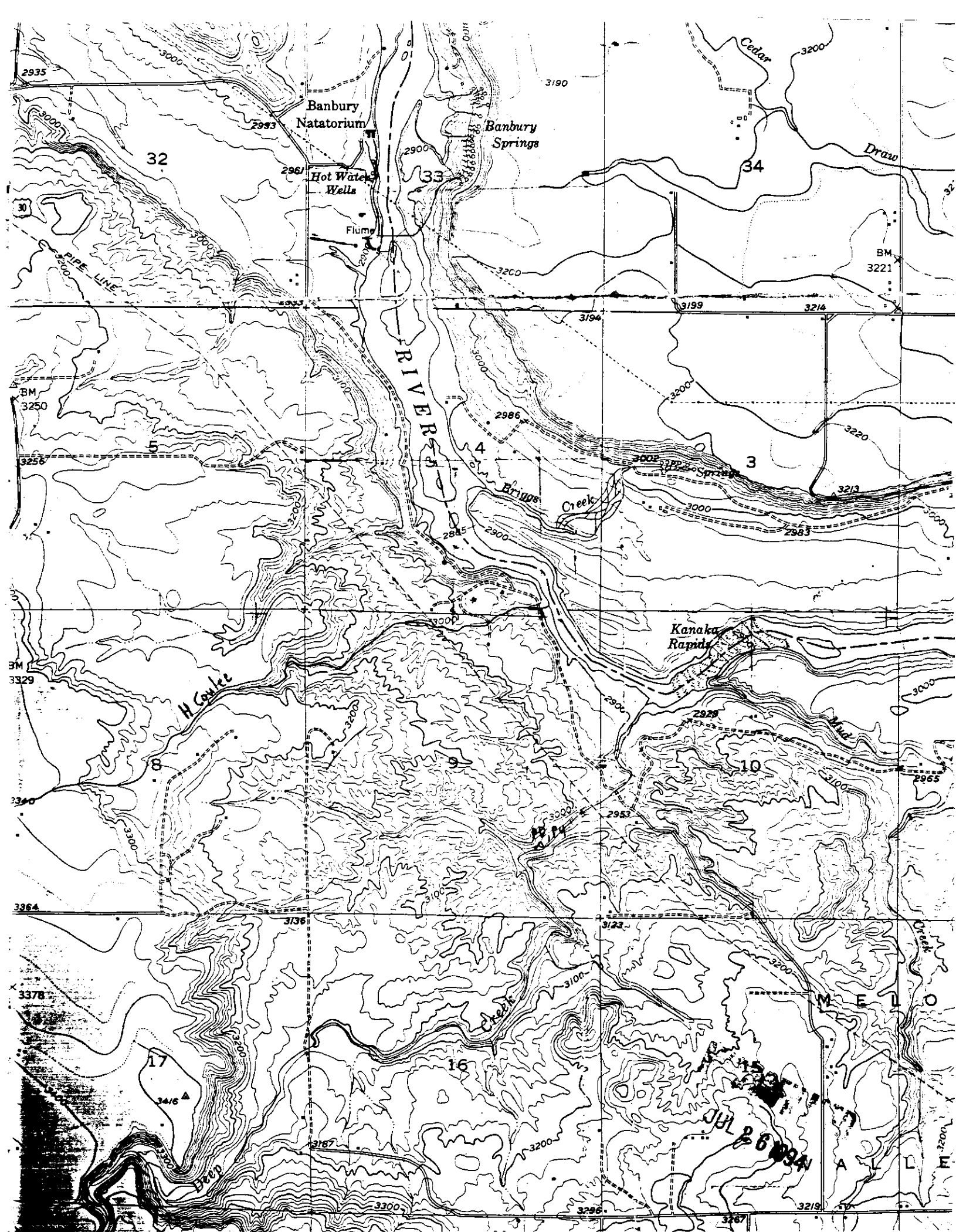
CALCULATION OF DISCHARGE IN CFS (Q)

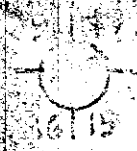
$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.8752)^2 \cdot (\sqrt{1.1}) \cdot (3.99)}{448.8} = \frac{585 \cdot 602 \text{ gpm}}{448.8} = 1.30 \text{ CFS}$$

SKETCH (If not shown on Field Report)

JUL 26 1994

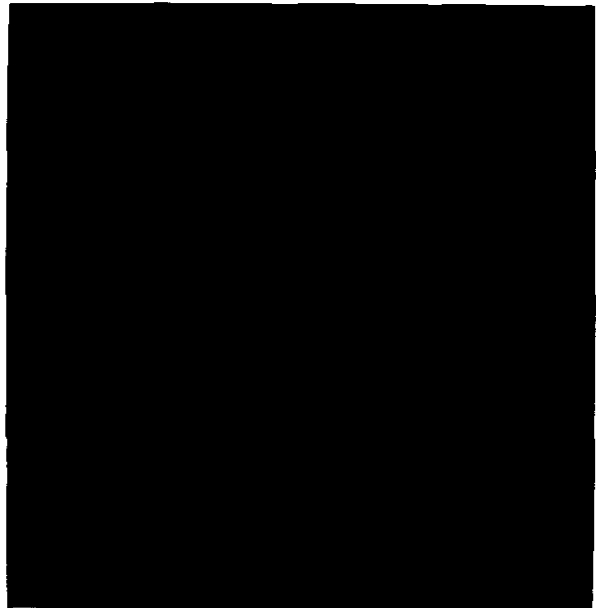
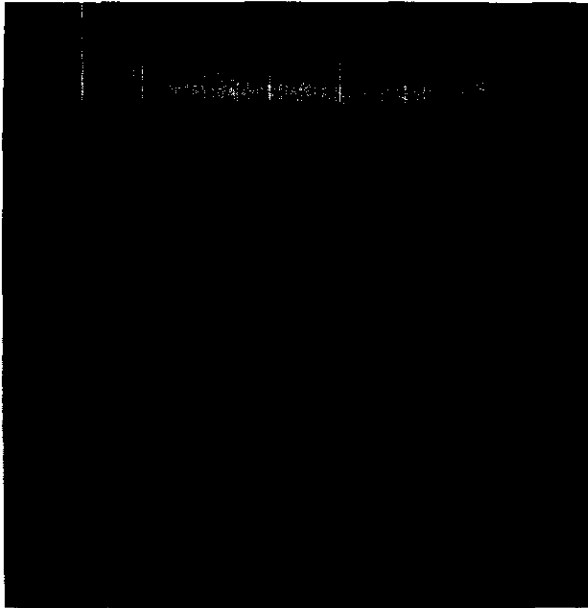




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JUL 26 1994

47-7495



↑
Overall Site View

↑
Catch Basin

Outlet of Catch
Basin,
Access port on pipe

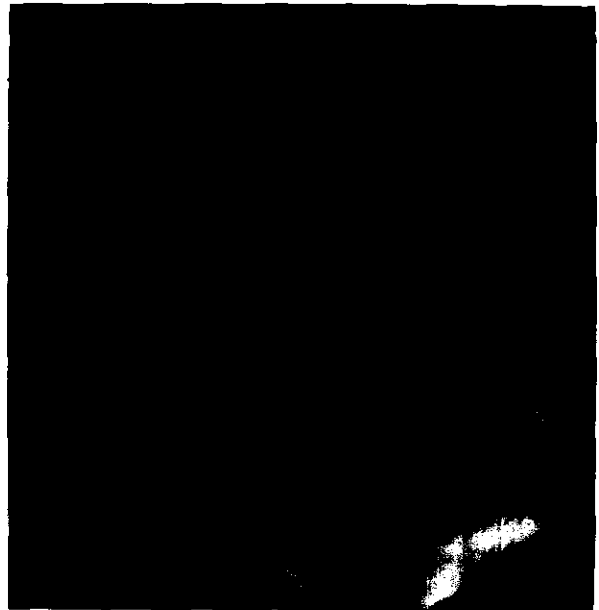


RECEIVED
JUL 26 1994

47-7495



Ditch to Fish Pond



Fish Pond

Measuring Device



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2001 BY 60322

March 28, 1990

Steven R. Davis
936 Katherine Street
Buhl, ID 83316

Re: Permit No. 47-7495

Dear Mr. Davis:

Enclosed is a copy of the request for extension of time which you submitted to the department in connection with the above referenced permit. Provisions of Sec. 42-204, Idaho Code, provide that the department can only grant one extension of time. Please note that the department has previously granted an extension of time in connection with this permit.

I would suggest that you file a new application within one year of the time you actually intend to develop a water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Please feel free to contact any of our regional offices if you wish assistance in completion of the new application.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Extension of Time

MICROFILMED

JUN 27 1990

June 26, 1990

STEVEN R. DAVIS
936 KATHERINE ST.
BUHL, ID 83316

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-07495

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 27 1990

May 2, 1989

Steven R. Davis
936 Katherine St.
Buhl, ID 83316

Dear Mr. Davis:

Re: Permit No. 47-7495

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1990.

Note that the department has granted several extensions. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant future requests.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JUN 13 1989

STEVEN R. DAVIS
936 KATHERINE ST.
BUHL, ID 83316

March 31, 1989

138079

PROOF DUE NOTICE

RE: PERMIT NO. 47-07495

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECORDED

JUN 13 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED
JUN 13 1989

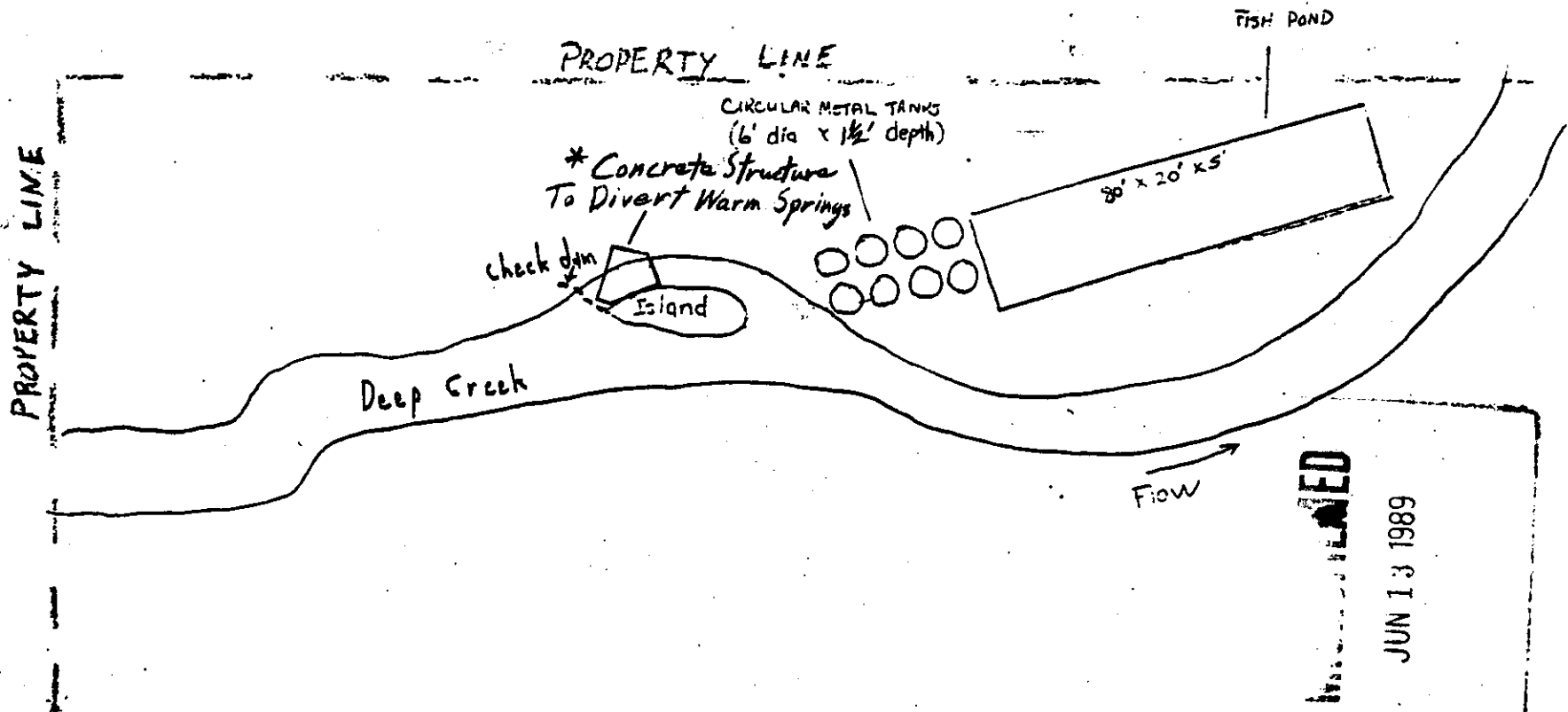
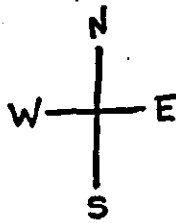
JUN 13 1989

SE 1/4 of SE 1/4, SECT. 9, TOWNSHIP 9 S, RANGE 14 E. B.M.

RECEIVED

JUN 30 1987

Department of Water Resources



* Buried PVC pipe will be used to carry the warm water from the concrete diversion structure to the aquaculture facility.

Steven D. Davis
936 Katherine Street
Buhl, Idaho 83316



MICROFILMED
JUN 7 1989



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-1495
Name(s) of Permit Holder(s): Steven R. Davis
Post Office Address: 936 Katherine Street, Buhl,
Idaho 83316 Tel. No. 543-8053

☒ I hereby certify that construction of diversion works for the above referenced permit began on June 11, 1989 (date) and that I must 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*:

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

June 13, 1989
Date

Steven R. Davis
Signature of Permit Holder

May 24, 1984

Steven R. Davis
936 Katherine St.
Buhl, ID 83316

Dear Mr. Davis:

Re: Permit No. 47-7495

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to June 1, 1989..

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED



ate of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

May 16, 1984

Steven R. Davis
936 Katherine St.
Buhl, ID 83316

PERMIT NO. 47-7495

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 34617

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138577

DAVIS, STEVEN R.
936 KATHERINE ST.
BUHL, ID 83316

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7495 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RETA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

February 27, 1984

Steven R. Davis
936 Katherine St.
Buhl, ID 83316

Dear Mr. Davis:

I have reviewed your letter of January 24, 1984 relative to the extension of time the Department granted in December 1983 and the file. The file shows that the permit was approved in December 1978. The extension request shows that from April of 1983 to October of 1983, you were obtaining a Corp of Engineer's permit. The extension approved is to provide for the approximate six months delay in obtaining the Corp's permit since there is provision for such an extension under the provisions of Section 42-204, Idaho Code.

It is possible that prior to June 1, 1984, you can demonstrate due diligence in development of the project and can be granted an additional extension of time on that basis. If not, and the project is not complete enough to submit proof of beneficial use of water, a new application for permit will have to be submitted if you intend to pursue the project.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

cc: Southern Region

RECEIVED
FEB 28 1984

936 Katherine Street
Buhl, Idaho 83316
January 24, 1984

Dear Mr. Saxton:

I am writing in reference to water right permit #47-7495. This permit was due to expire December 1, 1983, but I wrote asking for a 5 year extension. The extension received was till June 1, 1984. This would not give me enough time to complete the project, since the project is being done by hand and warm--even hot--weather is needed because it requires being in the water for long periods in order to build the rock riprap dam.

I would like to ask for a longer extension time--till December 1, 1985. (My stream alteration permit expires December 31, 1984; the dam would be the first portion of the project.)

Sincerely,

Steven R. Davis

Steven R. Davis

RECEIVED
JAN 25 1984

Department of Water Resources

RECEIVED

January 13, 1984

Steven R. Davis
936 Katherine Street
Buhl, ID 83316

Dear Mr. Davis:

Re: Permit No. 47-7495

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to June 1, 1984.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

November 25, 1983

Steven R. or Tina A. Davis
936 Katherine
Buhl, ID 83316

PERMIT NO. 47-7495

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 33605

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138021

DAVIS, STEVEN R.
936 KATHERINE ST.
HUHL, ID 83316

PROOF DUE NOTICE

SEPTEMBER 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7495 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

December 11, 1978

Re: Permit No. 47-7495

Steven R. Davis
936 Katherine Street
Buhl, Idaho 83316

Dear Mr. Davis:

Your approved copy of Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right. If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature

2. S.W. Source

3. ✓ Point of Diversion

4. ✓ Amnt. & Period of Use

5. ✓ Descrip. of Diverting Wrks.

6. 5 Time req. for Proof of B/U

7. ✓ Place of Use for other than irrig.

8. N/A Place of Use for irrigation (add acres)

9. Other Property Owner at Pt. ✓ of Div. & Pl. of Use

10. ✓ Map

11. SS Fee & Rec't. No. ✓

Copies Sent To:

No Idaho Health Department

✓ Idaho Fish & Game Dept.

✓ Bureau of Land Management

No U.S.F.S.

✓ Dept. of Lands

✓ Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land See Pre Permit Exam

N/A Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. Yes

Snake River Condition No

Payette River Letter No

Priority Date 10-20-78

Water Quality #16 No

Water Quality #10 Yes
intrastate ✓ interstate no

Meas. Dev. or Sc. Meas. No

Totalizing meter No

Supplemental No

Right-of-Way Cond. Yes

Watermaster Cond. No
Wtr. Dist No. no

Meas. Dev. Cond. for apps within
a Water Dist. No

Add condition # 3

Jen Reviewer

12-18-78 Date

INTER-DEPARTMENT MEMO — 1

DATE 11-17-78

FROM Jim Stanton

TO File

SUBJECT Financial Statement Submitted In Connection With Application For Permit 47-7495

I have on this date examined the financial statement of Steven R. Davis submitted in connection with the above application, by which Mr. Davis proposes to divert spring water for fish propagation. The applicant appears to have sufficient funds to complete the project.

A handwritten signature, possibly "JS", is written over a horizontal line.

SIGNATURE

PRE-PERMIT SURFACE-WATER EXAMINATION DATA SHEET

Date 11-15-78 Examiner Jim Stanton Application No. 47-7495

Applicant(s) Interviewed Steve Davis

Upstream Users Interviewed None

&/or Upstream Diversions Inspected _____

Downstream Users Interviewed Not available

&/or Downstream Diversions Inspected Yes - head works & ditch

Legal Description Verified By Map (or give proper description) Yes

Water Flow: Visual Estimate 3 cfs Channel Width 3' Average Depth 1'

Water Velocity 1 fps Channel Slope _____

Do Additional Inflows Enter Downstream From This Diversion? Yes - Deep Creek

Does This Water Enter Canal-Company Waterways? No Canal Co. Approval? N/A

Source Of Waste Water: Legal Description _____

Proportion Of Water Flow Arising On Applicant's Land _____

Does There Appear To Be Sufficient Water To Fulfill This Application Without Harming

Downstream Users? Yes _____ No XX

Do Other Aspects Of The Application Appear To Be As Stated? Yes XX No _____

Notes Diverting works apparently built under Permit 47-7182 include a rock wall to exclude

Deep Creek flow from the warm spring flow, and a ditch leading to land downstream.

However, the ditch was heavily grown up with vegetation, and was too high to collect

water from the springs. I did not see any evidence that the ditch had been used

recently. Mr. Davis knows that the existing permit will have priority over his

application, but feels that 47-7182 will not be

developed. He wants the next priority in the

event this water does become available for appropriation.

Signed JS

RECEIVED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

47-7484

Name: F.W. HARDER CO.
Address: 565 MONTE VISTA DRIVE, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 10/19/1978

County: TWIN FALLS

Amount: 0.45 CFS

Point of Diversion: LOT 02 S10 T12S R17E

Use: IRRIGATION from 03/15 to 11/15

Place of Use: NENW LOT 01 (NWNW) LOT 02

(SWNW) SENW, NESW LOT 03 (NWSW)

S10 T12S R17E LOT 04 (SWSW) SESW S10

T12S R17E FOR 218 ACRES

Means: WELL AND PUMP

47-7485

Name: DAVIS, STEVEN R.
Address: 936 KATHERINE ST., BUHL, ID 83316

Source: WARM SPRINGS tributary to DEEP CREEK

Date Filed: 10/20/1978

County: TWIN FALLS

Amount: 3.00 CFS

Point of Diversion: SESE 600 T08S R14E

Use: FISH PROP. from 01/01 to 12/31

Place of Use: SESE 600 T08S R14E

Means: DAM AND PIPE

If issued, the permit(s) will be subject to all prior 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 on or before

C. STEPHEN ALLRED NOVEMBER 20, 1978

Director

PUBLISH: Thursday, Nov. 2, and 9, 1978.

ok
ma
10/4/78

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

ss.

No 7758

I, F. W. Harder being first duly sworn up
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 Thursdays, commencing with the issue dated
November 2, 19 78, and ending with the issue dated
November 9, 19 78.

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.

F. W. Harder
Subscribed and sworn to before me on this 10th day of
November, 19 78.

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-2495

Name: DAVIS, STEVEN R.

Address: 936 KATHERINE ST., BUHL, ID 83316

Source: WARM SPRINGS tributary to DEEP CREEK

Date Filed: 10/20/1978

County: TWIN FALLS

Amount: 3.00 CFS

Point of Diversion: SESE S09 T09S R14E

Use: FISH PROP. from 01/01 to 12/31

Place of Use: SESE S09 T09S R14E

Means: DAM AND PIPE

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 on or before

C. STEPHEN ALLRED NOVEMBER 20, 1978.

Director

Published in the Times News
on November 2, 1978 and November 9, 1978.

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

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

OCTOBER 25, 1978

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. 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. IN ORDER TO RECEIVE PAYMENT, THE FOLLOWING CERTIFICATION MUST APPEAR ON THE BILL:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before NOVEMBER 20, 1978.

Yours truly,

Mary A. Hill
Secretary

RECEIVED
NOV 27 1978
MONTICELLO