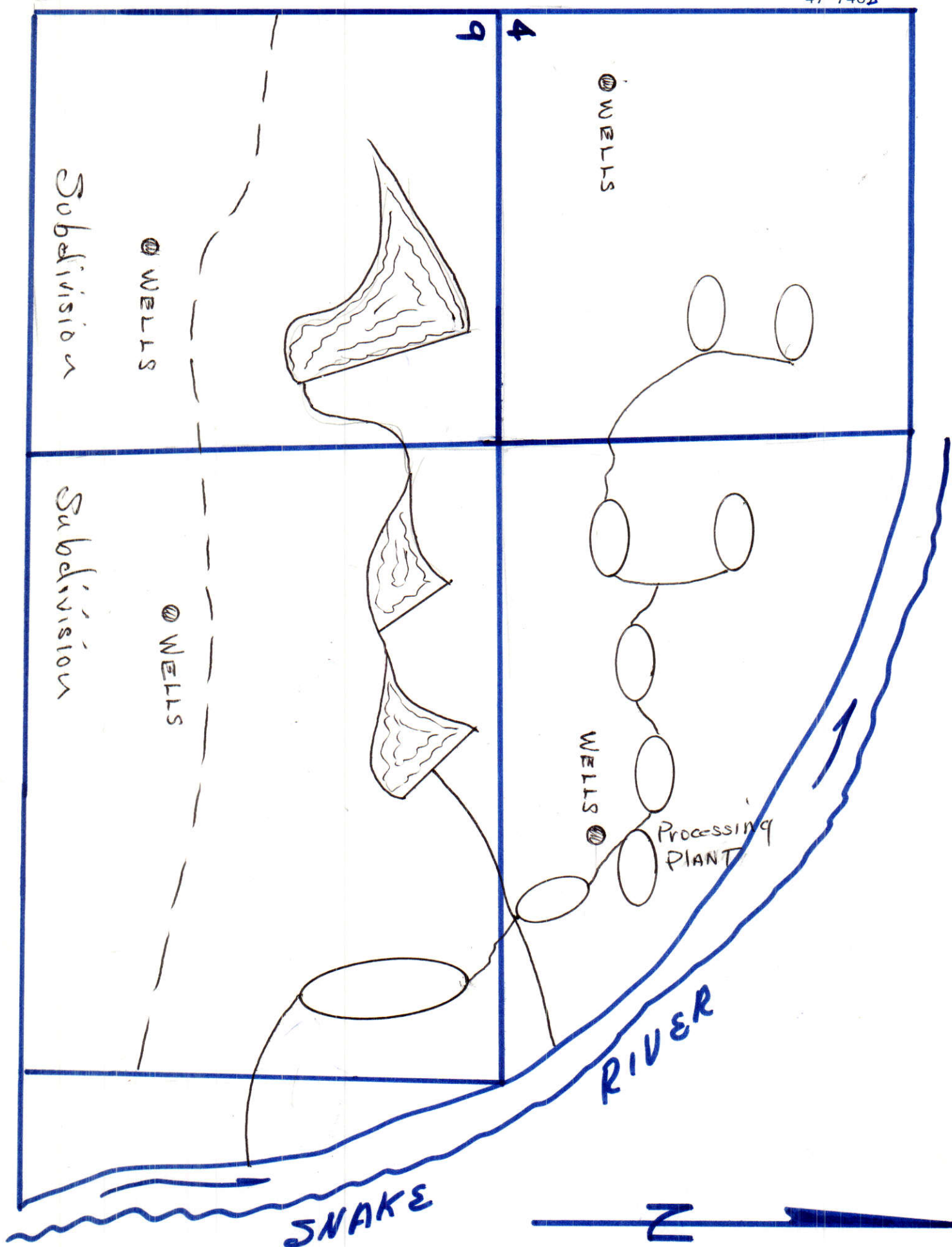




18 raceways with 4 sections each. Total of 72 sections
each section 10' X 24' X 4'

Courtesy of BOONE LANA TITLE COMPANY
Twin Falls, Idaho

WARRANTY DEED

For Value Received to Nellie Fairchild, of Buhl, County of Twin
Falls, State of Idahothe grantor, does hereby grant, bargain, sell and convey unto Clinic Pharmacy,
INC., a corporation.

the grantee, the following described premises, in Twin Falls County, Idaho, to-wit:

Lot One (30) and the Northwest Quarter of the
Northeast Quarter (NW 1/4 NE 1/4), Section 9, Township
23 North Range 14 E.B.M. Twin Falls County,
Idaho, as shown on the records of the Twin Falls
County Recorder, containing 67 1/2 acres more or
less.

REVENUE STAMPS

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.I HEREBY CERTIFY THE FOREGOING TO BE A
FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL RECORDED IN DEED BOOK 220

H. A. LANCASTER

EX-OFFICIO RECORDER

BY Helen Thorne

DEPUTY

And the said Grantor does hereby covenant to and
all incumbrances And the said Grantor do hereby covenant to and
in fee simple of said premises; that they are free from

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated July 7, 1927.

Nellie Fairchild

STATE OF IDAHO, COUNTY OF TWIN FALLS:

On this 7 day of July, 1927,
before me, a notary public in and for said State, per-
sonally appeared

Nellie Fairchild

Known to me to be the person whose name is
subscribed to the within instrument and acknowledged to
me that she executed the same.

Be it remembered

1927

Idaho

STATE OF IDAHO, COUNTY OF TWIN FALLS:

I hereby certify that this instrument was filed for record at
the request of BOONE LANA TITLE & TRUST COMPANYat minutes past 4 o'clock P.M.,
this 7 day of July, 1927
in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

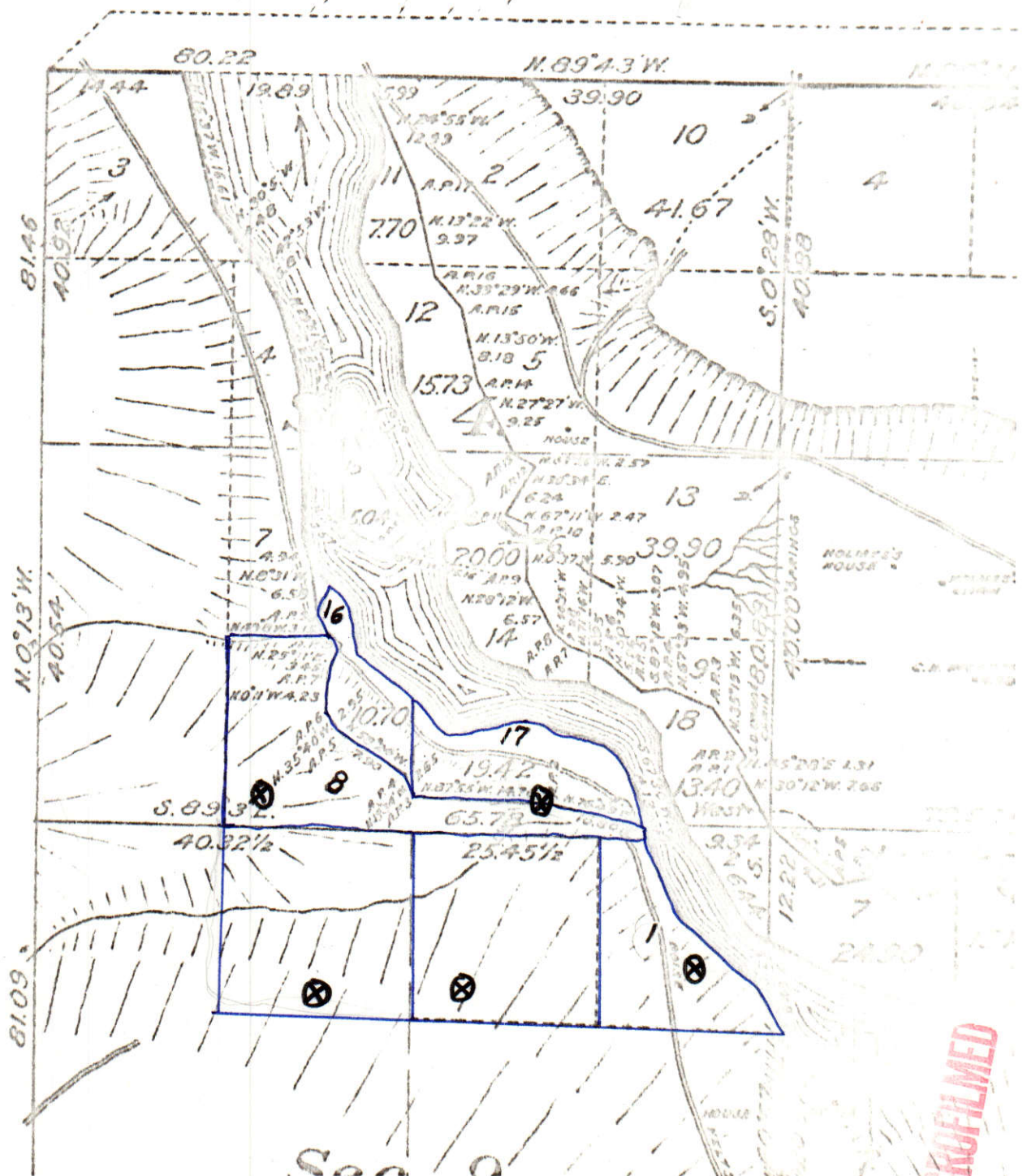
By Cheryl Martin

Deputy.

Filed for Record at National Bank Buhl, Ida
P. O. Box 44
83316

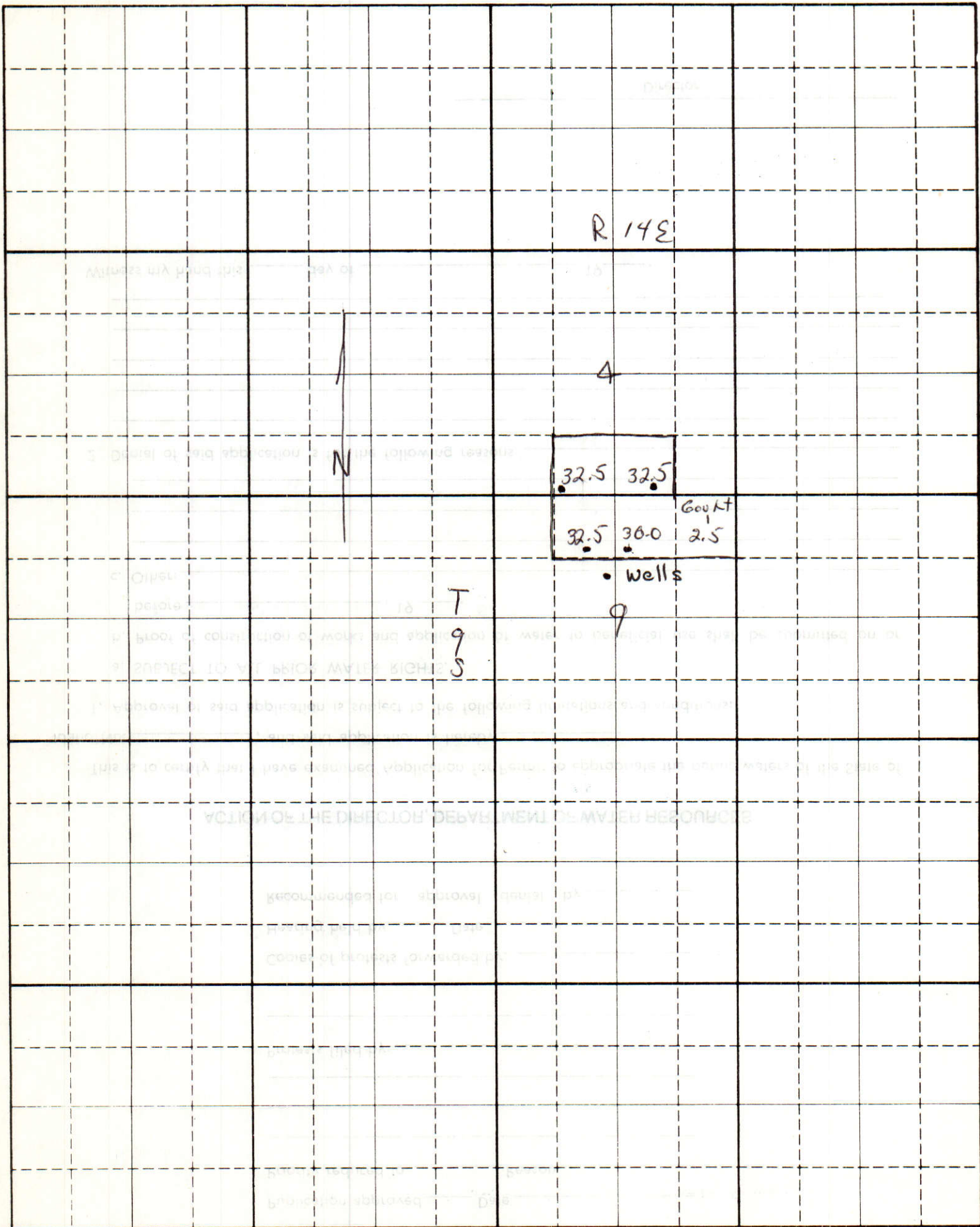
MICROFILMED

47-7488



Microfilm

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.

Leo E. Ray
(Applicant)

Affidavit of Publication

No 7634

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

I, Nola L. Hughlin being first duly sworn up
of the TIMES-NEWS,
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
September 14, 1978, and ending with the issue dated
September 21, 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.

Subscribed and sworn to before me on this September 14, 1978 day of

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Leo E. Ray, Buhl, Idaho, has on 5/25/78 submitted Application No. 47-7488 for a permit to appropriate 30.0 cubic feet per second of water from ground water by means of artesian wells (5), control valves, pipes and ditches within the Lot 8, 17, Sec. 4; Lot 1, NW 1/4 NE 1/4, Sec. 9, Twp 9 S, Rge. 14 E, Twin Falls County, to be used from Jan. 1-Dec. 31, for fish propagation, recreation, domestic & commercial heating — Mar. 15-Nov. 15, for irrigation purposes of 130 acres within the Lot 8, 16, 17, Sec. 4; Lot 1, NW 1/4 NE 1/4, Sec. 9, Twp. 9S, Rge 14E.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before Oct. 2, 1978.

C. STEPHEN ALLRED

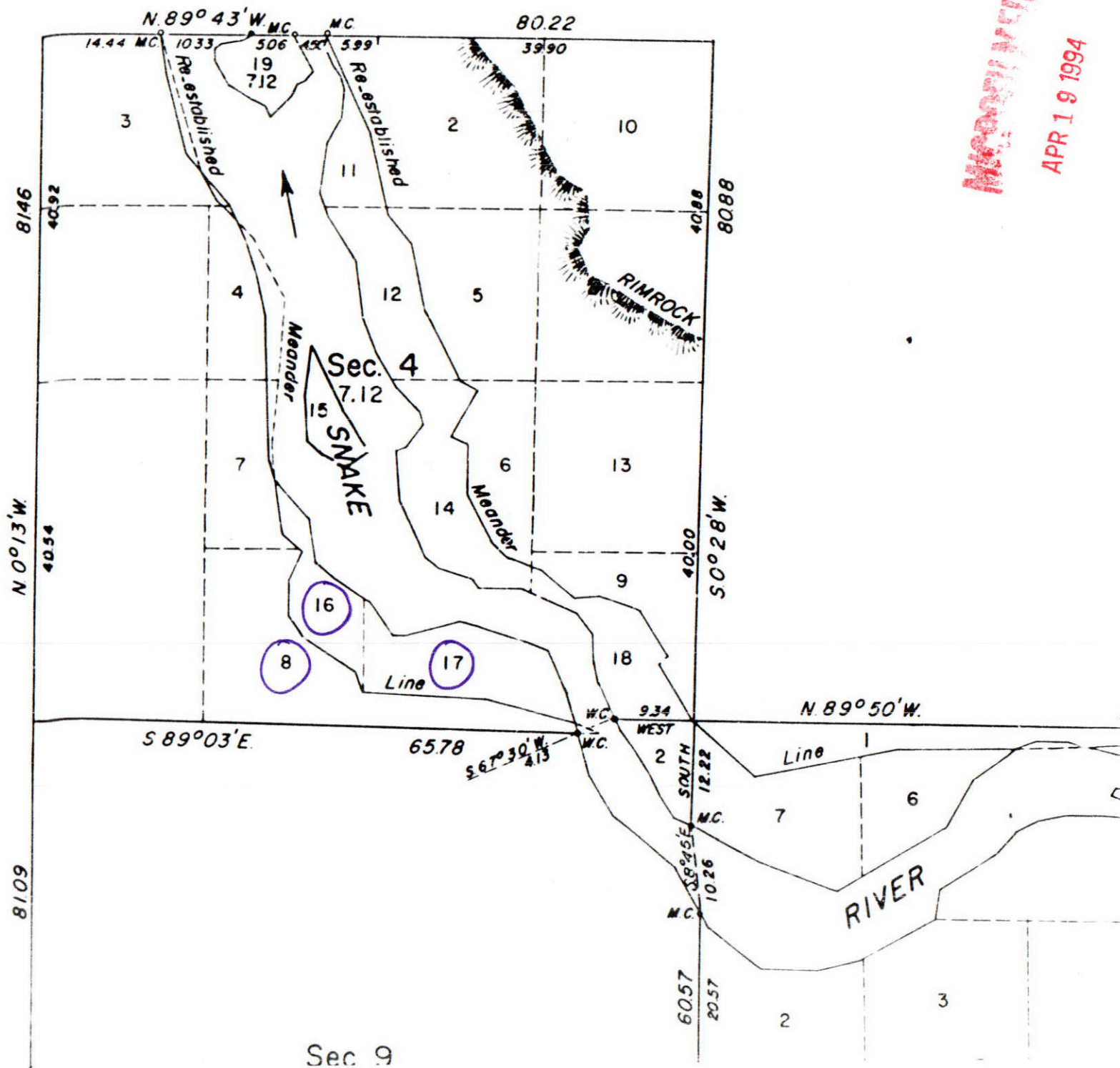
Director

PUBLISH Sept. 14 and 21, 1978.

RECEIVED

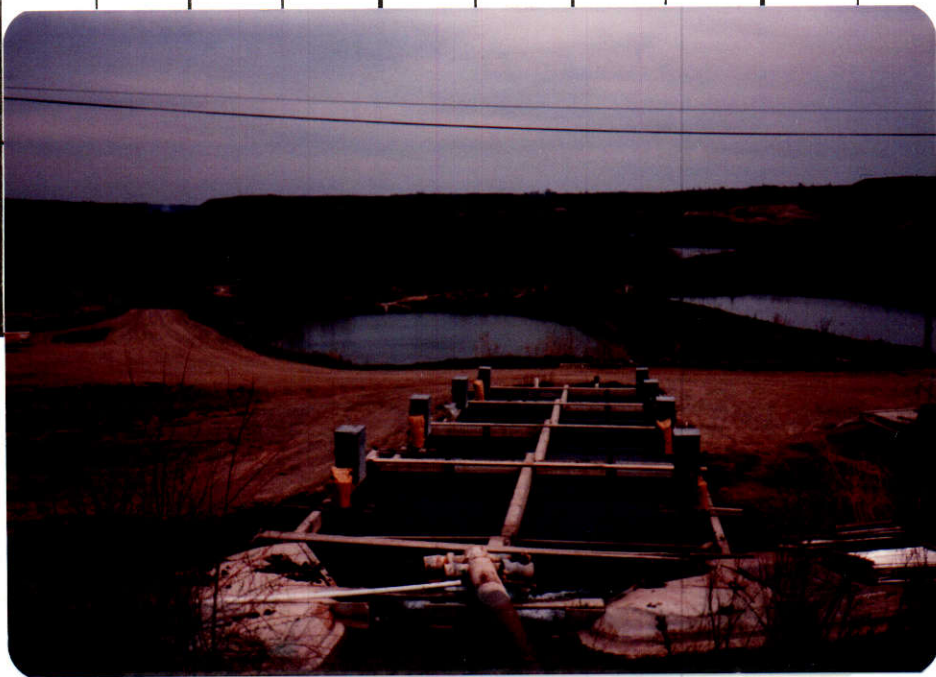
SEP 22 1978

MICROFILMED





A photograph of a landscape with a body of water, hills, and a cloudy sky, placed on a grid background. The photograph is positioned in the bottom left corner of the grid, showing a dark, silhouetted landscape with a body of water in the foreground and hills in the background under a cloudy sky.



Place(s) of Use

[illegible]☐ Other

Date

RECEIVED

APR 19 1994



Leo Roy
Permit #
47-7488

795 R14E
Sec. 4, 29

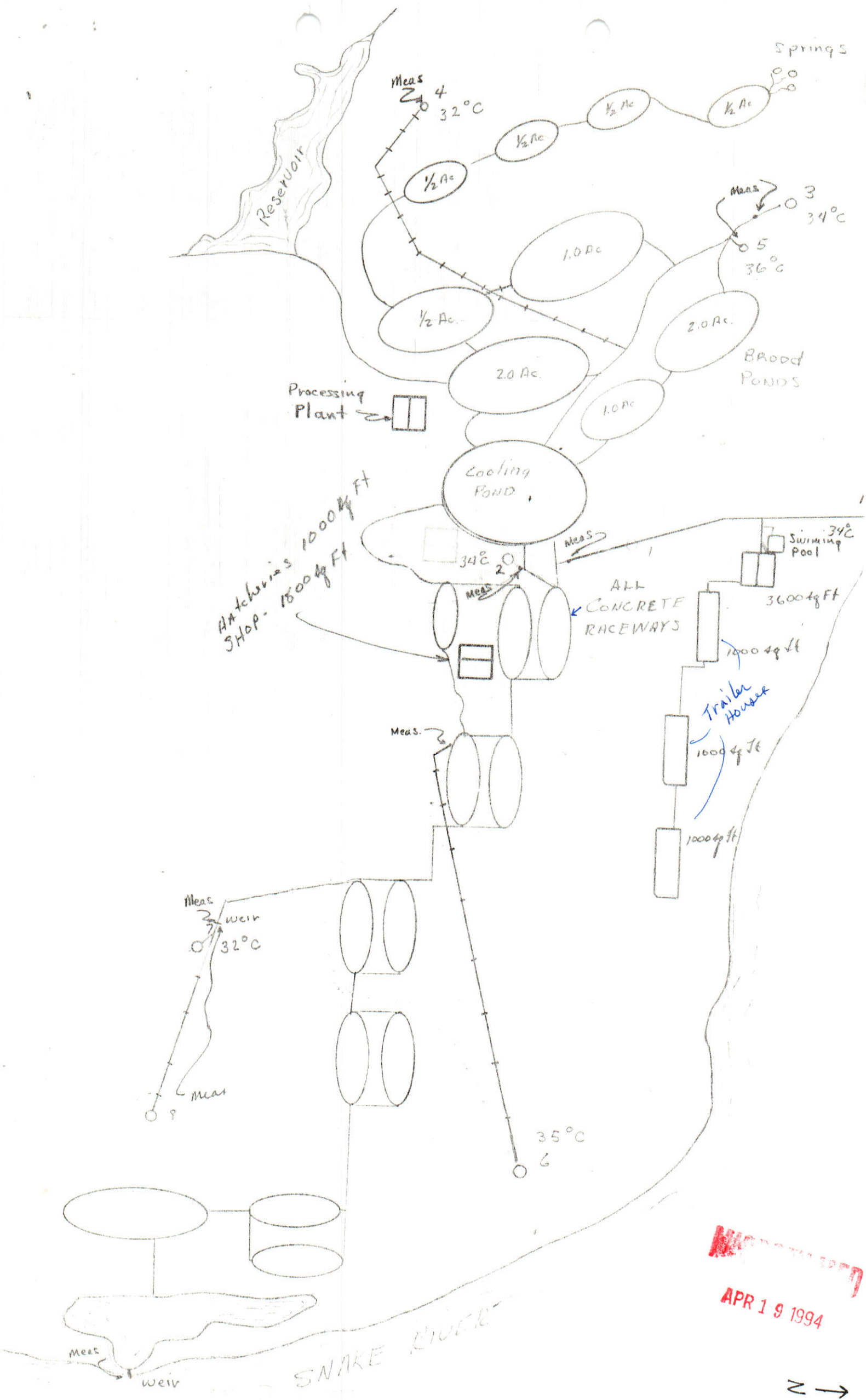
Well locations

APR 19 1994

RECEIVED

APR 19 1994

T9S R14E



Well # 1

Form 219-Supp.
6/83

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

Measured by: GARY FUNDERBURG

Date FEB. 2, 1984
Aug. 30, 1983

Owner: Leo Ray

Permit No. 47-7198

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

ARTISIAN Well, w/ Control Valve & PRESSURE
GAGE. TEMPERATURE 43°C 58 P.S.I.

Measured inside diameter of pipe in inches

(A) 8.0

Size of Annubar used in test 7.98

State ID No. _____

Model No. of Annubar Meter Used 091411

(Model No. = 75 for 6" and larger)

(Model No. = 73 for 4")

Size Eagle Eye Meter Used 091465

State ID No. _____

Date of Last Calibration of Meter 4/25/1983

Observed inches of H₂O read on Meter

(B) 50"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) .936 3.87

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) .936

CALCULATION: $\frac{K (A^2) (\sqrt{B}) C}{448.8} =$

= 3.62 cfs measured

SKETCH (If not shown on Field Report):



HYDROLOGICAL
APR 19 1994

WELL #2

ARTISIAN Flowing
34°C 38 P.S.I.Badger Meter Reading #M0646468
1000 gal / 67.4 sec = 1.98 C.F.S.Badger
meter
111

APR 19 1994

WELL #3

ARTISIAN Flowing Well

34°C 22 P.S.I.

MEASUREMENT From Rated Section
By U.S.G.S. Gage Station with
CURVE on the Rated Section.



APR 19 1994

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: Gary Fudby

Date 8.30.83

Owner: Leo Ray

Permit No. _____

Description of well &/or measuring site (give distance to restrictions upstream and downstream): 32° C ARTISIAN Flowing

MANOMETER WAS USED

Measured inside diameter of pipe in inches (A) 8.0

Size of Annubar used in test 7.98

State ID# of Annubar Meter used 091411

Size Eagle Eye Meter used N/A

State ID# of Meter used N/A

Date of Last Calibration of Meter N/A

Observed inches of H2O read on Meter 3.0

Adjusted inches of H2O from Last Calibration (B) N/A

CALCULATION: $\frac{(3.85) \times (A)^2 \times \sqrt{B}}{448.8} = 0.95$ cfs measured

Where A and B are measured in inches and 3.85 is a constant for the model 75 Annubar.

SKETCH:



RECORDED
APR 19 1994

*6

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: ADM/GLF

Date 2/2/84

Owner: R2y #5

Permit No. _____

Description of well &/or measuring site (give distance to restrictions upstream and downstream): ARTISIAN Well, NO Valve
NO PRESSURE GAUGE. 36°C

Measured inside diameter of pipe in inches (A) 11.5"

Size of Annubar used in test 12"

State ID# of Annubar Meter used _____

Size Eagle Eye Meter used _____

State ID# of Meter used _____

Date of Last Calibration of Meter _____

Manometer

Observed inches of H2O read on Meter 5.5"

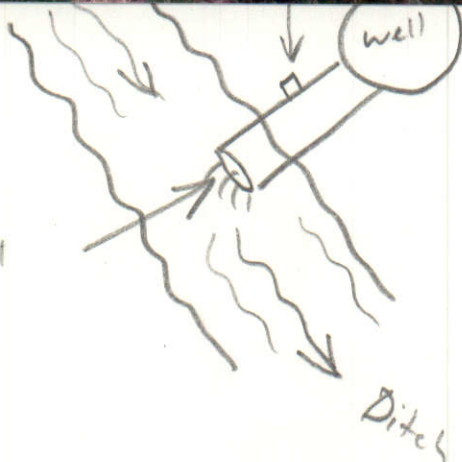
Adjusted inches of H2O from Last Calibration (B) _____

cfs measured

and 3.85
r.

1194 gpm

2.66 cfs



Placed shovel
in pipe to
provide full
pipe flow

APR 19 1994

WELL #6

ARTISIAN WELL FLOWING
35°C 33 P.S.I.BUCKET MEASUREMENT
 $0.57 \text{ C.F.} / 1.5 \text{ sec} = 0.38 \text{ C.F.S.}$ MEASUREMENT WAS MADE AT
DISCHARGE POINT AT RACEWAYS.

APR 19 1994

#7 1/8

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: ADM / GLF

Date 2/2/84

Owner: Reg #7

Permit No. _____

Description of well &/or measuring site (give distance to restrictions upstream



#7 ARTISIAN Wells.
32°C.

6.0"

Monometer

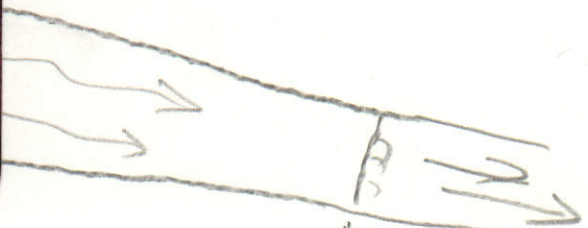
#8 19"

cfs measured

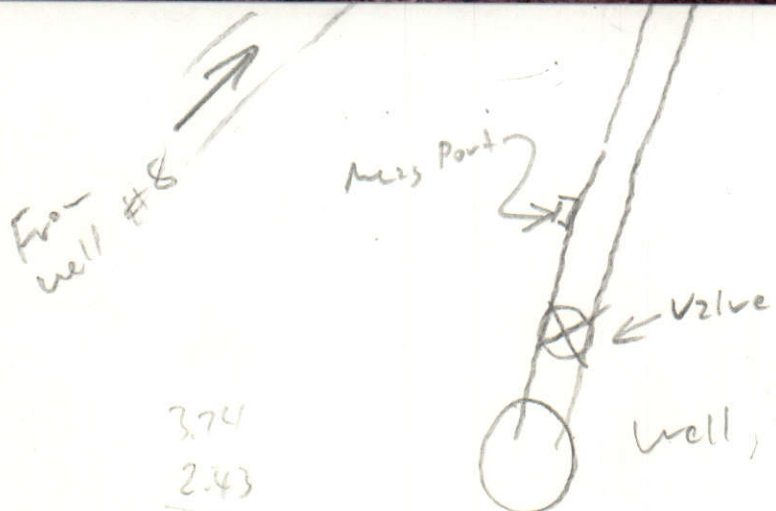
604 gpm

ches and 3.85
annubar.

1.35 cfs



2' constructed
well
mess 0.53 with
well #8 only



3.74
2.43
1.94

Well, #7

RECEIVED
APR 19 1994

mess. 0.70 with
both #7 & #8

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07488

Priority: September 5, 1978

Maximum Diversion Rate:

5.48 CFS

This is to certify, that LEO E RAY

RT 3 BOX 234

BUHL ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 5, 1978; and has submitted Proof of Beneficial Use on January 9, 1984. An examination indicates that the works have a diversion capacity of 17.480 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	0.04 CFS	4.0 AF
FISH PROPAGATION	01/01 to 12/31	5.48 CFS	
DOMESTIC	01/01 to 12/31	0.01 CFS	0.6 AF
	Totals	5.48 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 4, Township 09S, Range 14E
Lot 8(SESW), Sec. 4, Township 09S, Range 14E
Lot 16(SESW), Sec. 4, Township 09S, Range 14E
Lot 17(SWSE), Sec. 4, Township 09S, Range 14E
Lot 1(NENE), Sec. 9, Township 09S, Range 14E
NWNE , Sec. 9, Township 09S, Range 14E
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	14E	4	Lot 8(SESW)	2		2

Total number of acres irrigated: 2

PLACE OF USE: FISH PROPAGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>
09S	14E	4	Lot 8(SESW)	Lot 17(SWSE)	SESE
		9	Lot 1(NENE)	NWNE	

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>
09S	14E	4	Lot 8(SESW)

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

RECORDED

APR 19 1994

State of Idaho
Department of Water Resources

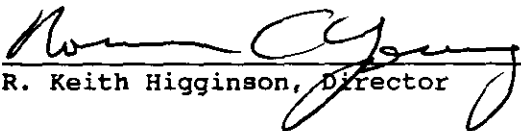
WATER RIGHT LICENSE

WATER RIGHT NO. 47-07488

CONDITIONS/REMARKS:

5. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
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.
7. Measuring devices of a type approved by this Department shall be maintained at the points of diversion and point of effluent discharge.
8. There are five points of diversion located within Gov. Lots 8 and 16 (SESW), Sec. 4, T9S, R14E.
9. Facility volume = 8.2 acre feet.
10. Domestic use is for 1 home.

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 9TH
day of April, 1994.


Acting for R. Keith Higginson, Director

APR 19 1994

APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07488

RECEIVED
MAR 21 1994
Department of Water Resources

Date of Priority: September 5, 1978
Comes now LEO E RAY
RT 3 BOX 234
BUHL ID 83316

Maximum Diversion Rate: 5.48 CFS

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. 47-07488, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.04 CFS	4.0 AF
FISH PROPAGATION	01/01 to 12/31	5.48 CFS	
DOMESTIC	01/01 to 12/31	0.01 CFS	0.6 AF

Totals 5.48 CFS

LOCATION OF POINT(S) OF DIVERSION:

Lot 8(	SWSEW 50L 4	SESE 99	14E SC
Lot 16(	SESW), Sec. 4,	Township 09S, Range 14E	3/23/94
Lot 17(	SWSE), Sec. 4,	Township 09S, Range 14E	
Lot 1(	NENE), Sec. 9,	Township 09S, Range 14E	
	NWNE, Sec. 9,	Township 09S, Range 14E	
	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	14E	4	Lot 8(SES)	2		2

Total number of acres irrigated: 2

PLACE OF USE: FISH PROPAGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
09S	14E	4	Lot 8(SES)	Lot 17(SWSE)	SESE
		9	Lot 1(NENE)	NWNE	

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
09S	14E	4	Lot 8(SES)

APR 19 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07488

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

Signed at Hagerman, this 14 day of March, 1994.

Leeds Ray
(Signature)

APR 19 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07488

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20.00 Received by JW # C029857 Date 3-22-94

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 47-07488 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
5. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
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.
7. Measuring devices of a type approved by this Department shall be maintained at the points of diversion and point of effluent discharge.
8. There are five points of diversion located within Gov. Lots 8 and 16 (SESW), Sec. 4, T9S, R14E.
9. Facility volume = 8.2 acre feet.
10. Domestic use is for 1 home.

Witness my hand this 9th day of April, 1994.

R. Keith Higginson
Acting for R. Keith Higginson, Director

47-07488
APR 18 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE BANBURY HOT SPRINGS	)	ORDER SUPPLEMENTING
	)	CONDITIONS OF APPROVAL FOR
GROUNDWATER MANAGEMENT AREA	)	PERMIT TO APPROPRIATE
	)	GROUNDWATER NO. 47-7488

WHEREAS, on April 12, 1982, the Director of the Department of Water Resources created the Banbury Hot Springs Groundwater Management Area (BHSGWMA); and,

WHEREAS, reported problems have shown a need for increased regulation of existing and future wells within the boundaries of the BHSGWMA; and,

WHEREAS, Department records show a number of outstanding water right permits for which development has not yet occurred; and,

WHEREAS, the above-referenced Permit represents the potential for additional well drilling within the boundaries of the BHSGWMA; and,

WHEREAS, leakage and intermingling between groundwater aquifers within the BHSGWMA has been determined to be a significant problem for which careful monitoring and protection is required;

NOW, THEREFORE, the conditions of approval for Permit No. 47-7488 are hereby supplemented with the following additional conditions:

- 1) Thirty days prior to drilling or modification of a well, the permit holder shall notify the Department of Water Resources of who the driller will be and when drilling is proposed to commence.
- 2) Prior to drilling, the permit holder and/or driller shall submit to the Department a drilling prospectus which includes proposed casing and grouting procedures. The well shall not be drilled without approval of the prospectus.
- 3) For wells presently being constructed or modified, the permit holder shall immediately advise the Department of the name of the driller or drilling firm, proposed date of completion, and shall provide details of well construction to date for Department review and approval prior to removal of the drill rig from the site.
- 4) Prior to well completion, the permit holder and/or driller shall request inspection and approval of the well construction by the Department. Construction shall not be considered to be completed

MICROFILMED

until approved by the Department.

- 5) Failure to comply with any of the conditions identified above may result in cancellation of the permit.

Dated this 2nd day of May, 1983.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Leo E. Ray Phone 543-6645

Post office address Route 3 Box 193, Buhl, Idaho 83316

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

3. Location of point of diversion is _____ $\frac{1}{4}$ of Lot 8 $\frac{1}{4}$ of Section 4 Township 9S

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

Lot 17 Sec. 4; Lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 T. 9S R. 14E

4. Water will be used for the following purposes: See Remarks

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)

5. Total quantity to be appropriated:

a. 30.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Artesian wells (5), control valves,
pipes and ditches

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 16 inches; proposed depth of well is 700 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: Lots 8, 16, 17
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 4 Township 9S

Range 14E B.M. Lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 T. 9S R. 14E

(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 20.

(5) If water is to be used for other purposes describe: commercial fish propagation, commercial
heating. Recreation includes swimming, boating, fishing, & related activities.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	4											Lt. 8,16 32.5			Lt. 8,17 32.5			65
		9	Lt. 1 2.5	30					32.5										65

Total number of acres to be irrigated 130

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

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

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

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

10. Remarks Item 4: 30.0 cfs for fish propagation Jan 1 - Dec 31
30.0 cfs for recreation Jan 1 - Dec 31
0.80 cfs for domestic Jan 1 - Dec 31
2.6 cfs for irrigation Mar 15- Nov 15
5.0 cfs for commercial heating Jan 1 - Dec 31

Estimated Cost of Project: \$100,000.

Water not consumed will discharge into Snake River in Lot 1 Sec. 9 T. 9S

R. 14E. Twin Falls Co. & Lot 8 Sec. 4 T. 9S R. 14E

[illegible]

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.

Leo E Ray
(Applicant)

Proposed Priority 9-5-78

5-24-78

Received by JJ Date 9-5-78 Time 11:55 am

Preliminary check by ADM Fee \$ 265.00 #10440

Receipted by DJ Date 5-24-78

Publication prepared by manga Date 9/1/78

Published in terrace news

Publication dates 9/14 + 9/21/78

Publication approved manga Date 9/22/78

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by J.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. 47-7488, 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) An access port or other device as specified by the Department shall be permanently installed and maintained at the points of diversion.
(2) Water used for Fish Propagation will require a measuring device of a type approved by this Department to be permanently installed and maintained at the point of diversion and at the point of effluent discharge.
(3) Return water shall be treated to insure that the effluent meets intrastate stream water quality standards.
(4) The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

Witness my hand this 21st day of December, 1978.

L. Glen Saxton
CHIEF, OPERATIONS BUREAU

1

2

3

0

1

2

5

9

0

2

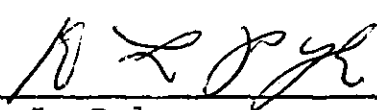
3

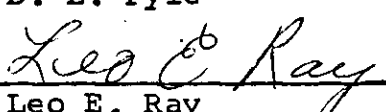
8

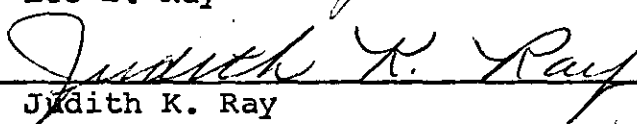
1 The covenants in this contract shall extend to and bind
2 the heirs, administrators, assigns and successors of the respective
3 parties hereto.

4 SIGNATURES:

5 IN WITNESS WHEREOF, the parties hereto have hereunto set
6 their hands, the day and year in this contract first above
7 written.

8 
D. L. Pyle

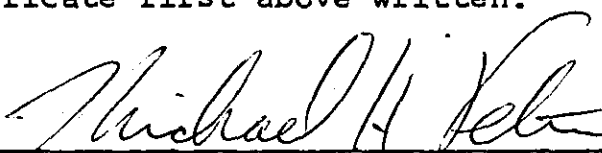
9 
Leo E. Ray

10 
Judith K. Ray

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

15 On this 29 day of March, 1973, before me, the
16 under-signed, a Notary Public in and for said County and State,
17 personally appeared D. L. Pyle, known to me to be the person whose
18 name is subscribed to the within instrument and acknowledged to
19 me that he executed the same.

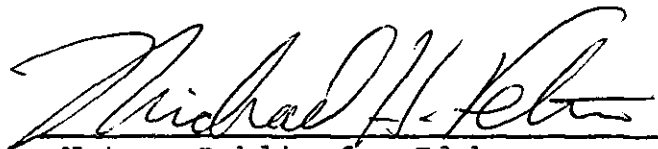
20 IN WITNESS WHEREOF, I have hereunto set my hand and seal
21 the day and year in this certificate first above written.

22 
23 Notary Public for Idaho,
24 Residing at Buhl therein.

1 STATE OF IDAHO)
(ss.
2 County of Twin Falls)

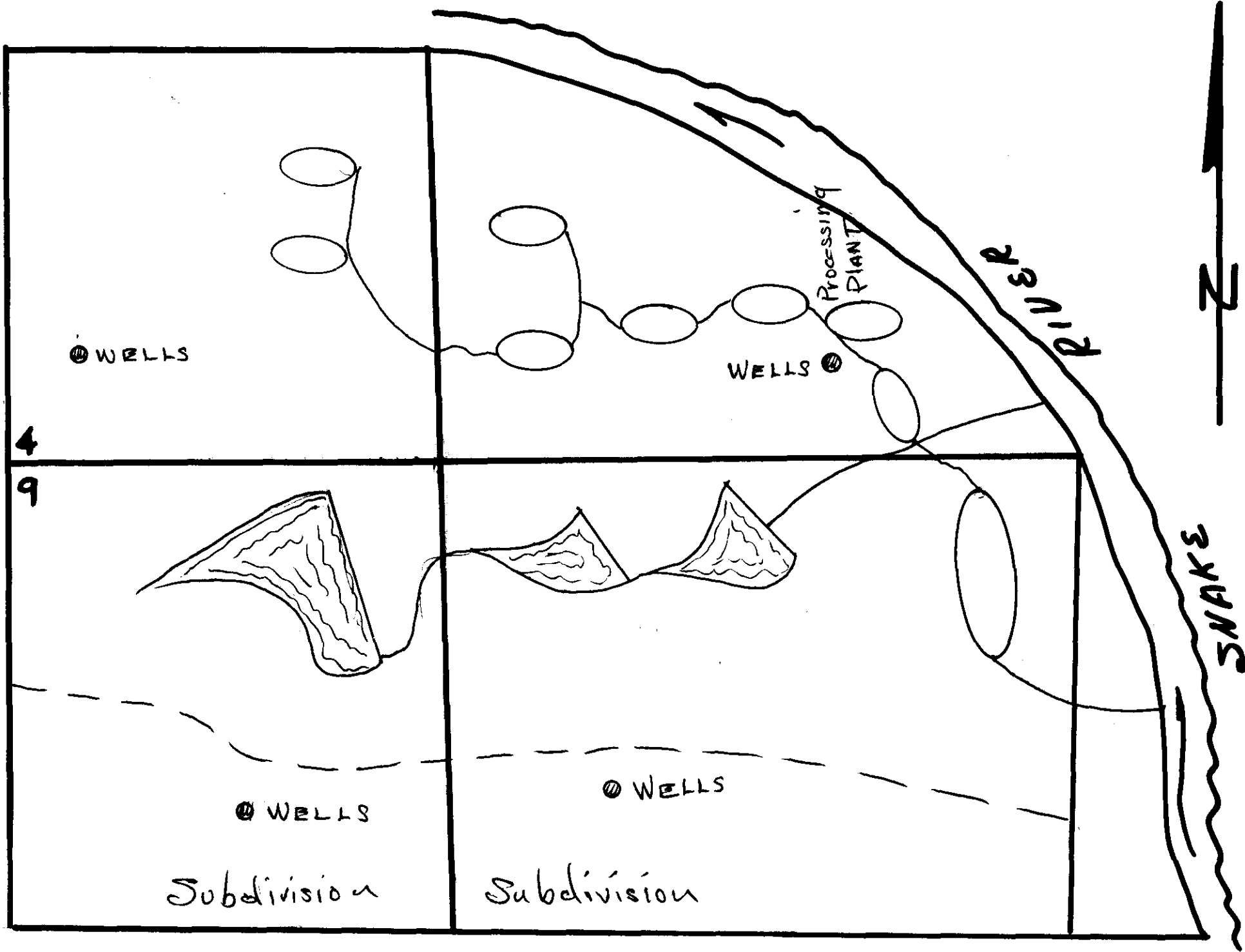
3 On this 29 day of March, 1973, before me, the
4 undersigned, a Notary Public in and for said County and State,
5 personally appeared Leo E. Ray and Judith K. Ray, husband and
6 wife, known to me to be the persons whose names are subscribed to
7 the within instrument and acknowledged to me that they executed
8 the same.

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

11 
12

13 Notary Public for Idaho
14 Residing at
15
16
17
18
19
20
21
22
23
24
25
26
27
28

47-7482



RECEIVED

18 raceways with 4 sections each. Total of 72 sections
each section 10' x 24' x 4'

Courtesy of BOONE LAM TITLE COMPANY
Twin Falls, Idaho

WARRANTY DEED

For Value and to the effect of Fairchild, of Buhl, County of Twin Falls, Idaho

the grantor hereby sell, grant, bargain, sell and convey unto Clinic Pharmacy, Inc., a corporation of Idaho

the grantee the following described premises in Twin Falls County, Idaho, to-wit:

Lot 1 and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) Section 9, Township 23 North, Range 14 E.B.M. Twin Falls County, Idaho, as shown in the records of the Twin Falls County Clerk, containing 67 1/2 acres more or less.

REVENUE STAMPS

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I HEREBY CERTIFY THE FOREGOING TO BE A
FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL RECORDED IN DEED BOOK 220, PAGE 1251

H. A. LANCASTER

EX-OFFICIO RECORDER

By *Heleen Thorne*
DEPUTY

And the said grantor do hereby covenant to and warrant unto the said Grantee, and the said Grantee do hereby covenant to and warrant unto the said Grantor, that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated July 7, 1957

Nellie Fairchild

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this 7 day of July, 1957, before me, a notary public in and for said State, personally appeared

Nellie Fairchild

Known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Notary Public
Twin Falls, Idaho

STATE OF IDAHO, COUNTY OF TWIN FALLS

I hereby certify that this instrument was filed for record at the request of BOONE LAM TITLE & TRUST COMPANY

at minutes past day of July, 1957, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

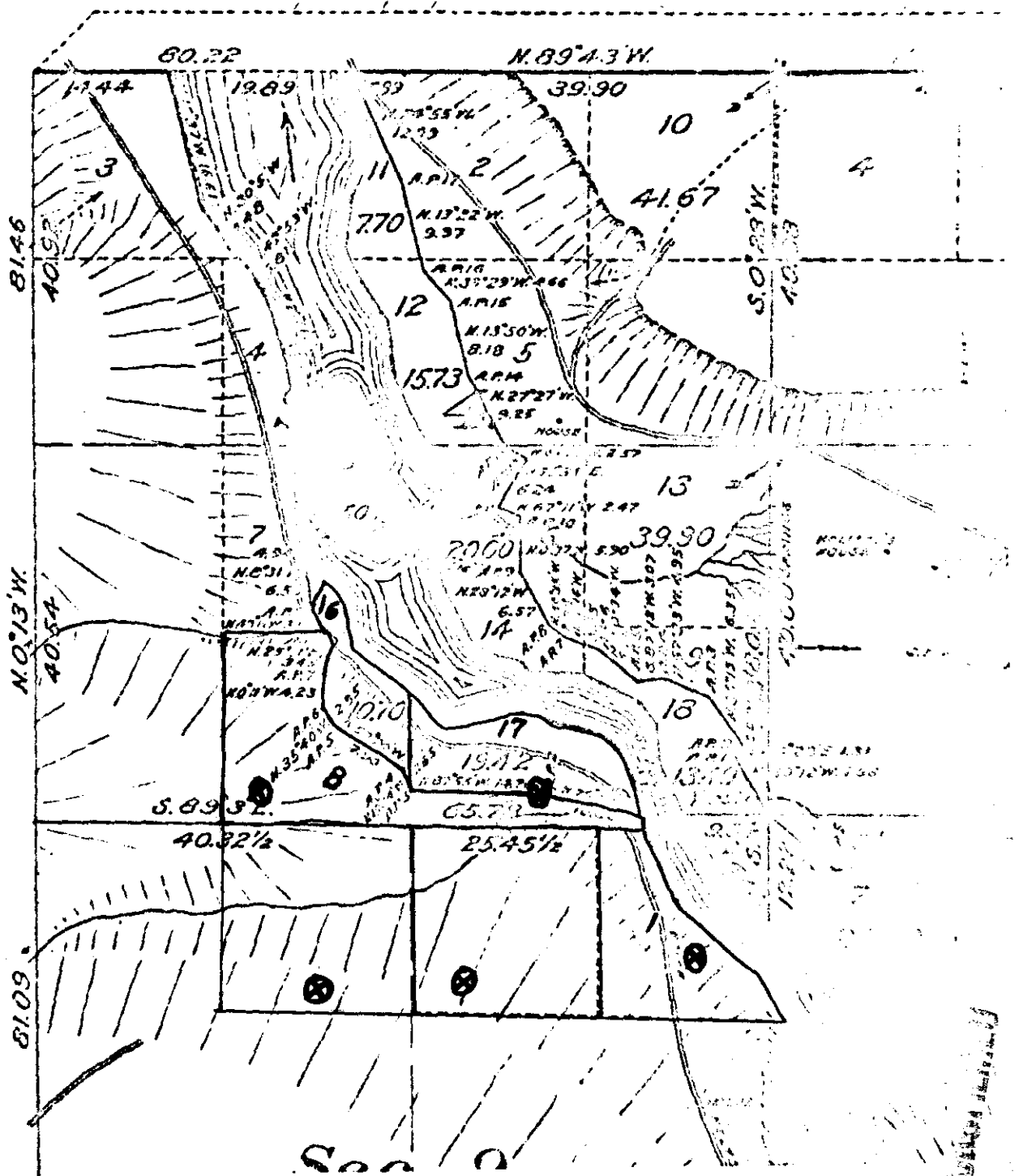
By *Cheryl*
Deputy

Filed for record at National Bank Buhl, Idaho
P. O. Box 8316

RECORDED
ON INSTRUMENT

Department of Township 17° S

47-7488



Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Leo E. Ray Phone: 543-6645
post office address Route # 3, Box 193, Buhl, Idaho 83316
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____ County; additional points of diversion if any: _____
NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 9S, Rge. 14E, B.M.
Twin Falls County
- b. If water is not consumed, it will be discharged into Snake River at a point in Govt Lt. 1
of _____ $\frac{1}{4}$ of Section 9 Township 9S Range 14E B.M. Twin Falls County
4. Water will be used for the following purposes: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 9S, Rge. 14E
Amount 30.0 cfs for recreation purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .8 cfs for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.6 cfs for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 30.0 cfs for Com. Fish purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5.0 cfs for com. heat purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 30.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Artesian well, control valve,
pipes and ditches
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(4 wells) (Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 700 feet each
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 100,000.00.
8. Description of proposed uses:
a. If water is ~~not~~ for irrigation: location - same as irrigation use
(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: _____ hp 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 20.
(5) If water is to be used for other purposes describe: Commercial fish, commercial heating
Irrigation, domestic (20) homes
Recreation includes swimming, boating, fishing, and related activities.

RECEIVED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	4											32.5			32.5			65
		9	Et. 1																65
			2.5	30.0			32.5												
			(X) = Commercial Fish, Commercial Heating, Domestic (Homes)																
9S	14E	4											X			X			
		9	X	X			X												

Total number of acres to be irrigated 130

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

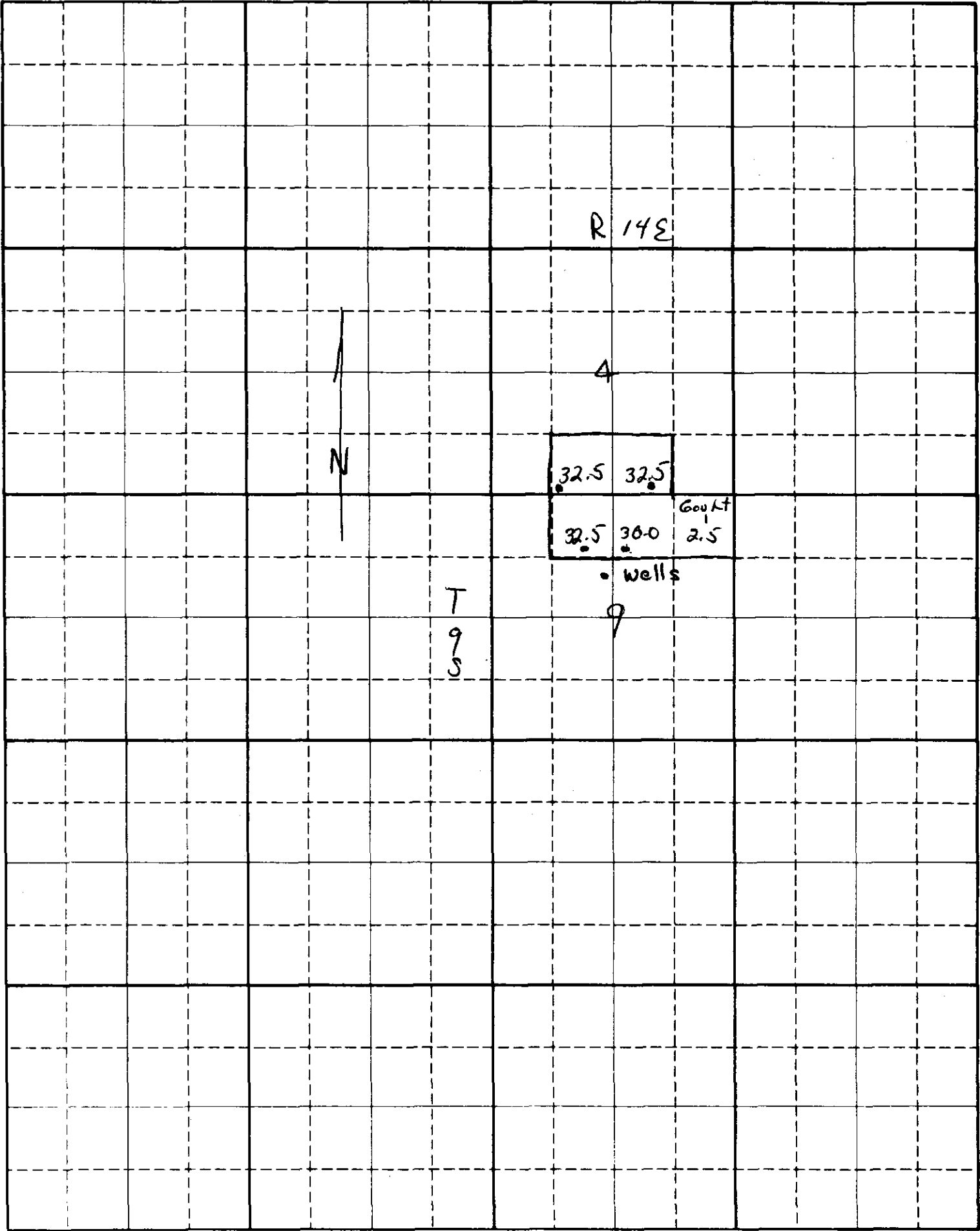
9. a. Who owns the property at the point of diversion applicant

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

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

10. Remarks This land is in Escrow. From Clinic Pharmacy, Inc. to Leo Ray

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.

Leo E. Ray
(Applicant)

Received by _____ Date _____ Time _____

Preliminary check by _____ Fee \$ 265.00 # 10440

Received by AG Date 5/24/78

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. _____, and said application is hereby _____.

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 _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director

Affidavit of Publication

No 7634

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, W. A. S. Hughes 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 Thursdays, commencing with the issue dated September 4, 1978, and ending with the issue dated September 21, 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.

Subscribed and sworn to before me on this September 21 day of 1978

W. A. S. Hughes
W. A. S. Hughes
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED
SEP 21 1978
TWIN FALLS, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 27 2000
Department of Water Resources
Southern Region

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): PLEASE SEE ATTACHEED

RECEIVED

Adjudication Claim No(s): PLEASE SEE ATTACHED

OCT 30 2000

Department of Water Resources

2. The following REQUIRED information must be submitted with this form:

A) Evidence of the security interest. This may be a copy of a DEED of TRUST, MORTGAGE, CONTRACT OF SALE or other legal document indicating your interest in the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

B) A FEE of \$25.00 per water right or adjudication claim.

3. Name and Mailing Address of Person or Company holding Security Interest

MAGIC VALLEY BANK
P.O. BOX 489
TWIN FALLS, ID 83303

4. Name of Water Right Owner/Claimant(s)

LEO E. & JUDITH K. RAY

5. Expiration Date of Notification Period 10-18-05

6. Is this a Renewal of Request for Notification?

☐ YES

☒ NO

7. Signature(s) (and title if applicable)

[Signature]
Vice Pres. & Int. Affairs Officer

For Office Use Only

Received by *[Signature]*

Date 10/27/00

Fee 300.00

Received by *[Signature]*

Date 10/27/00

Receipt No. 5023459

Processed by *[Signature]*

AJ

Date _____

WR _____

Date _____

PLEASE REFER TO WR FILE 47-07186 FOR SUPPORT DOCUMENTATION

KLT 11-29-00

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-07488

Date of Priority: September 5, 1978

Maximum Diversion Rate:

5.48 CFS

Comes now

LEO E RAY

RT 3 BOX 234

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. 47-07488, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.04 CFS	4.0 AF
FISH PROPAGATION	01/01 to 12/31	5.48 CFS	
DOMESTIC	01/01 to 12/31	0.01 CFS	0.6 AF
	Totals	5.48 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 8(SESW), Sec. 4, Township 09S, Range 14E
Lot 16(SESW), Sec. 4, Township 09S, Range 14E
Lot 17(SWSE), Sec. 4, Township 09S, Range 14E
Lot 1(NENE), Sec. 9, Township 09S, Range 14E
NWNE , Sec. 9, Township 09S, Range 14E
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	14E	4	Lot 8(SESW)	2		2

Total number of acres irrigated: 2

PLACE OF USE: FISH PROPAGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
09S	14E	4	Lot 8(SESW)	Lot 17(SWSE)	SESE
		9	Lot 1(NENE)	NWNE	

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
09S	14E	4	Lot 8(SESW)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07488

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

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

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07488

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 47-07488 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
5. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
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.
7. Measuring devices of a type approved by this Department shall be maintained at the points of diversion and point of effluent discharge.
8. There are five points of diversion located within Gov. Lots 8 and 16 (SESW), Sec. 4, T9S, R14E.
9. Facility volume = 8.2 acre feet.
10. Domestic use is for 1 home.

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

R. Keith Higginson, Director



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

April 11, 1994

LEO E RAY
RT 3 BOX 234
BUHL ID 83316

RE: WATER RIGHT NO. 47-07488

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

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

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

APR 19 1994

MEMORANDUM

Date: March 14, 1994
From: Jim Johnson
To: Files 47-07214 and 47-07488
Subject: Telecon on Location of Points of Diversion

=====

In response to my request to amend the above referenced permits to reflect findings of the field examiner, Mr. Ray called to discuss an survey error causing mislocation of one of his eight wells.

Mr. Ray represented that a neighbor had re-surveyed his property and found a 50 foot error in the fence location. This error caused the location of the well described on the water rights to be wrong. The correct location of well number 3 is NESWSW rather than Lot 8 (SESW). However, there is another well close by which may be located in Lot 8 or may be located in Lot 16 (SESW). The exact location of these wells cannot be determined with available information. Therefore, for the purpose of licensing the two permits, Lots 8 and 16 will be retained on the License and NESWSW will be added. Mr. Ray will list the point of diversion addition on the Application for Amendment Form.

APR 19 1994



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

March 1, 1994

LEO E RAY
RT 3 BOX 234
BUHL ID 83316

RE: WATER RIGHT NO. 47-07488

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

If you do not concur with this information, please contact me as soon as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
MAR 10 1994

MEMORANDUM

TO: Files 47-7214 & 47-7488

FROM: Sharla

DATE: June 17, 1992

RE: Well Logs

In response to my correspondence of 5/13, Mr. Ray submitted copies of well logs for his eight wells (copies of five of the logs are duplicates already in the file).

The log identified by Mr. Ray as Well #4 lists a legal description of the NENW, S9. I believe this is the well actually located in the NWNE, S9.

The report identified by Mr. Ray as Well #6 shows a legal description of the SWSE, S4. Well #1 is located in this $\frac{1}{4}$ also and although the examiner does not identify **two** wells in this legal, it is possible that the driller erred in the description.

The report identified as Well #7 contains no legal description. Rather than request any further information from the holder, I believe Mr. Ray has given sufficient documentation to show that all eight of his wells were drilled prior to the issuance of the order dated 5/2/83. The conditions can be considered void and licenses can be issued.

→ See file 47-7214 for this documentation.

RECEIVED

APR 19 1994



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 13, 1992

RE: Permit Nos. 47-7488 & 47-7214

Leo Ray
Rt. 3, Box 234
Buhl, ID 83316

Dear Permit Holder(s):

In April of 1982, the Banbury Hot Springs Groundwater Management Area was created. In May of 1983, an order containing conditions regarding well construction and completion was sent to permit holders who still appeared to be in the process of developing groundwater delivery systems under their permits. Your permits identified above were included in this action. The conditions specifically set out in the order were as follows:

- 1) Thirty days prior to drilling or modification of a well, the permit holder shall notify the Department of Water Resources of who the driller will be and when drilling is proposed to commence.
- 2) Prior to drilling, the permit holder &/or driller shall submit to the Department a drilling prospectus which includes casing and grouting procedures. The well shall not be drilled without approval of the prospectus.
- 3) For wells presently being constructed or modified, the permit holder shall immediately advise the Department of the name of the driller or drilling firm, proposed date of completion, and shall provide details of well construction to date for Department review and approval prior to removal of the drill rig from the site.
- 4) Prior to well construction, the permit holder &/or driller shall request inspection and approval of the well construction by the Department. Construction shall not be considered to be completed until approved by the Department.

Well logs were submitted for five of the eight wells identified under these permits (copies of the well logs are enclosed). The well logs indicate that these wells were drilled between the years of 1973 and 1982, which pre-date the order. The conditions

RECEIVED

APR 19 1994

Page 2

are therefore not applicable to these wells. However, we have no information regarding the other three wells (specifically the well located in the NWNE, Sec. 9 and and two of the five wells located in the SESW, Sec. 4). Before I can issue licenses, I must determine compliance with the stated conditions. To assist me in this matter, I request the following information:

- 1) name of the well driller
- 2) month and year of well completion
- 3) type of casing used and material (if any) used in seal

Please submit this information within 15 days. If you have any questions, feel free to give me a call.

Sincerely,

Sharla Curtis

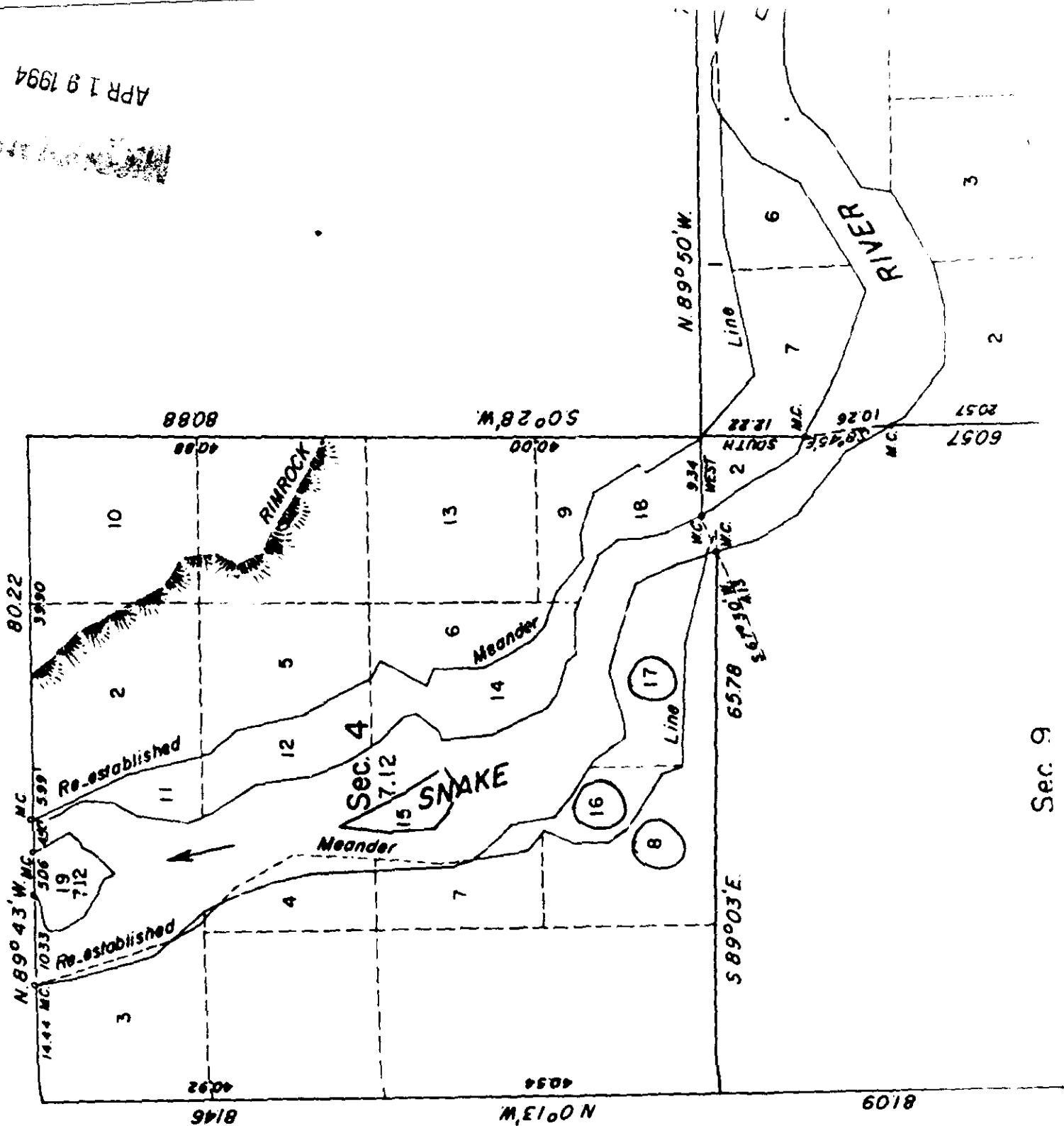
SHARLA CURTIS
Water Resource Agent

Enclosures

APR 19 1994

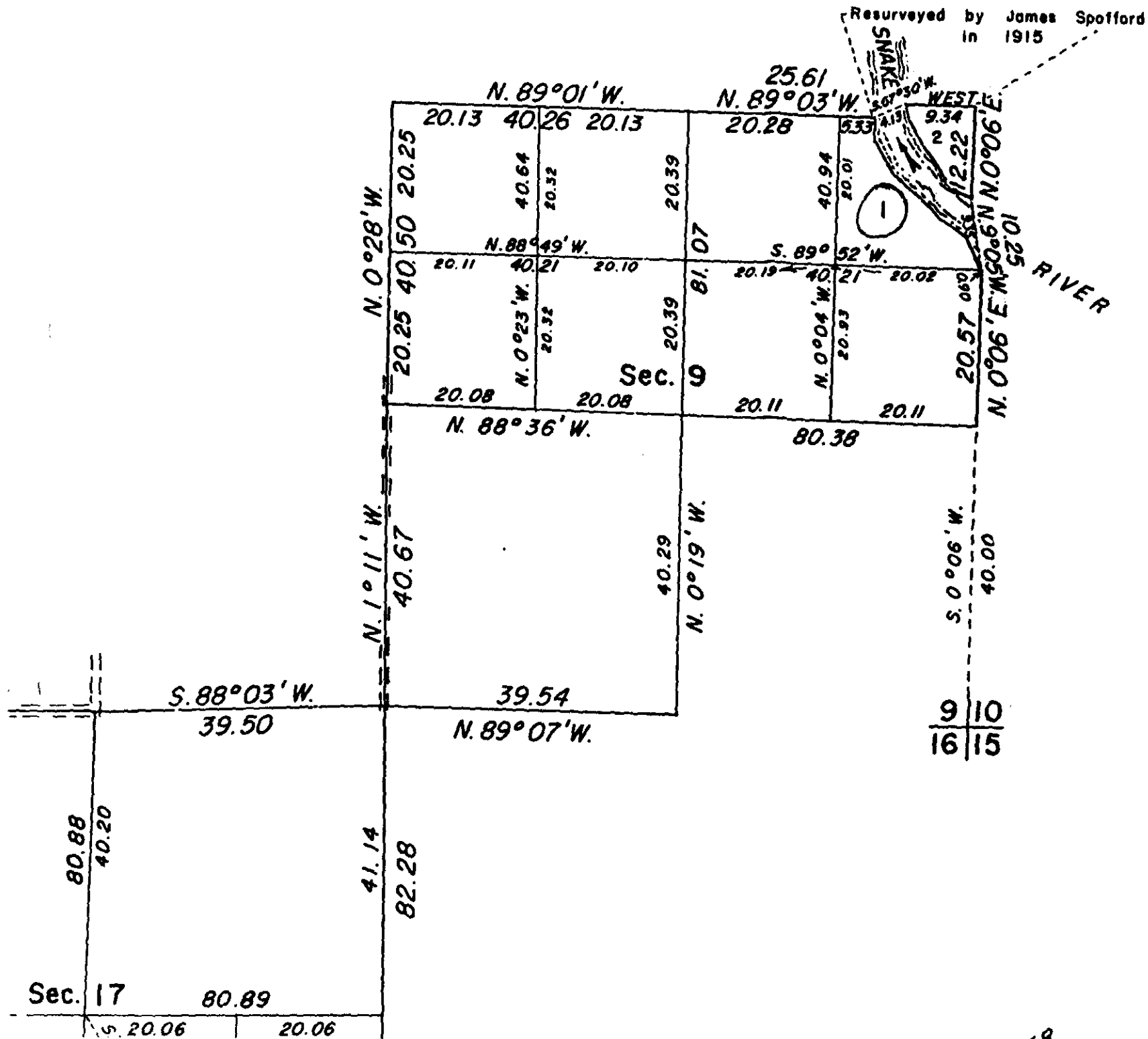
APR 19 1994

1000' 1000'



Sec. 9

Resurveyed by James Spofford
in 1915



APR 10 1954

- R



47-7488
LEO E. RAY
P/D: SEC 04 TWP 09S RNG 14E
IRRIGATION? N

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	3-22 1984	LF	
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION 11:30 AM.
Date 8-30-83 4-16-84 9:00 AM Accompanied by Leo Ray. Total Q measured 17.48
Source groundwater Tributary to Snake River Supp. annubar measurement sheet used? yes
If source is surface water, estimate total flow of source
Methods of measurement See Remarks Meets permit requirements? yes.

Measurement calculations: See Remarks

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS

System Description See Attached Maps
There are other water rights for these same wells
47-7198 - 47-7488 - 47-7214
this water right when combined w/ other rights shall not exceed
Capacity of the Combined System.

*Code with map on reverse side. Disregard code if only one.

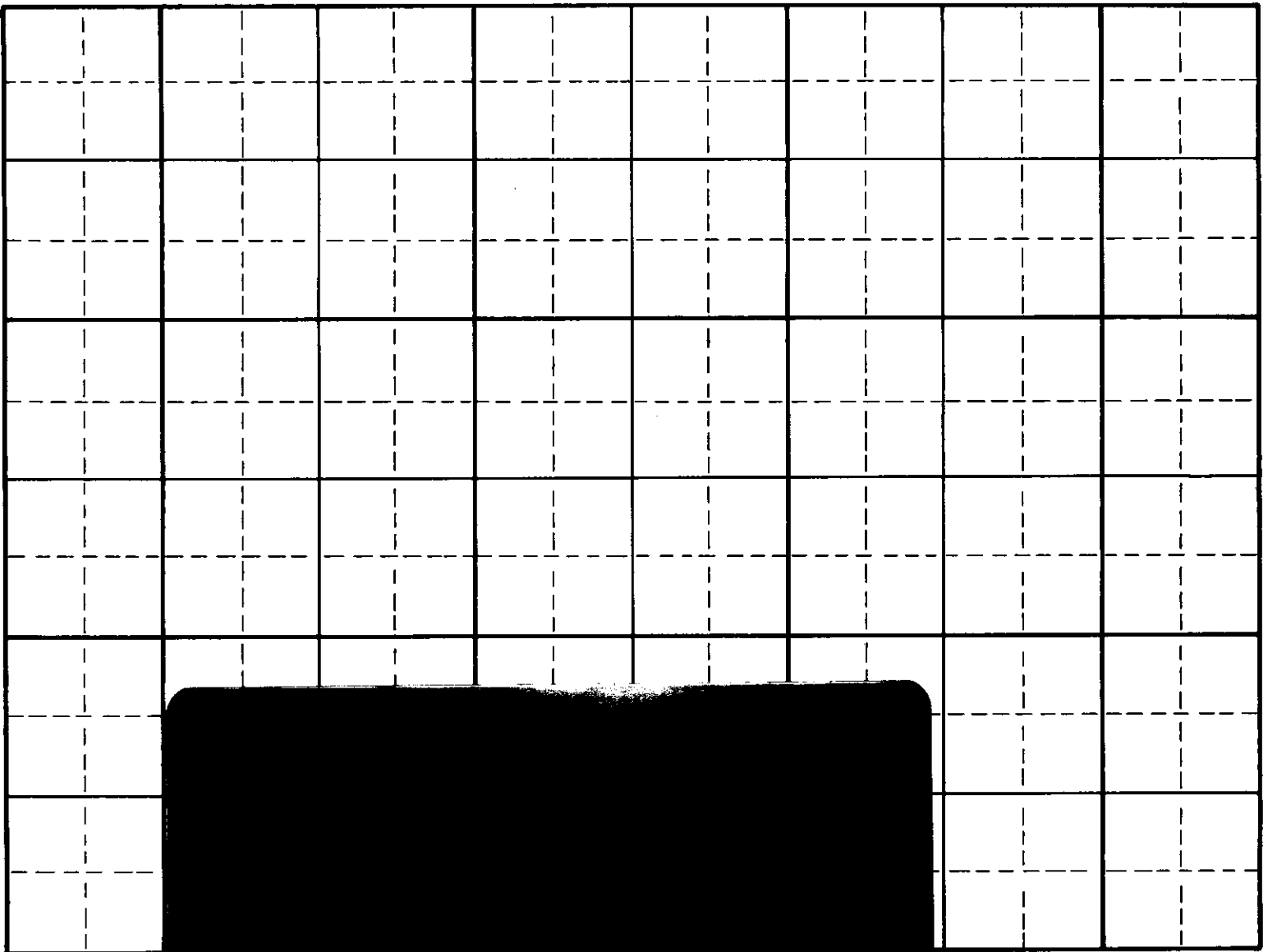
Commercial Heating, Recreation or Same uses as 47-7214

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
Fish propagation	17.48	N/A	JAN. 1	Dec 31
Commercial (Heating)	0.02	2.2194	"	"
Recreation (swimming, boating)	0.02	N/A	"	"
Domestic	0.01	2.20	"	"
Irrigation (2) Acres	0.08	0.16	Nov 15	Nov 15
18 Rows x 4 Sec X Rowway = 72 Sec				
72 Sec x 10' x 24' x 3' = 51,840 Cubic Ft				
43560 = 1.19 Total	17.48	23.0		

Remarks Well #1 Artesian Flow 3.62 cfs; Well #2 Artesian Flow 1.98 cfs.
Well #3 Artesian Flow 2.80 cfs; Well #4 Artesian Flow 0.95 cfs
Well #5 Artesian Flow 2.66 cfs; Well #6 Artesian Flow 0.38 cfs.
Well #7 Artesian Flow 1.35 cfs; Well #8 Artesian Flow 3.74 cfs.
Well #1, 3, 4, & 5 were Meas. w/ Manometer. Well #2, Badger Meter
Well #3 Rated Section by U.S.G.S. Well #6 meas w/ Bucket
Well #7 & 8 meas w/ a weir. Contracted
outlet Weir 4' Rectangular Reading 1.45' = 21.6 cfs.

MAP (Attach Aerial Photo)



ble.)

Point(s) of diversion: Gov. Lts 8, 16, 17 of Sec. 4; T9S R14E
Gov. Lt 1 and NW 1/4 NE 1/4; Sec. 9; T.9S. R. 14E.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	4											X				X	X	8
9S	14E	9	X	X									Govt Lt 8			Govt Lt 17	H		
			Govt Lt 1										Lt 16						
9S	14E	4											Z						2
													H, R						
													D						

D=Domestic H= Hunting R=Recreation X=Fish Prop

Recommended Amendments:

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

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

- ☐ None
☐ Other

Examiner's Signature

Harry Funderburg
J. E. Stanton

Checked by

Approved by

Date

5-14-1984

Date

1-7-86

Date

APR 19 1994

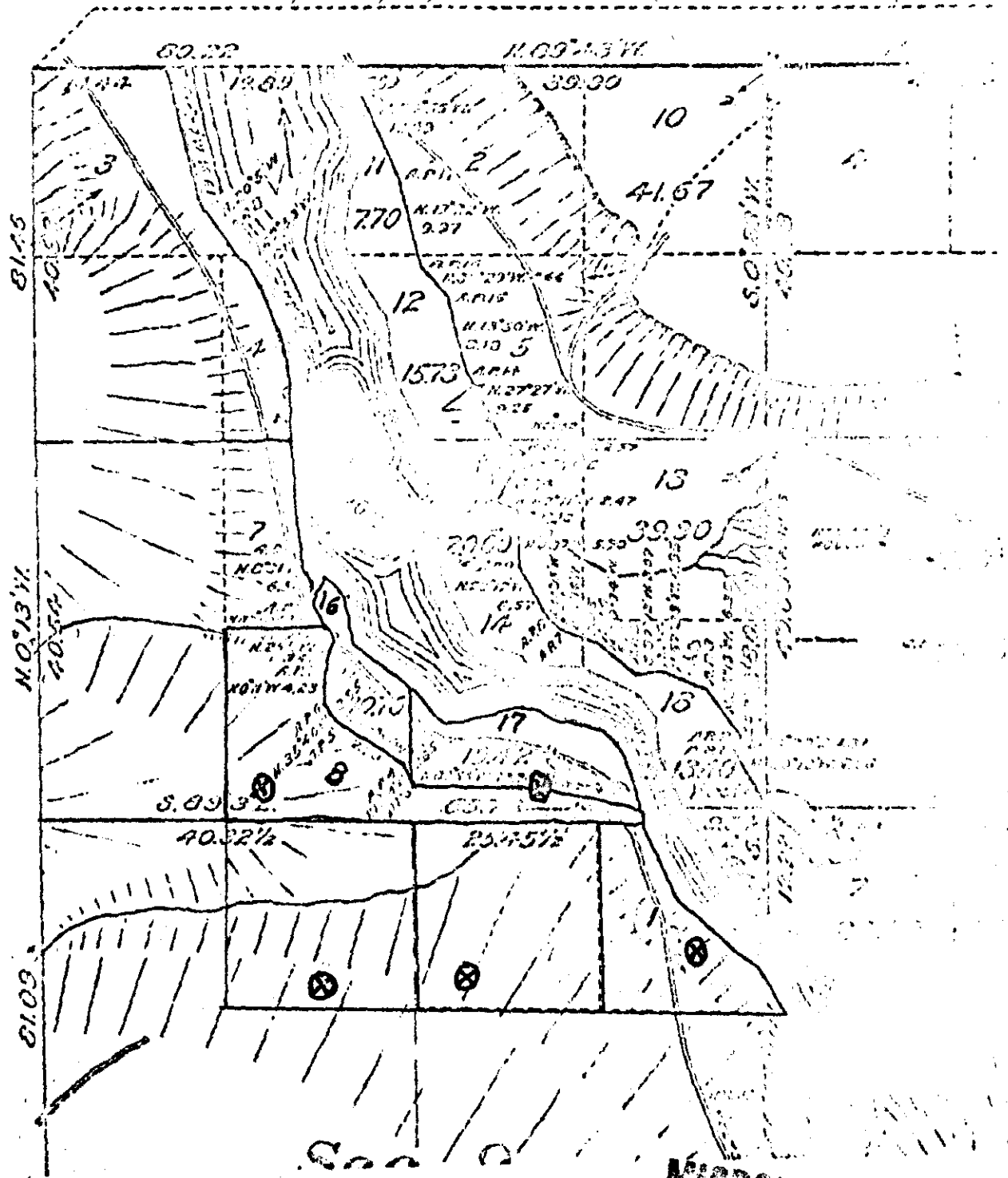


Leo Roy
Pemit #
47-7488

795 R142
Sec. 4, 1/2 9
Well locations

APR 19 1994

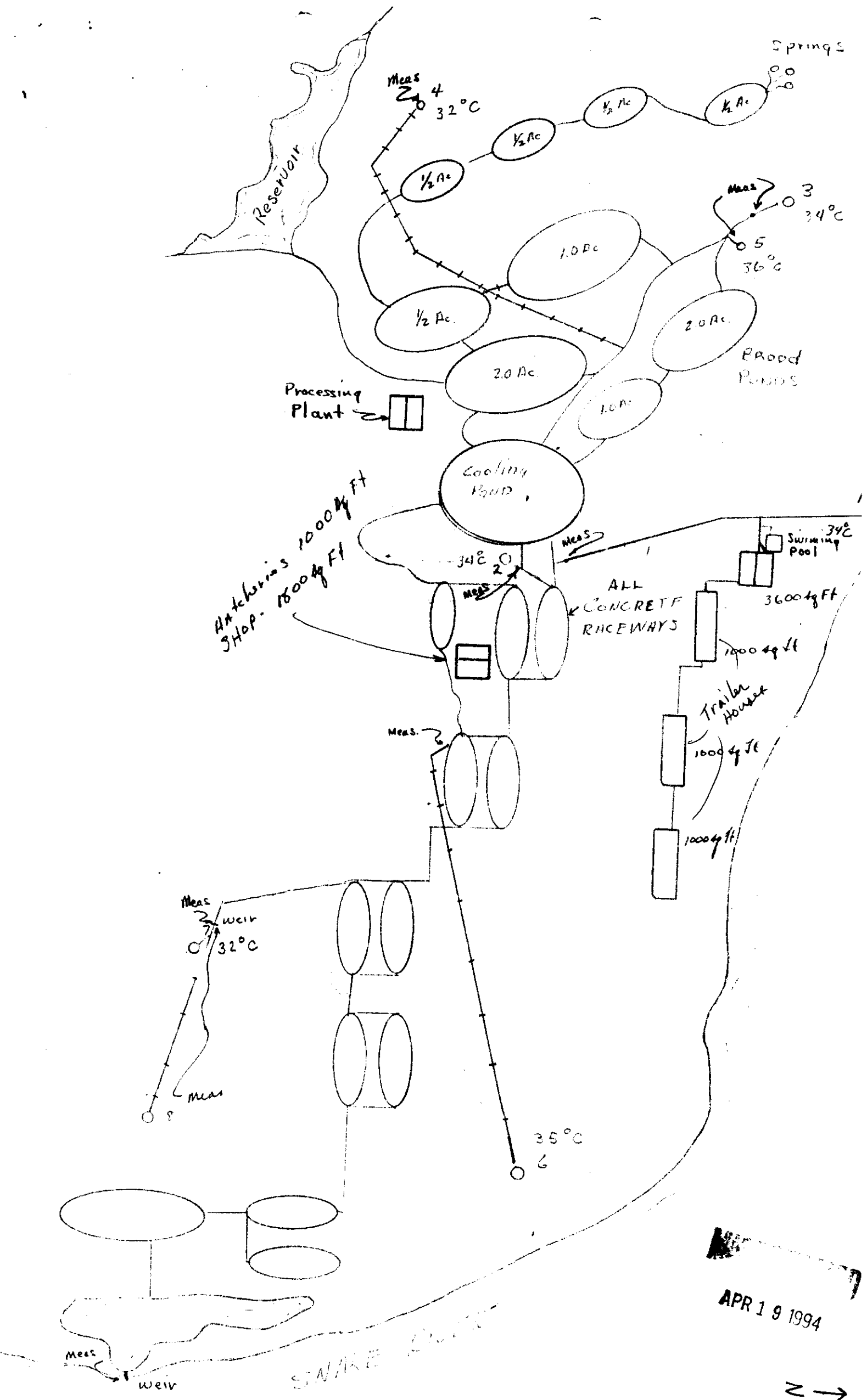
Leo-Rau 47-7488

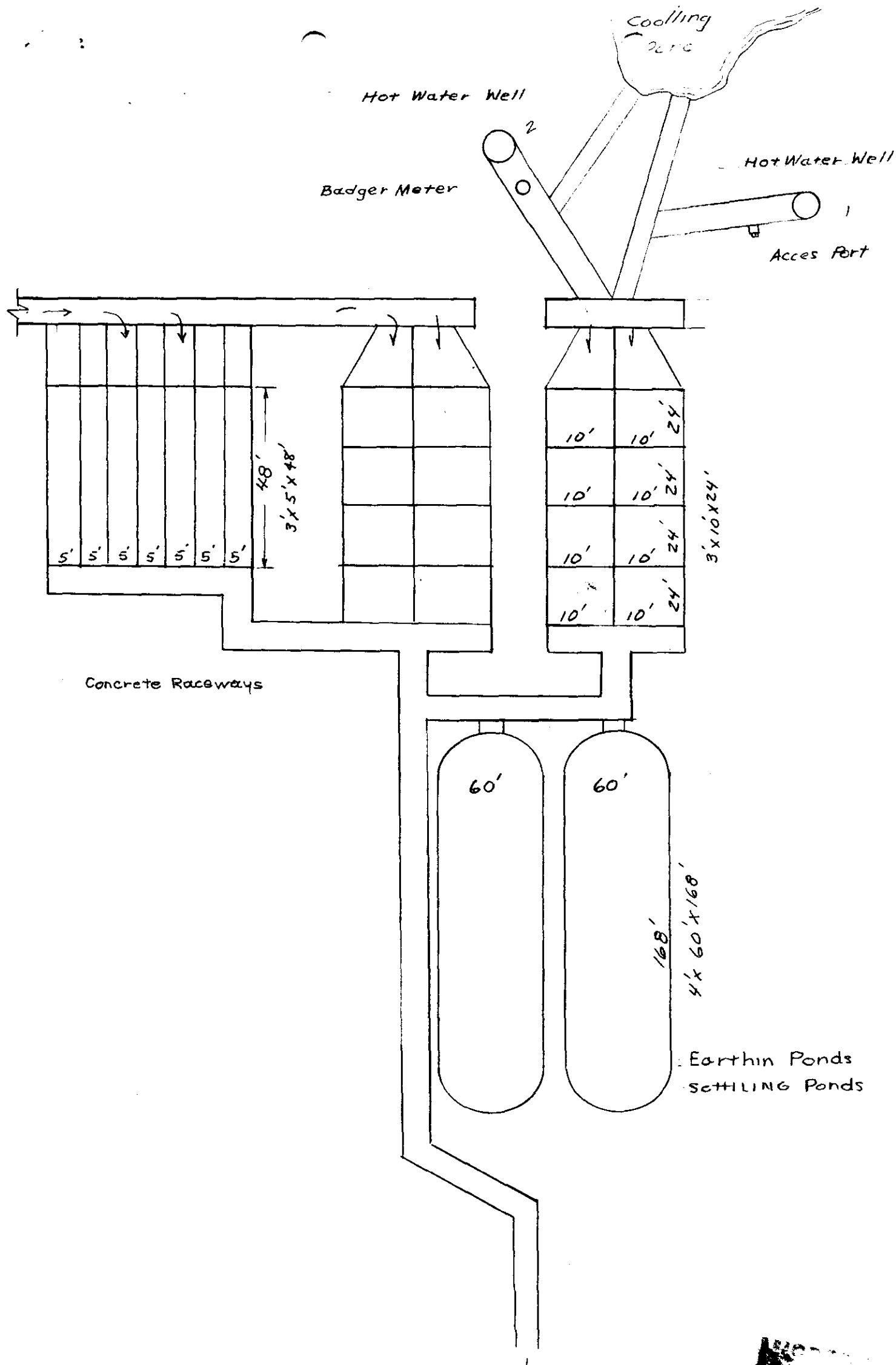


Map 17 170

APR 19 1994

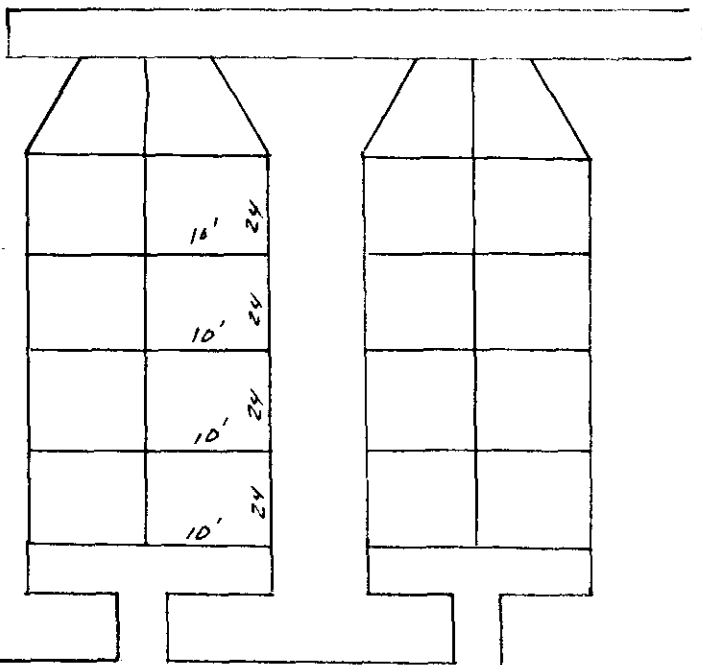
T9S R14E





APR 19 1994

Concrete raceways



Earthen Pond

30'

100'

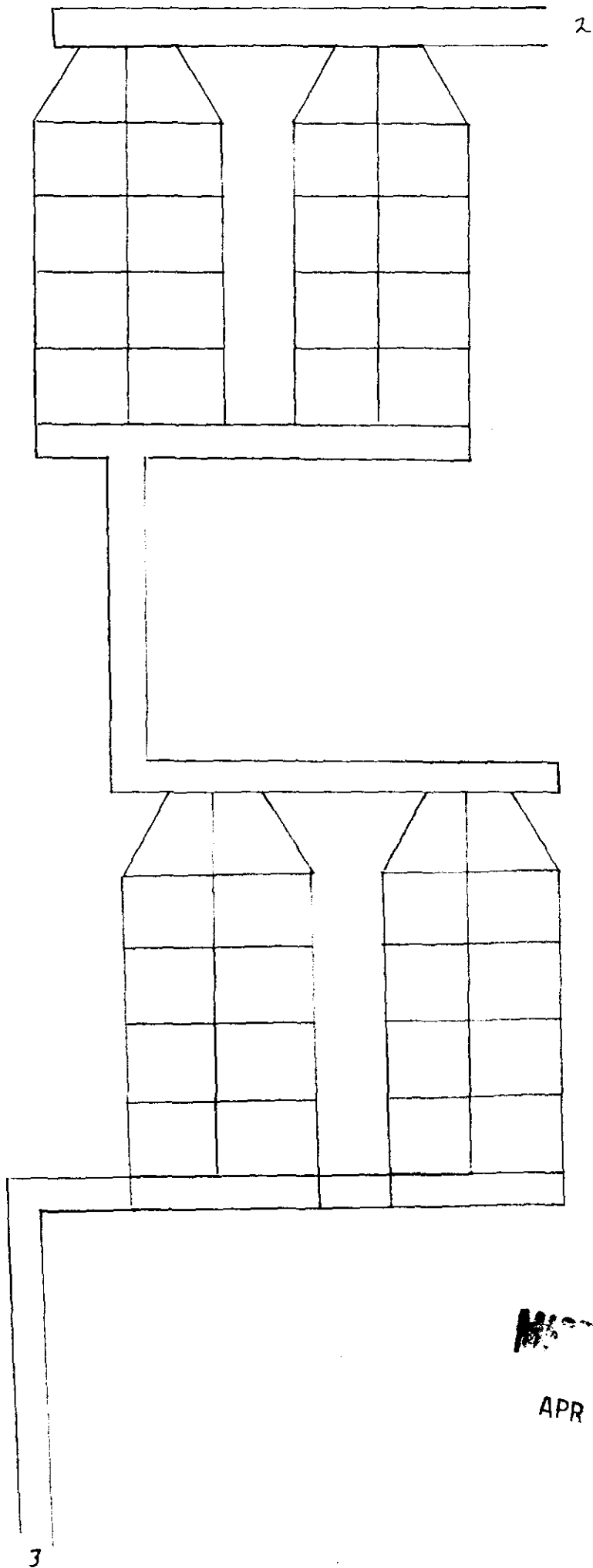
2

MISSOURI

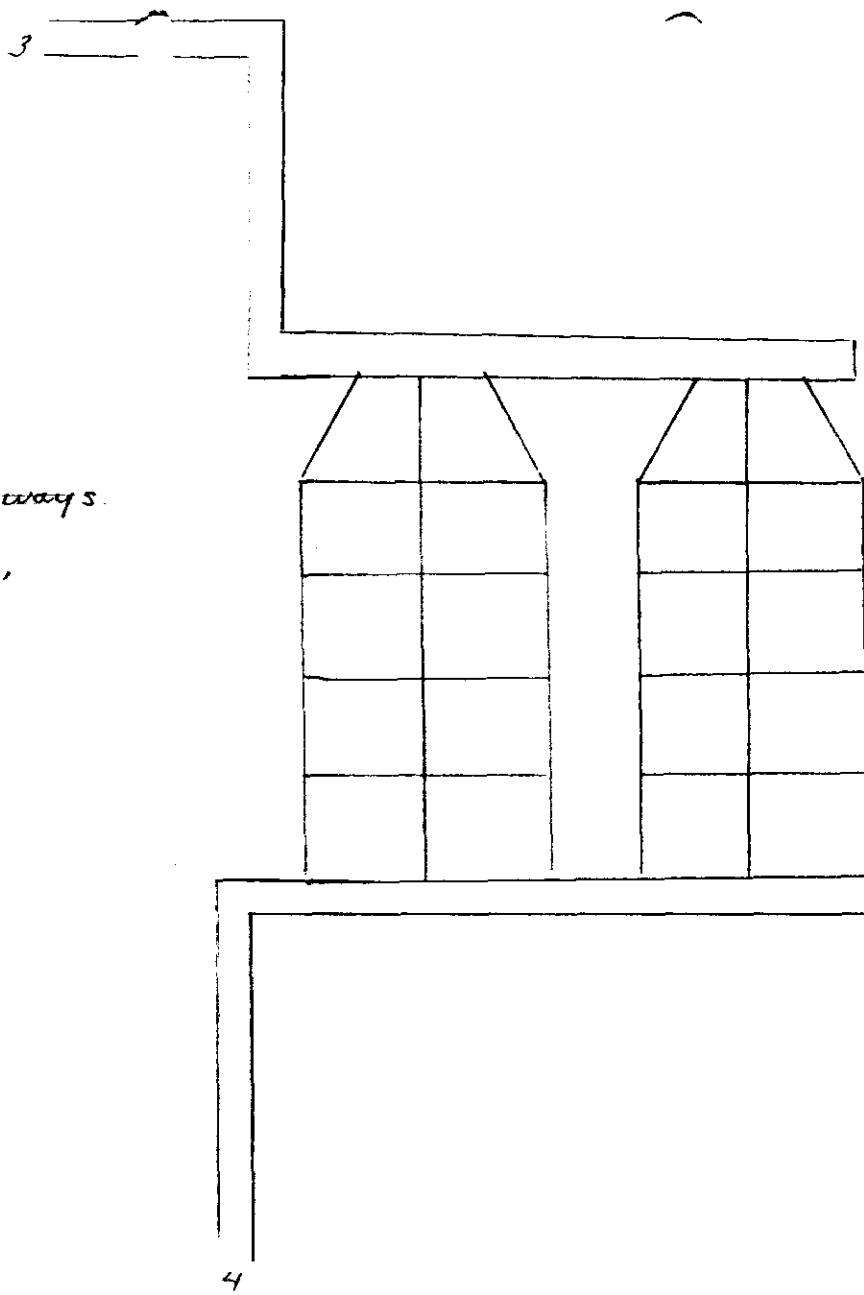
APR 19 1994

Concrete Raceways

3' x 10' x 24'



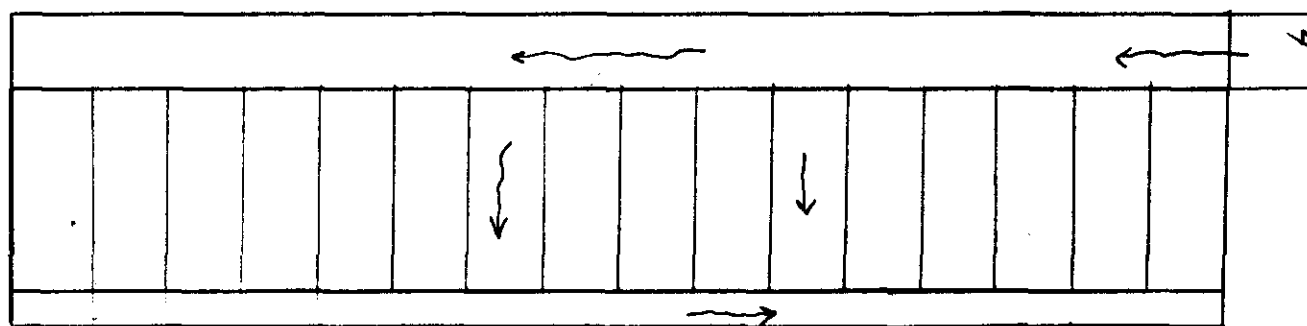
RECEIVED
APR 19 1994



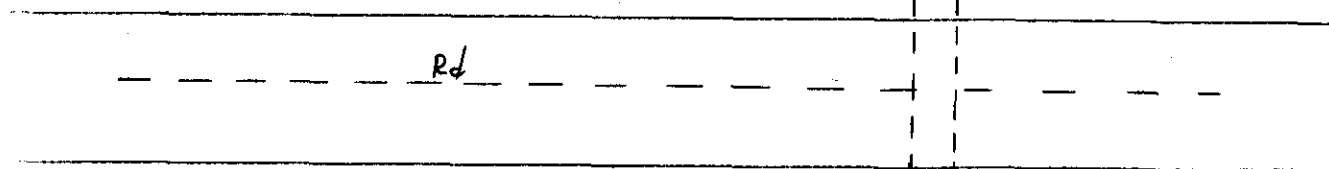
Concrete Raceways.

3' x 10' x 24'

HISTORICAL
APR 19 1994



(16) Concrete Rectangular 3' x 10' x 25'



Settling
Pond

SNAKE River

APR 19 1964

JRB SAMPLING LOCATIONS	
Location	Type
1 Settl. Pd. Influent	Composite
2 Settl. Pd. Effluent	Composite

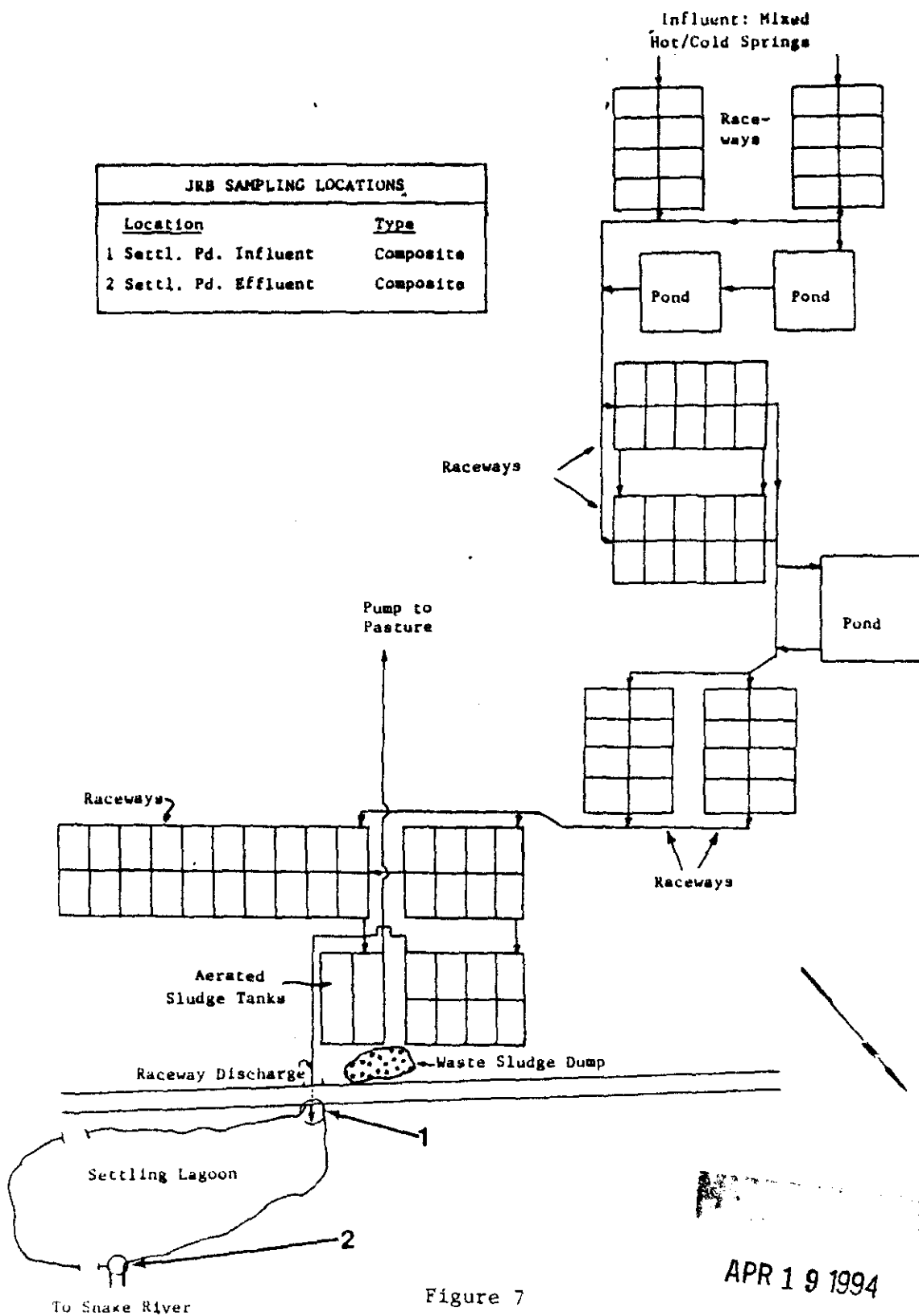


Figure 7
FISH BREEDERS HATCHERY

APR 19 1994

LEO RAY

PERMIT 47-7488

10/31/86

ITEM	Sq.Ft.	Water Temp.in.	Water Temp.out.	Inside Temp.	CFS.	Time	USE
HOME	3600	34°C	28°C	21.1°C	.005	2:41pm	HEATING
SHOP	1800	32°C	28°C	20.0°C	.005	2:59pm	HEATING COM.
POOL	3400	34°C	28°C	28.5°C	N/M	2:38pm	HEATING REC.
(3) TRAILER HOUSES	3000	34°C	28°C	21.1°C	.005	2:51pm	HEATING
RACE WAYS	AC.FT. 1.19	27°C	26.6°C	27° C	17.48	N/A	FISH PROP.
BROOD PONDS	AC.FT. 7.0	34°C	26.6°C	27° C	N/A	N/A	FISH PROP

The water measured at the bottom pond before going in to the Snake River, was measured with only part of the wells running. Several trips were made to try and get all the wells along with the springs measured at one time.

There is (2) acres irrigated near the house. This ground can be irrigated by the hot water or by the spring water.

APR 19 1994

Well # 1

Form 219-Supp.
6/83

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

Measured by: GARY FUNDERBURG Date FEB. 2, 1984
Owner: Leo Ray Permit No. Aug. 30, 1983
47-7198

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

ARTISIAN Well, w/ Control Valve & PRESSURE
GAGE. TEMPERATURE 43°C 58 P.S.I.

Measured inside diameter of pipe in inches

(A) 8.0

Size of Annubar used in test 7.98

State ID No. _____

Model No. of Annubar Meter Used 091411
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used 091465

State ID No. _____

Date of Last Calibration of Meter 4/25/1983

Observed inches of H₂O read on Meter

(B) 50"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) .936 3.87

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

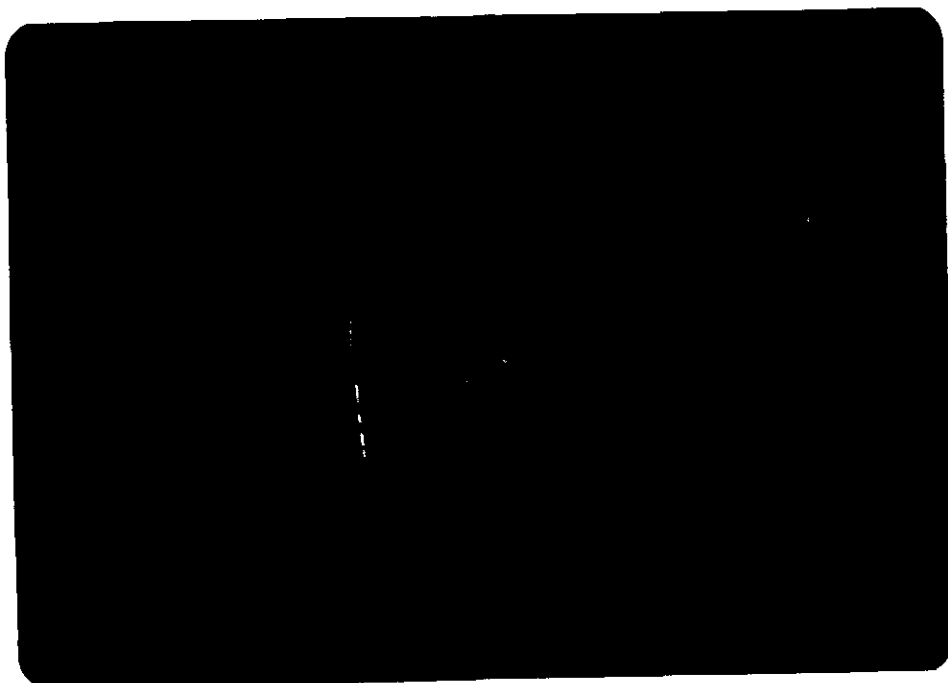
If Model No. = 73, then C = 4.14

(C) .936

CALCULATION: $\frac{K (A^2) (\sqrt{B}) C}{448.8} =$

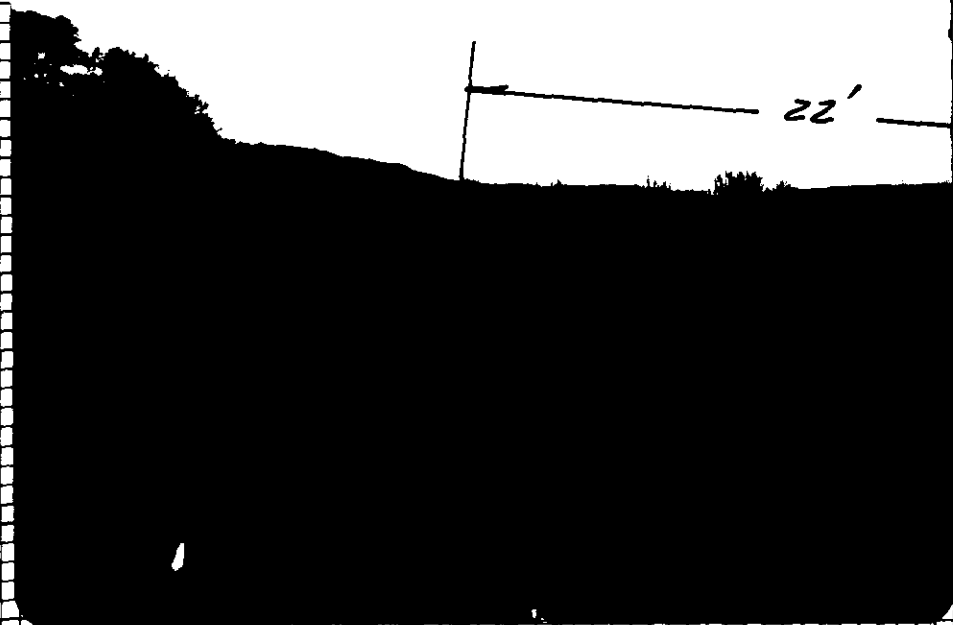
3.62 cfs measured

SKETCH (If not shown on Field Report):



RECEIVED
FEB 19 1994

WELL #2

ARTISIAN Flowing
34°C 38 P.S.I.Badger Meter Reading #M0646468
1000 gal / 67.4 sec = 198 G.P.S.Badger
Meter
↓
[Symbol]

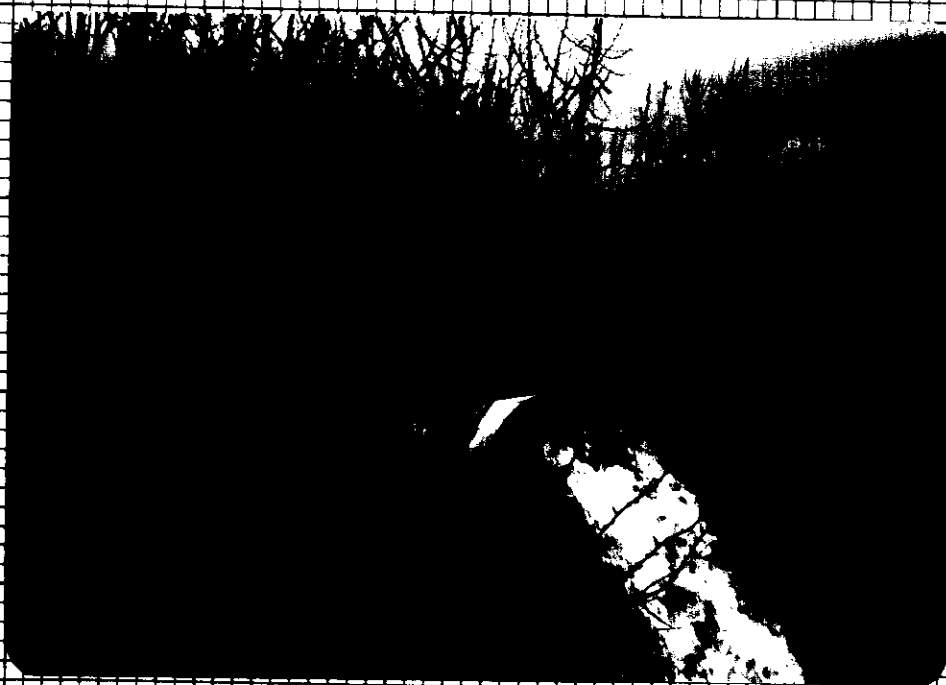
APR 19 1994

WELL #3

ARTISIAN Flowing Well

34°C 22 P.S.I.

MEASUREMENT From Rated Section
By U.S.G.S. Gage Station with
CURVE on the Rated Section.



APR 19 1994

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: G. A. Fulk

Date 8.30.83

Owner: Lee Ray

Permit No. _____

Description of well &/or measuring site (give distance to restrictions upstream and downstream): 32° C ARTISIAN FLOWING

MANOMETER WAS USED

Measured inside diameter of pipe in inches (A) 8"

Size of Annubar used in test 1.98

State ID# of Annubar Meter used 091411

Size Eagle Eye Meter used N/A

State ID# of Meter used N/A

Date of Last Calibration of Meter N/A

Observed inches of H2O read on Meter 3.0

Adjusted inches of H2O from Last Calibration (B) N/A

CALCULATION: $\frac{(3.85) \times (A)^2 \sqrt{B}}{448.8} = 0.95$ cfs measured

Where A and B are measured in inches and 3.85 is a constant for the model 75 Annubar.

SKETCH:



APR 19 1994

*6

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: ADM/GLF

Date 2/2/84

Owner: R2y #5

Permit No. _____

Description of well &/or measuring site (give distance to restrictions upstream and downstream): ARTISIAN Well, NO Valve
NO PRESSURE GAUGE. 36°C.

Measured inside diameter of pipe in inches (A) _____

11.5"

Size of Annubar used in test 12"

State ID# of Annubar Meter used _____

Size Eagle Eye Meter used _____

State ID# of Meter used _____

Date of Last Calibration of Meter _____

Manometer

Observed inches of H2O read on Meter _____

5.5"

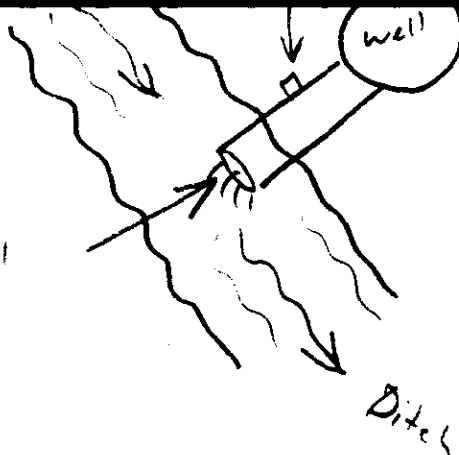
Adjusted inches of H2O from Last Calibration (B) _____

cfs measured

and 3.85
r.

1194 gpm

2.66 cfs



Placed shovel
in pipe to
provide full
size flow

APR 18 1994

WELL #6

ARTISIAN WELL FLOWING
35°C 33 PSI

BUCKET MEASUREMENT
 $0.57 \text{ CF} / 1.5 \text{ sec} = 0.38 \text{ CFS}$



MEASUREMENT WAS MADE AT
DISCHARGE POINT AT RACEWAYS.

APR 19 1994

IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: ADA / GLF

Date 2/2/84

Owner: D25 #7

Permit No. _____

Description of well &/or measuring site (give distance to restrictions upstream)

#7 ARTISIAN Wells.
32°C.

6.0"

Anometer

#8

19"

cfs measured

604 gpm

ches and 3.85
nnubar.

1.35 cfs

2' outside
well
near 0.53
well #8
0.70
well #7

Well #7

APR 10 1984

DEPARTMENT OF WATER RESOURCES
Southern Region1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MARCH 22, 1994

LEE E. RAY
RT. 1 BOX 334
BUHL

ID 87116

RE: Permit No. 47-7488

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

MICROFILMED

APR 19 1994

INTER-DEPARTMENT MEMO — 1

FROM Rita

DATE 3-7-84

TO Ranae

SUBJECT Extension of Time - Refund

Please return Leo Ray's \$15 for the extension of time submitted on
October 28. See attached letter and copies of receipt.

Thanks

SIGNATURE

March 7, 1984

Leo E. Ray
Rt. 3 Box 234
Buhl, ID 83316

Dear Mr. Ray:

Re: Permit No. 47-7488

This office acknowledges receipt of the statement of beneficial use postcard submitted on January 9, 1984 in lieu of the request for extension of time.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will contact you to schedule the exam at a convenient time.

If you have any questions regarding the field examination, please contact our Southern Regional office at 734-3578.

Enclosed is the request for extension of time form. Please be advised that the \$15 filing fee will be returned to you under separate cover.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

100-1-1000

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as ☒ statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7488.

Name(s) of Permit Holder: Fish Breeders of Idaho

Post Office Address: RT 3 Box 234 Bluff Id

Tel. No. 543-6407

Source of Water: Well

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☐ Irrigation	(acres)
☐ Other <u>Fish</u>	

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

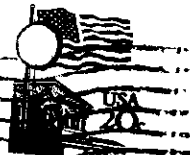
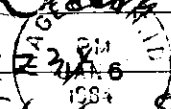
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

12-11-83
Date

Lee E. Ray
Signature of Permit Holder

High Bridge of Id
RT3 Box 2376
Mish Idaho 83376



RECEIVED

JAN 9 1984



RECEIVED

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

November 29, 1983

Leo E. Ray
Rt. 3 Box 234
Buhl, ID 83316

Dear Mr. Ray:

Re: Permit No. 47-7488

This office has received and reviewed the extension of time request which you submitted in connection with the above-referenced permit. A review of the information on the extension request appears to indicate that submittal of proof of beneficial use is more appropriate since the five wells authorized by the permit have been drilled and the water applied to a beneficial use.

Please advise me soon in this matter since department action is pending on the extension request. Contact me at 334-4290.

Enclosed is a proof of beneficial use postcard for your use.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure



STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 47-7488

Y Date Received stamp

Y Fee receipted

Y Name on request same as on permit RT 3 Box 234, Buhl, ID
83316

N Address same as on permit

Y Proof due date correct

12-1-1988

Y Period of request correct

Y Signature same as on permit

Y First extension request

Y Permit holder named as defendant in 1983 Idaho Power lawsuit

Y Is extension filed before proof due date?

Date extension received N/A

Proof due date - _____

Days late _____

Priority date _____

Adjusted priority date _____

N Is delay caused by litigation?

Date litigation began N/A

Date litigation completed N/A

Period of delay _____

New proof due date _____

Y Is there commencement of works?

— Cover letter number - Need new cover letter prepared

— Rolodex card updated (work started, upstream from Swan Falls)

Remarks:

Head processing - upstream from Swan Falls.

Reviewed by: Juni

Date: 10-31-83

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

EXTENSION OF TIME

October 31, 1983

Fish Breeders of Idaho, Inc.

Leo E. or Judith K. Ray

Route 3, Box 234

Buhl, ID 83316

PERMIT NO. 47-7488

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. 32759.

Roberta Garrett

Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138026

RAY, LEO E.
RT. 3 BOX 193
BUHL, ID 83316

PROOF DUE NOTICE

SEPTEMBER 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7488 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, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

May 2, 1983

Dear Permit Holder:

Enclosed you will find an Order Supplementing Conditions of Approval for your permit to appropriate groundwater within the newly formed Banbury Hot Springs Groundwater Management Area.

Please be advised that there will be a meeting on Thursday, May 5, 1983 at 7:30 p.m. at Buhl Junior High School, 216 North 7th St., Buhl, Idaho to discuss the reasons for designation as a management area and potential impacts.

Sincerely,

for DAVID R. TUTHILL, JR.
Water Allocations Section Supervisor

DRT:rf

Enclosure

MICROFILMED



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 26, 1978

Re: Permit No. 47-7488

Leo E. Ray
Route 3, Box 193
Buhl, Idaho 83316

Dear Mr. Ray:

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

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide the specifications for the installation to you.

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
L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw Enclosure

RECEIVED
DEC 28 1978
IDAHO DEPT. OF WATER RESOURCES
BOISE, IDAHO

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 9-13-78

TO File

SUBJECT Financial Statement Required for Application For Permit 47-7488

I have on this date examined the financial statement of Leo Ray in connection with this application for permit, by which Mr. Ray proposes to appropriate water for fish propagation. The applicant appears to have sufficient financial resources to complete the project.



SIGNATURE



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

October 19, 1978

Mr. Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit #47-7488 - Leo E. Ray

Dear Mr. Bell:

Enclosed is a copy of Application for Permit #47-7488, Leo E. Ray
for your information.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

September 7, 1978

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

Re: Application for Permit #47-7487 - Leo E. Ray

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
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Leo E. Ray
Buhl, Idaho
has on 5/25/78 submitted Application No. 47-7488
for a permit to appropriate 30.0 cubic feet per second, ~~acre feet per annum~~
of water from ground water
by means of artesian wells (5), control valves, pipes and ditches
within the Lot 8, 17, Sec. 4; Lot 1, NW1/4, NE1/4, Sec. 9, Twp 9S, Rge. 14E
Twin Falls County
to be used from Jan. 1 - Dec. 31, for fish propagation, recreation, domestic &
~~for~~ commercial heating - Mar. 15 - Nov. 15, for irrigation purposes of 130 acres
within the Lot 8, 16, 17, Sec. 4; Lot 1, NW1/4, NE1/4, Sec. 9, Twp. 9S, Rge. 14E

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before Oct. 2, 1978.

C. STEPHEN ALLRED

Director

Published in the Times News
on Sept. 14 and Sept. 21, 1978