

Form 204
4/86

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by CP
Date 9/11/89
Receipt # 1011550

REQUEST FOR EXTENSION OF TIME

68611 dss
\$15.00
917

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

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. 47-09419

Name(s) of Permit Holder: Prudet

Post Office Address: RT. 1 Box 80, Buhl, ID 83316

Telephone No. 543-4876

Date Proof is Due: Nov. 1, 1991

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

Well has been drilled & is in use (comingled with canal water). Well pumps 40-50"
of water, not enough for our needs

Costing \$ 30,000.

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

Due to Swan Falls litigation, we have not put more money into this well until the
continued right to use the well could be assured. Appraising under Swan Falls was only
recently approved.

Permit holder(s) request an extension to Nov. 1, 19 94.
(1 yr. minimum)

FEE: \$15.00

Jake F. Prudet
(Signature)
*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 October 1, 1991.

Signed this 4 day of October, 19 89.

J. Glen Saxton
Chief, Water Allocation Bureau

**NOTICE OF EXISTING
WATER RIGHT PERMIT**
Permit No. 47-7410
Presently Recorded as
Follows:
Name: PRUDEK BROTHERS
Address: Rt. 1
Buhl ID 83316
Source: Groundwater
Division Pl.: SWSE Sec. 20 T10S R14E
Twin Falls County
Use: Irrigation (2.0 cfs)
Stockwater (0.07 cfs)
Priority: 7/20/1977
Place of Use: N½NE, SWNE, W½SE, Sec. 20 T10S R14E
Total Acres: 180
This is a supplemental water right permit. Lands under this permit are irrigated with existing rights from Twin Falls Canal Co. Development of the water source under this permit was not complete by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before June 28, 1989. A protest must overcome the presumption Rule 6.2.1.
R. Keith Hargison, Director
PUBLISH: Thursday, June 8 and 15, 1989.

Affidavit of Publication
STATE OF IDAHO } ss.
COUNTY OF TWIN FALLS }

No 19956

I, Shirley Capps McHune being first duly sworn upon oath, depose and say that I am Deane Clark of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated June 8, 1989, and ending with the issue dated June 15, 1989.

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

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

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 29 day of June in the year of 1989, before me, a Notary Public, personally appeared Shirley Capps McHune known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true and acknowledged to me that he executed the same.

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

Identification No. _____

Application No. 47-7419

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant Prudek Brothers Phone: 543-4876
post office address Rt. # 1, Suh1, Idaho 83316
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 10S
Range 14E B.M. Twin Falls County, additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0cfs for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .07cfs for Livestock purpose from Dec. 1 to Feb. 28 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum
6. Proposed diverting works.
a. Description of ditches, flumes, pumps, headgates, pump, well, ditches, stock ponds

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.
Mo. Day Mo. Day
c. Proposed well diameter is 12 inches; proposed depth of well is 200 feet
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years
b. Estimated construction cost is \$ 20,000.00
8. Description of proposed uses.
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered 300 Range Cattle

(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 _____

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

[illegible]

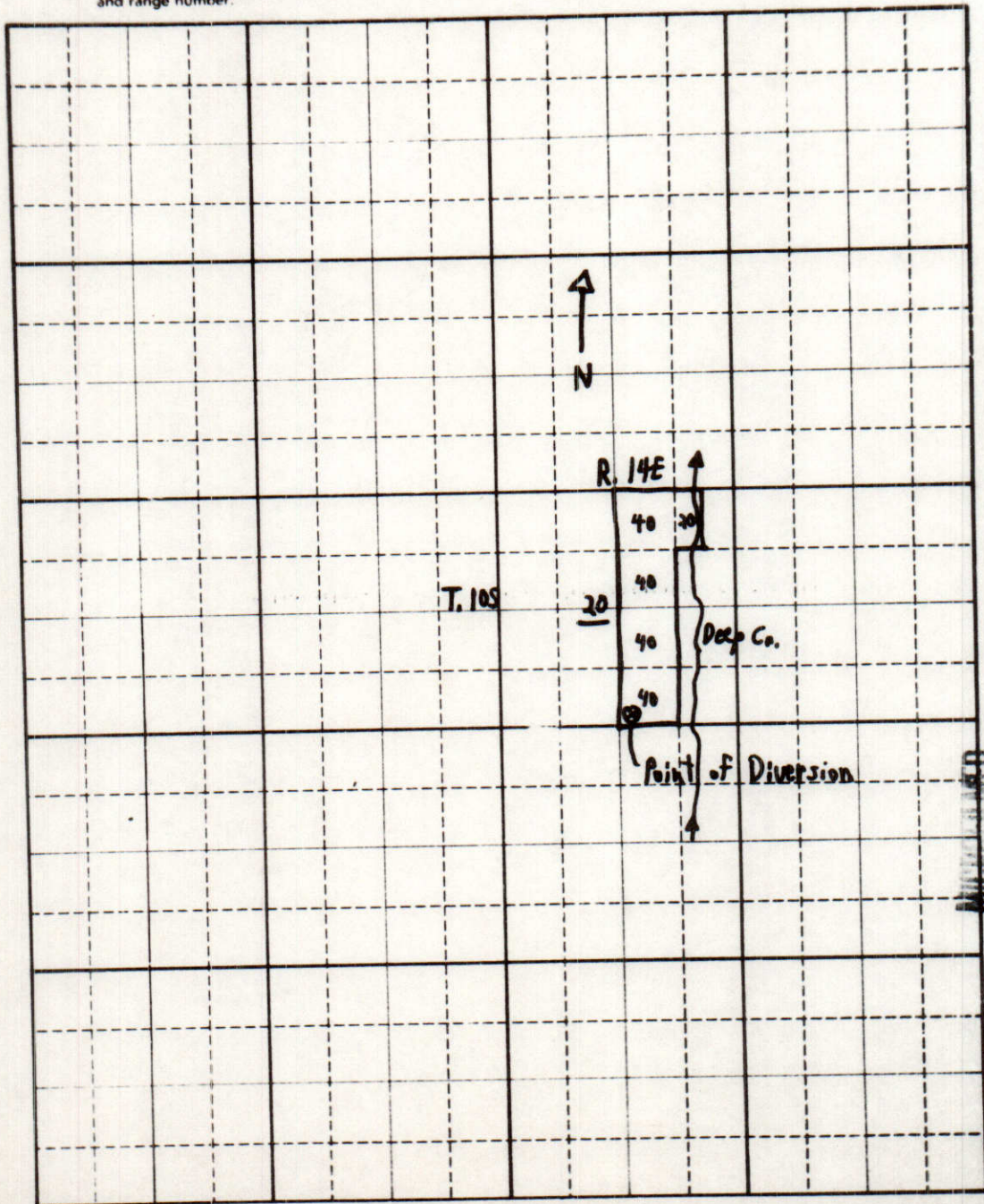
Total number of acres to be irrigated 180

c. Describe any other water rights used for the same purposes as described above. Twin Falls Canal
Co. Water

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 Supplemental water due to poor irrigation conditions on property

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.

John F. Fudek
(Applicant)
Partner

Proposed priority date: July 28, 1977

Received by DL Date 7-28-77 Time 10:30 am
Preliminary check by DL Fee \$ 25.00
Receipted by DL Date 7-28-77 # 8676
Publication prepared by DL Date 8/3/77
Published in Idaho News
Publication dates 8/11 + 8/18/77
Publication approved DL Date 8/25/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DL

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. 47-7419, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 79.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it normally operates shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second per acre of land.

Witness my hand this 7 day of October, 19 77.

[Signature]
Deputy Director

NOTICE OF APPLICATION FOR WATER PERMIT
 Notice is hereby given that Prudok Brothers, Inc. has filed Application No. 47-1419 for a permit to appropriate 2.0 cubic feet per second of water from Groundwater by means of pump, well, ditches, and ponds within the SW 1/4 Sec. 21, Twp. 10S, Rge. 14E, S.M. Twin Falls County to be used from Mar. 10 to Nov. 15 for irrigation purposes of 100 acres & from Dec. 1 to Feb. 28 for livestock purposes within the W 1/2 Sec. 21, Twp. 10S, Rge. 14E, S.M. Twin Falls County.
 If issued, the 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, 1015 Blue Center Bldg., North, Twin Falls, Idaho, 83401 on or before August 25, 1977.
 C. STEPHEN ALLRED
 Director
 Publish: Aug. 11 and 18, 1977

OK of 8-25-77

Affidavit of Publication

STATE OF IDAHO,
 COUNTY OF TWIN FALLS }

N^o 6284

I, Ray M. May being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Sundays, commencing with the issue dated August 4, 19 77, and ending with the issue dated August 13, 19 77.

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, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-106 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.

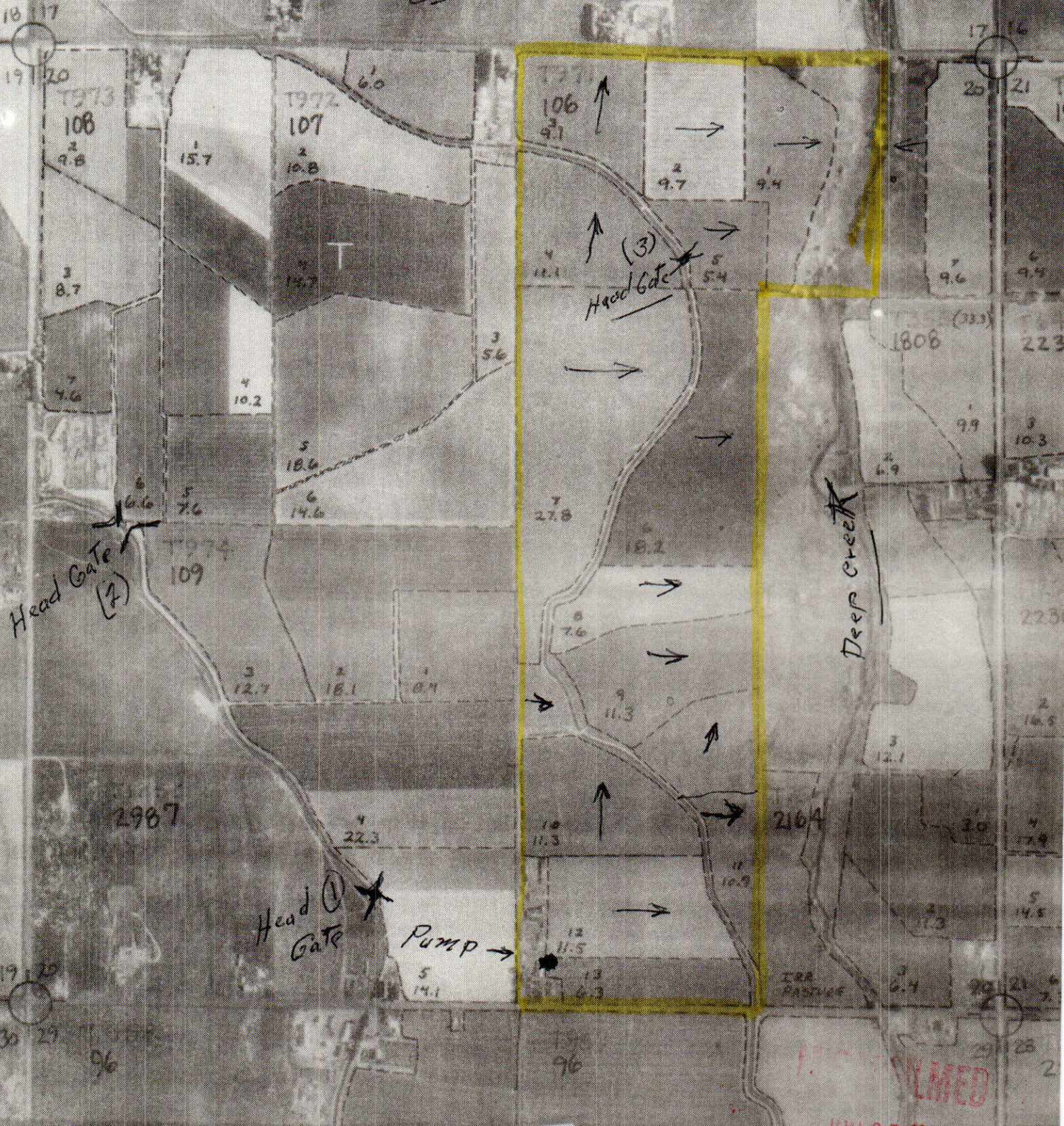
Subscribed and sworn to before me on this 13 day of

August, 19 77.
C. Stephen Allred
 Notary Public in and for the County of Twin Falls,
 State of Idaho, residing at Twin Falls, Idaho

Section
35



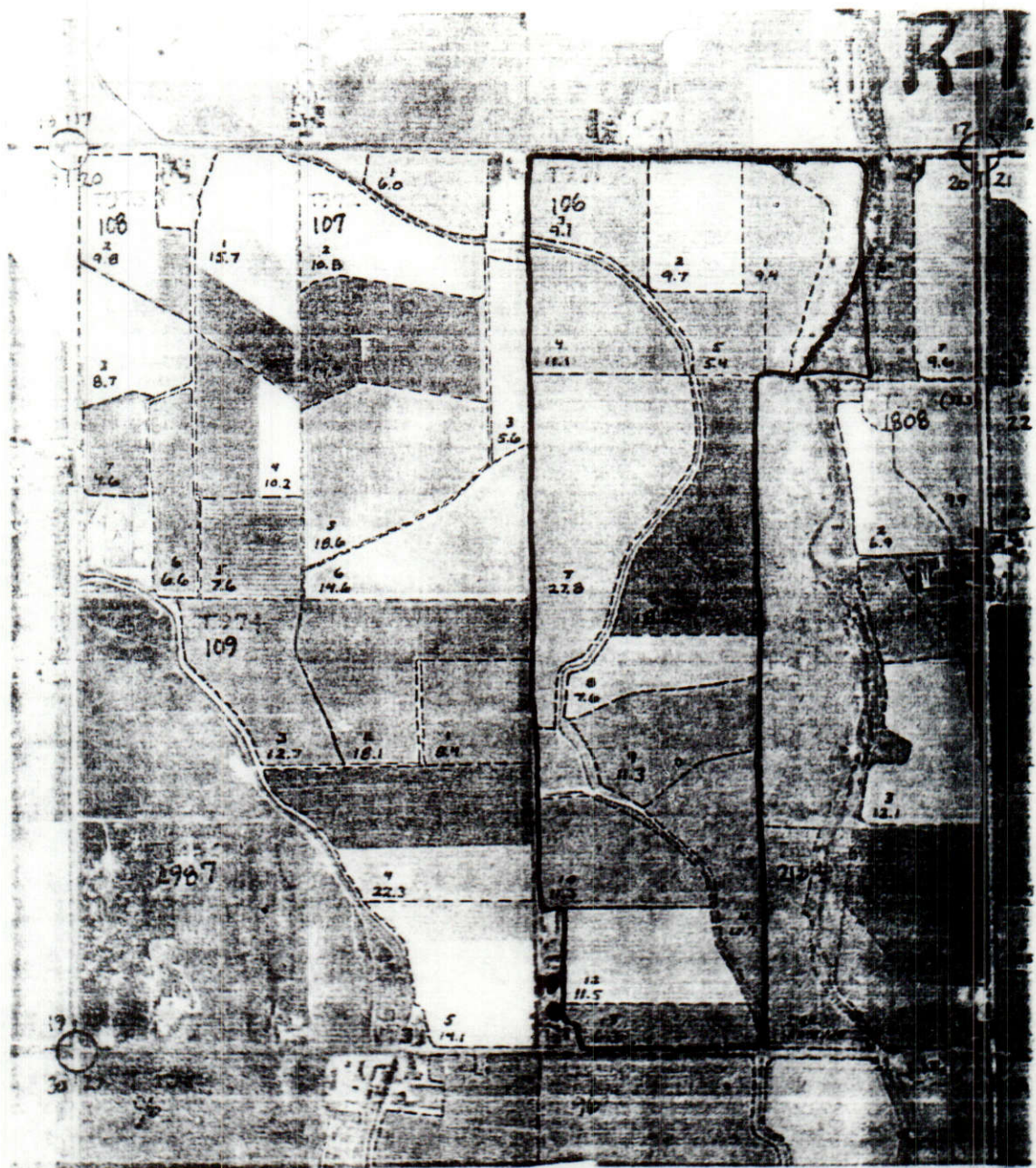
R-14



NOT TO scale F-13

Direction WATER Runs
"ARROWS"

JUN 25 1992



NOT TO SCALE F-13

Form 504-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-7419
Name(s) of Permit Holder(s): Frudek Brothers
Post Office Address: Route #1, Box 80
Ruhl, ID Tel. No. 543-6876

☒ I hereby certify that construction of diversion works for the above referenced permit began on 1979 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

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

*Note: A branching difficulty
not an acceptable reason

July 20, 1982
Date

Justin F. Frudek
Signature of Permit Holder

PLACE
STAMP
HERE
RECEIVED

JUL 20 1982

Department of Water Resources
Southern District Office



RECEIVED

JUL 22 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

FROM: Allen Merritt

DATE: March 22, 1996

TO: Permit 47-07419
Application 47-07737
SRBA Claim A47-12179

SUBJECT: Allegation of Well interference

On 3/20 Mrs. Richard Jeppesen (543-6604) phoned and complained that their domestic well had again experienced problems (air bubbles and low pressure). They said they noted problems before when Prudek used supplemental well drilled approx 1/8 mile away from their domestic well. She indicated that they had protested an application of Prudek's because of this problem but she said that their was a permit approved on the same well. I looked these up and found Permit 47-07419 and Protested Application 47-07737 which seems to fit. I also found that Jeppesen has a claim on their domestic well A47-12179.

I asked her if she had talked to Prudek a she said she hadn't done so. She thought about it and then said she would have her husband call that night and then she would call me back the next day.

On 3/21 Mrs. Jeppesen called back and said they had got a hold of Mr. Ruddy Prudek and were going to work things out. We discussed the matter more and I suggested that if they wanted I was willing to meet with them and discuss the matter of well interference /Wallentine decision/ making a call according to conjunctive management rules. She indicated that maybe they would come to the office in a few weeks and discuss these things.

47-07419

September 21, 1984

Prudek Brothers
Rt. 1, Box 80
Buhl, ID 83316

Gentlemen:

Re: Permit No. 47-7419

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 November 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 3,400 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

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 47-7419

☒ Date received stamp
☒ Fee received and receipted
☒ Name on request same as on permit
☒ Address same permit as on latest correspondence
☒ Proof due date within six months of due date
☒ Signature same as permit
☒ Source of water the same
☒ Review conditions of approval
☒ Extensions previously approved
☒ Proceed diligently
☒ Is delay caused by litigation: ☒ Swan Falls
Date lit. completed _____
Date lit. began _____
Period of delay _____
New proof due date _____

ACTION: *Approve based on pending Swan Falls litigation*

☒ Is the extension timely received?
☒ Reinstate: Extension received _____
Proof due date _____
Days late _____
Priority date _____
Adjusted priority date _____
☒ Is there commencement of works?
☒ Cover letter
____ Coding sheet
____ Rolodex card updated and refiled

Reviewed by *[Signature]* Date: 9-20-1984

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-07419	)	
	)	
IN THE NAME OF PRUDEK BROTHERS	)	ORDER OF
	)	REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On October 7, 1977, the Director of the Department of Water Resources issued Permit No. 47-07419 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1979. Three extensions of time were approved extending the proof of construction of works and application of water to beneficial use to October 1, 1991.

2. On July 31, 1991, the Department sent a proof due notice to the permit holder.

3. On November 25, 1991, the Department sent a lapse notice the permit holder.

4. On May 26, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes a copy of the well log and copies of invoices from the pump company dated in 1977 and 1978.

7. The permit holder states, in correspondence to the Department, that they did not understand that the Swan Falls litigation had been settled and, therefore, had not proceeded with the development of this water right.

MICROFILMED

JUN 25 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

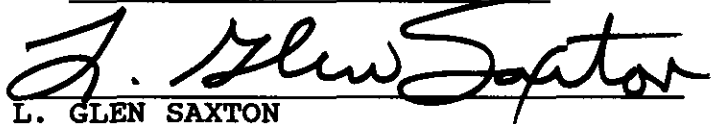
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 47-07419 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to May 26, 1992.

Dated this 5th day of June, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED
FILMED

JUN 25 1992

Form 204

RECEIVED

SEP 10 1991

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

For Office Use Only
\$15 FEE Received by 91
Date 9-30-91
Receipt # 5012788

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. 47-07419

Name(s) of Permit Holder: Prudek Brothers

Post Office Address: RT 1 Box 104, Ruhl, ID 83316

Telephone No. 543-4876

Date Proof is Due: 10-1-1991

Describe what work has been completed toward the development of this water right:

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

Well has been drilled & is in use. Well does not produce enough water for our needs,
& needs to be deepened.

Costing \$ 30.00

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

Due to continuing litigation in the Hawkins Agn Warehouse case, our economic situation
is uncertain. We are plaintiffs in the case, which has been in the courts for some time.
We have no control over this

Permit holder(s) request an extension to 10-1, 19 96
(1 yr. minimum)

Jake F. Prudek
(Signature)

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

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED
pursuant to Section 42-204, Idaho Code which states that only one extension
of time can be granted based on due diligence.

Signed this 20th day of November, 19 91

R. Lee Higgins
Director

Form 204
4/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Registered by CL
Date 9/11/89
Receipt # 204550

DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

6061 11 835
815-0000
917

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

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. 47-07419

Name(s) of Permit Holder: Prudett

Post Office Address: RT. 1 Box 80, Ruhl, ID 83316

Telephone No. 543-4826

Date Proof is Due: Nov. 1, 1991

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

Well has been drilled & is in use (furnished with canal water). Well pumps 40-50°
of water, not enough for our needs

Costing \$ 30,000.

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

Due to Swan Falls litigation, we have not put more money into this well until the
continued right to use the well could be assured. Approaching water Swan Falls was only
recently approved.

Permit holder(s) request an extension to Nov. 1, 1991
(1 yr. maximum)

Jake F. Prudett
(Signature)
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

Fee: \$15.00

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 October 1, 1991.

Signed this 4 day of October, 19 89.

J. Blum Sexton
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 47-7419 IN THE NAME	)	
OF PRUDEK BROTHERS	)	CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.
2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.
3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.
4. Permit No. 47-7419 (permit) was issued to Prudek Brothers (permit holder) authorizing the diversion of 2.0 cfs of groundwater for irrigation of 180 acres.
5. IDWR records show that 180 acres authorized to be irrigated under Permit No. 47-7419, are irrigated with other water rights perfected prior to July 1, 1985.

6. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

7. The development and use of groundwater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 47-7419 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 47-7419 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before November 1, 1989.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

5. All conditions of approval contained on the permit are
incorporated into and made a part of this order.

Dated this 28th day of July, 1989.

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

NOTARY PUBLIC
STATE OF IDAHO
COUNTY OF TWIN FALLS
No. 19956
I, Theresa Capps McHune
being first duly sworn upon oath, depose
and say that I am Theresa Capps of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks
commencing with the issue dated June 8, 1989
and ending with the issue dated June 15, 1989
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 ex-
cept 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 columns of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.
STATE OF IDAHO
COUNTY OF TWIN FALLS
On this 21st day of June, in the year of 1989, before me,
a Notary Public, personally appeared Theresa Capps McHune
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true and correct to me that he executed the same
Theresa K. Felton
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 3/19/94
PUBLISHED: Thursday,
June 8 and 15, 1989

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS

No. 19956

I, Theresa Capps McHune being first duly sworn upon oath, depose
and say that I am Theresa Capps of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks
commencing with the issue dated June 8, 1989
and ending with the issue dated June 15, 1989

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 ex-
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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 columns of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 21st day of June, in the year of 1989, before me,

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

Theresa K. Felton
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 3/19/94

Form 204
1-81

For Office Use Only
Fee Received 15.25
Date 9-7-84
Receipt # 35056

RECEIVED

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

Department of Water Resources

Prudek Brothers
(Name)

of Rt #1, Box 80, Buhl, ID. 83316
(Address)

State of Idaho deposes and says

That he is the holder or the duly authorized agent or the holder* of Permit to appropriate the Public Water of
the State of Idaho No. 47-7419

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

Nov. 01 19 84

That he has heretofore performed the following work described under said permit: Well has
(This must be filled out if no work has been completed put none)
been drilled, pump motor was installed, well did not produce
sufficient water. Need to drill well deeper.

Costing \$ 28,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Have decided to wait the outcome of Swan Falls
Litigation

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to Nov. 1 19 89
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1983
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Jake F. Prudek
(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 November 1, 1989.

Signed this 20th day of September 19 84

A. Glen Saxton
Chief, Operations Bureau

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

Prudek Brothers
(Name)

of

Route 1, Box 80, Buhl, Idaho 83801
(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
Waters of the State of Idaho No. 47-7419.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before November 1, 1979.

That he has heretofore performed the following work described under said permit:

Well has been drilled and pump installed.

Costing \$ 28,000.

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Well is producing only half of the water applied for. More time is
needed to deepen the well or drill a second well.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to November 1, 1984.

Prudek Bros. by Jake F. Prudek
(Signature)*

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 proof of beneficial use of water is extended to November 1, 1984.

Signed this 8th day of November

1979.

J. Glen Sayton
CHIEF, OPERATIONS BUREAU

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

Identification No.

Application No. 47-7419

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant **Prudek Brothers** Phone **543-4876**
Post office address **Rt. # 1, Suh1, Idaho 83316**
2. Source of water supply **Groundwater** which is a tributary of _____
3. a. Location of point of diversion is **SW** 1/4 of **SE** 1/4 of Section **20** Township **10S**
Range **14E** B.M. **Twin Falls** County _____ additional points of diversion if any _____
4. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount **2.0 cfs** for **irrigation** purpose from **Mar. 15** to **Nov. 15** (both dates inclusive)
Amount **.07 cfs** for **Livestock** purpose from **Dec. 1** to **Feb. 28** (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. **2.0** cubic feet per second and/or _____
b. _____ cubic feet per annum
6. Proposed pumping works:
a. Description of ditches, flumes, pumps, headgate **pump, well, ditches, stock ponds**
7. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; material used in storage dam _____
Period of year during which storage will be used _____ to _____ inclusive
Proposed well or pump _____ **12** inches in diameter with flow of **200** feet
8. a. Time required for the completion of the work and appropriation of the water to the proposed beneficial use is **2** years.
b. Estimated construction cost is \$ **20,000.00**
9. Description of proposed uses:
a. If water is **not** for irrigation:
i. For the _____ use of water _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M. _____
ii. Amount of power to be generated _____ hp under _____ feet of head
iii. Number of earls kind of livestock to be watered **300 Range Cattle**
b. If water is for irrigation:
i. Name of municipality to be served _____ or number of families to be supplied with domestic water _____
ii. If water is to be used for other purposes describe _____

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

[illegible]

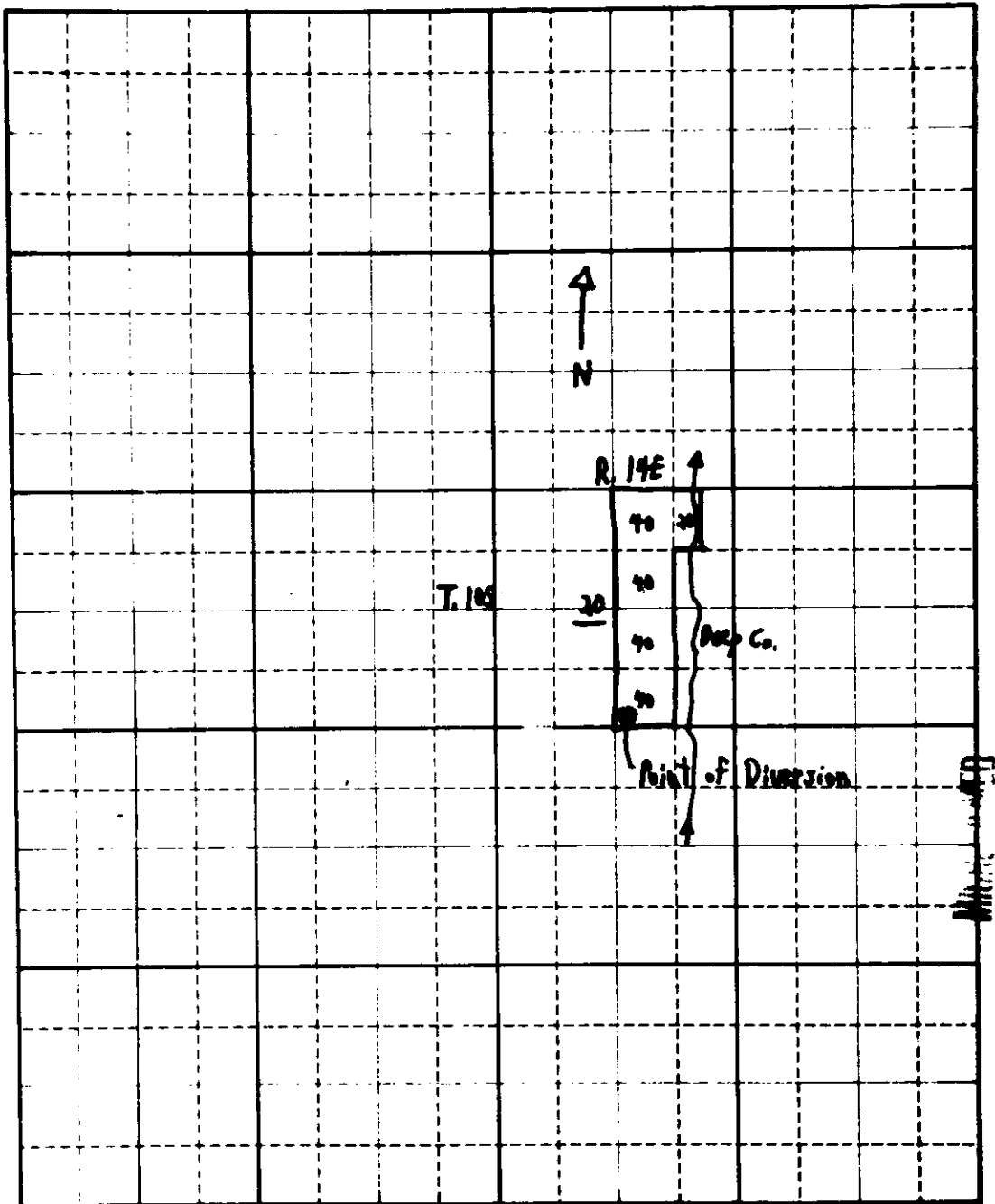
Total number of acres to be irrigated 180

c. Describe any other water rights used for the same purposes as described above. Trin Falls Canal
Co. Water

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 Supplemental water due to poor irrigation conditions on property

1) 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.

John L. Lusk
 Applicant
John L. Lusk
 Witness

Proposed priority date: July 28, 1977

Received by PH Date 7-28-77 Time 10:20 AM
Preliminary check by PH Fee \$ 35.00
Received by PH Date 7-28-77 9867K
Publication prepared by PH Date 8/3/77
Published in Idaho News
Publication dates 8/11 + 8/18/77
Publication approved PH Date 9/25/77
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by PH PH

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. 47-7419, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 79.
- c. Other. For licensing purposes a scientific measurement of the diversion rate of the system as it normally operates shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second per acre of land.

Witness my hand this 7 day of October, 19 77.

[Signature]
State Director

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

N: 6284

I, Harry M. May, being first duly sworn upon oath, depose and say that I am Editor of the TIMES-NEWS, published daily, except Saturday, 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 business days, commencing with the issue dated August 19, 1937 and ending with the issue dated August 20, 1937.

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, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-100 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 newspaper, 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

10 day of

August 1937.
Carol A. Jensen
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

OK 8-25-37

June 12, 1992

PRUDEK BROTHERS
RT 1 BOX 104
BUHL ID 83316

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-07419

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED
JUN 25 1992

11/91
RECEIVED
 MAY 26 1992

OFFICE USE ONLY

Amt. of Fee \$ 125.00Date 5-26-92Receipt No. 0024279Receipt by [Signature]

STATE OF IDAHO

Department of Water Resources **DEPARTMENT OF WATER RESOURCES**

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 47-7419 Telephone No. 543-4876
2. Name(s) of Permit Holder(s): Prudek Bros.
3. Mailing Address: RT #1, Box 104 Buhl, Idaho 83316
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Elsing Drilling & Pump Date Drilled: Oct. 14, 1977

OPTIONAL:

Pump horsepower: 75 Pressure (psi): ? Dynamic pumping level (ft.): 230'

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater 300 Cattle Beef (No. and type of stock)

Irrigation 180 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2.0 cfs OR 2 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

8. Fee Enclosed: \$ 125.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Jake F. Prudek 543 4876
 Name Telephone No.

RT #1, Box 104 Buhl Idaho 83316
 Address

10. 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.

Date

Signature (and title, if on behalf of a company or organization)

MINI-FILMED
 JUN 25 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 47-07419

Reviewed by Klg

Date 5/28/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
NO Proof timely received?
If not, complete calculation below.

irrigate - 180
livestock - 300
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

NA Drilling permit required?

10/14/77 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
25 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received Received Beyond 60 day
Date proof due simple - but statement - advance
No. of days late to date - proof was received
Priority Date +
New Priority Date 5/26/92

DEFICIENCIES OR ACTION ITEMS

Beyond 60 day - requires more info

proof acceptable

DATA ENTRY

New Address

Proof Made 5/26/92
6/12/92 Klg

WELL DRILLER'S REPORT

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

[illegible]

RECEIVED
JUN 4 1992

Department of Water Resources

Frank Bros.
Rt. 1 Box 104
Buhl, Id. 83316
June 3, 1992

Dept. of Water Resources:

In response for permit no. 47-07419 -

Enclosed, please note invoices and checks pertaining to putting in this well-pumping system, exceeding \$30,000⁰⁰. Please note all early dates.

The farm in question is 180 acres and lies north and south for one mile. Twin Falls Canal Co. lateral no. 7 meanders from the south east corner to the north west corner of the place, cutting the entire farm in half. Only 50 acres are irrigated from this invading lateral, but it completely hampers us from utilizing any waste water. All the water goes into this lateral or drains down to Deep Creek. The farm irrigates from west to east towards Deep Creek. Not being able to reuse any water, causes the farm to continually burn.

RECORDED
JUN 25 1992

The permit is for 2 acre feet or 100 inches. That is what the Dixie engine pump is designed for. It takes as much fuel to pump 40" as 100". It can now be monitored at any time.

RECEIVED
SEP 4 1982

The well has been used for 180 acres in the early spring and late fall, as well as supplement water for 250 head of cattle, out on the place.

As for reasonable cause, the Idaho Power filed a lawsuit against all new permits. We have never received any notice that that has been dropped.

Until this severe drought and very possibly a worse water situation in 1993, we felt we should see what Idaho Power was going to do. But, since we have had a sizable investment since 1978, we feel that now we need to pursue this permit and pump 100" during this drought.

We have farmed this property since 1930.

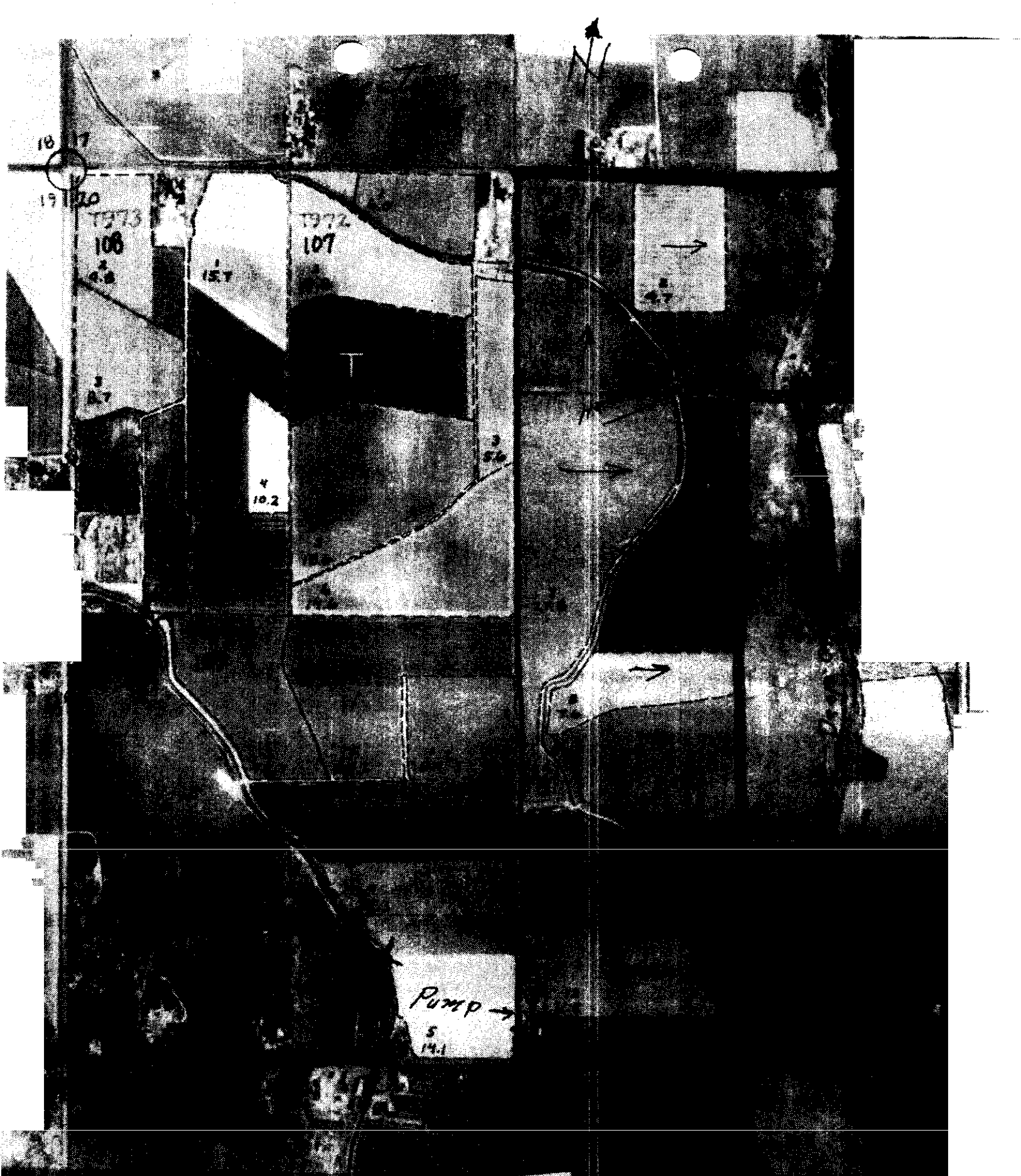
We hope to reach an agreement with you concerning this permit no. 47-07419.

MICROFILMED

JUN 25 1992

Sincerely,

Jake F. Fivalk



NOT TO scale

F-13

Direction WATER Runs
"ARROWS"

00N 20 1992

**AUROMA PUMP****A UNIT OF NERAL SIGNAL**

800 AIRPORT ROAD NORTH AURORA, ILLINOIS 60542

DUNS NO 00-523 6997

DISTRIBUTOR'S COPY OF INVOICE

ALL INVOICES AND CORRESPONDENCE SHOULD BE SENT TO NO. 378-71001
AURORA, ILL. WITH THIS NUMBER →

ORDER NUMBER

378-71001

INVOICE NO.

2-63884

INVOICE DATE

CUST. ORDER NO.

SHIPPED FROM Twin Falls 785-133

MAY 22 1978

SOLD TO

Prudek Brothers
Route 1
Buhl, Id 83316

SHIP TO

MARK

MANUFACTURING POINT

AURORA, ILL.
(AURORA)
CITY OF INDUSTRY
PAID (USDA/ILRI)FREIGHT
COLLECT
PREPAID ALLOWED
PREPAID ADDTERMS - NET 30 DAYS
UNLESS OTHERWISE MARKED
1% PER MONTH ADDED ON ALL PAST DUE INVOICES
PAYABLE IN U.S. FUNDS ONLY

TERMS

ORDER NUMBER		DATE RECEIVED		CUSTOMER'S ORDER NO.		SHIPMENT REQUESTED			
		4-4-78							
AP-ER	CUST. CODE	S. TAX EXEMP. NUMBER	SALES TAX YES ☐ NO ☒	S. SOLD	DIST. NO.	S SHIP'D	C. SHIP'D	SHIP VIA	
	100457					13		install	
PROD. CODE	QTY ORDERED	PRICE EACH	PART OR MODEL	DESCRIPTION	UNIT PRICE	QTY SHIPPED	TOTAL PRICE		
5810	1		Geardrive DW	17 AC-8 head					
			8" companion flange	5' of 8" discharge					
			180' of 8 x 2 x 1 3/16 column assy.	5 stages 10 JKH Bowl assy.					
			5' of 8" suction w/ cone				5,545.00		
	1		F5L-912 Deutz Diesel Engine				5,582.00		
	1		Amarillo S-60 right angle gear drive 11:10				786.00		
			Watson splicer shaft w/ flanges				127.00		
			Installation				325.00		
			Rod Berry to make plate for flywheel				206.00		
			Labor to try and put on extension				160.00		
							12,731.00		
IMPELLER PATT.		DIA.	CAPACITY	TOTAL HEAD	SPEED	EFFICIENCY	PUMPING TEMPERATURE	LIQUID	SOLID
10 JKH		F.D.	900 G.P.M.	165 FT.	1770 R.P.M.		°F	water	
STAGE	SPEC. GRAV.	VISCOSITY	BRAKE HORSE POWER	SUCTION PRESSURE	VAPOR PRESSURE	N.P.S.H. ABOVE VAPOR PRESSURE	PSIA	AVAIL	REQ'D
5			SSU		PSIG				

PD Bue
* 257.724.78
* 2931

MICROFILMED

JUN 25 1992

20001 9 4-78



AURORA PUMP
A UNIT OF GENERAL SIGNAL
800 AIRPORT ROAD - NORTH AURORA ILLINOIS - 60542

DUNS NO. 00-523-6997

DISTRIBUTOR

COPY NO. 57-158

ALL INQUIRIES AND CORRESPONDENCE SHOULD BE SENT TO 800 AIRPORT RD., NO. AURORA, IL 60542 WITH THIS NUMBER →

ORDER NUMBER

3X9-86257

INVOICE NO.

SOLD TO

Prudek Brothers
Route 1
Buhl, Id 83316

CUST. ORDER NO.

2-67936

INVOICE DATE

SHIPPED FROM Twin Falls 798-52

SHIP TO

AUG 13 1979

TERMS - NET 30 DAYS
1% per month or maximum interest permitted by law charged on past due items PAYABLE IN U.S. FUNDS ONLY

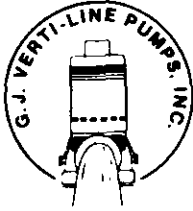
MARK

ORDER NUMBER		DATE RECEIVED		CUSTOMER'S ORDER NO.		COLLECT		PREPAID ALLOWED		PREPAID NOT ALLOWED		FRT.		TERMS	
AP. CR	CUST. CODE	S. TAX EXEMP. NUMBER	YES ☐ NO ☒	S. SOLD	DIST. NO.	S. SHIP'D	C. SHIP'D	SHIP VIA	CERT PTS	CURVES	BUL'TNS	INS'TIONS	PARTS LISTS	SHIPMENT REQUESTED	
	100457				158			install							8-1-79
PROD. CODE	QTY ORDERED	PRICE EACH	PART OR MODEL	DESCRIPTION								UNIT PRICE	QTY SHIPPED	TOTAL PRICE	
	5550 50' 1			put 50' of extension on gear drive pump 8 x 2 x 1 3/16 extension 8 x 2 spider Field labor to pull and reinstall pump										1,076.00 208.00 1,984.00	
IMPELLER PATT.	DIA.	CAPACITY	TOTAL HEAD	SPEED	EFFICIENCY	PUMPING TEMPERATURE	LIQUID	SOLIDS							
STAGES	SPEC. GRAV.	VISCOSITY	BRAKE HORSE POWER	SUCTION PRESSURE	VAPOR PRESSURE	N.P.S.H. ABOVE VAPOR PRESSURE									
		SSU		PSIG	PSIA	AVAIL.	REQ'D								

We hereby certify that these goods were produced in compliance with all applicable requirements of the Fair Labor Standards Act of 1938, as amended and regulations and orders thereunder. If any sales use or similar tax is payable with respect to the goods described below, purchaser will upon demand pay to us the amount of any such tax plus any interest and penalty thereon for which we might be or become liable. This invoice is also subject to terms and conditions in our acknowledgment and is for amounts listed in quantity shipped column.

COMMISSION

RECEIVED
JUN 25 1992

**G.J. VERTI-LINE PUMPS, INC.**

1970 Highland Ave. East
P.O. Box 892
Twin Falls, ID 83303
(208) 733-4278

INVOICE**4706**

SOLD TO:

Date 6-2-92

Prudek Brothers
Route 1 Box 104
Buhl, Id 83316

2

CUSTOMER CODE:

JOB NUMBER:

QTY.	NUMBER	DESCRIPTION	NET
		Design:	
		put 30 ft. extension on gear drive pump	
		30 ft. of 8 x 2 x 1 3/16 extension	882.00
		Field labor	630.00
		Non Reverse Ratchet plate and pins	300.00
			1,812.00
		Paid in full check #3884	

JUN 25 1992

TERMS: Net 30 Days — 1 1/2% Interest charged per month on Past Due Invoices.

109

 PRUDEK BROTHERS
RFD 1 543-4876
BUHL, IDAHO 83316

Pay to the order of Aurora Pump 29 April 78 92-250/1241
2300 Dollars

PROCESSED

THE FARMERS NATIONAL BANK
OF BUHL
P. O. BOX 392 BUHL, IDAHO 83316

PRUDEK BROTHERS

For On motor pump Jake T. Prudek

1:12410250: 01761 8" "0000230000"

RECORDED

JUN 25 1992

211

JACOB OR ROSE PRUDEK
ROUTE 1
BUHL, IDAHO 83316

Pay to the order of Seventy Five Hundred and no/100 May 17, 1978 92-250/1241
7500 Dollars

PROCESSED

THE FARMERS NATIONAL BANK
OF BUHL
BUHL, IDAHO 83316

For Pump (water) Jacob Prudek

1:12410250: 75067220" "0000750000"

Rocky Mountain Bank Note DP

593

 PRUDEK BROTHERS
RFD 1 BOX 80 543-4876
BUHL, IDAHO 83316

Pay to the order of Aurora Pump Aug. 17, 1979 92-250/1241
1984 Dollars

PROCESSED

THE FARMERS NATIONAL BANK
OF BUHL
BUHL, IDAHO 83316

PRUDEK BROTHERS

For Water pump repairs Jake T. Prudek

1:12410250: 7501761 8" "0000198400"

JACOB OR ROSE PRUDEK
ROUTE 1
BUHL, IDAHO 83316

240

Pay to the order of Geo. Gaily Wild Drilling 2500
Twenty Five Hundred and no 10 Dollars

THE FARMERS NATIONAL BANK
OF BUHL
BUHL, IDAHO 83316

3215550788

For Jacob Prudek

⑆1241⑆0250⑆ 75 07128 8⑈ ⑈0000250000⑈

Rocky Mountain Bank Note QP

MICROFILMED
JUN 25 1992

PRUDEK BROTHERS
RFD 1 BOX 80 543-4876
BUHL, IDAHO 83316

671

Pay to the order of Geo. Gaily 3125
Thirty One Hundred and Twenty Five and no 100 Dollars

THE FARMERS NATIONAL BANK
OF BUHL
BUHL, IDAHO 83316

PRUDEK BROTHERS

For Beans 12" Hole

⑆1241⑆0250⑆ 75 01761 8⑈ ⑈0000312500⑈

PRUDEK BROTHERS
RFD, NO. 1
BUHL, IDAHO 83316

882

PAY TO THE ORDER OF Elaine 2700
Twenty Seven Hundred and no 100 DOLLARS

THE FARMERS NATIONAL BANK
OF BUHL
BUHL, IDAHO 83316

PRUDEK BROTHERS

MEMO 2 1/2" Hole Drilled

⑆1241⑆0250⑆ 75 01761 8⑈ ⑈0000270000⑈


 RFD 1 543-4876
 BUHL, IDAHO 83316

April 13, 1978 92-250/1241

Pay to the order of Monroe \$ 174⁰⁷/₁₀₀

One Hundred Seventy Four and 07/100 Dollars

THE FARMERS NATIONAL BANK
 BUHL, IDAHO 83316

PRUDEK BROTHERS

For Cement (well) Jake F. Prudek

⑆1241⑆0250⑆ 75 01761 8⑈ ⑈0000017407⑈

MICROFILMED
 JUN 25 1992


 PRUDEK BROTHERS
 RFD 1 BOX 1 543-4876
 BUHL, IDAHO 83316

632

July 17, 1979 92-250/1241

Pay to the order of Southern Idaho Pipe & Steel \$ 222⁰⁰/₁₀₀

Two Hundred Twenty Two and 00/100 Dollars

THE FARMERS NATIONAL BANK
 BUHL, IDAHO 83316

PRUDEK BROTHERS

For 24" Pipe 16' Jake F. Prudek

⑆1241⑆0250⑆ 75 01761 8⑈ ⑈0000022200⑈


 PRUDEK BROTHERS
 RFD 1 543-4876
 BUHL, IDAHO 83316

121

April 24, 1978 92-250/1241

Pay to the order of Southern Idaho Pipe & Steel \$ 62²⁰/₁₀₀

Sixty Two and 20/100 Dollars

THE FARMERS NATIONAL BANK
 BUHL, IDAHO 83316

PRUDEK BROTHERS

For Well Jake F. Prudek

⑆1241⑆0250⑆ 75 01761 8⑈ ⑈0000006220⑈

Pay to the order of *Elmer Drilling & Pumping* \$ *156.00*

PROCESSED

Handwritten: Fifty Six and no/100

THE FARMERS NATIONAL BANK
OF IDAHO
P.O. BOX 392 BUHL, IDAHO 83316

PRUDEK BROTHERS

For *well*

92-250-4-18-78

15 01761 811

00000015600

UNRECORDED

JUN 25 1992

PRUDEK BROTHERS 667

RFD 1 BOX 80 543-4876
BUHL, IDAHO 83316

92-250-8-10-79

Pay to the order of *Bill Cullimore* \$ *25*

Twenty Five and no/100

THE FARMERS NATIONAL BANK
OF IDAHO

PRUDEK BROTHERS

For

92-250-8-10-79

15 01761 811

0000002500

PRUDEK BROTHERS 1015

RFD, NO. 1
BUHL, IDAHO 83316

92-250-7-7-79

PAY TO THE ORDER OF *Leon Burkhardt* \$ *200.00*

Two Hundred and no/100

PROCESSED

THE FARMERS NATIONAL BANK
OF IDAHO

PRUDEK BROTHERS

MEMO *well drill*

92-250-7-7-79

15 01761 811

00000020000

BUHL, IDAHO 83316 *May 12, 1981* 92-250/1241 60

Pay to the order of *Bank & Trust* \$ *251*

Two Hundred Fifty one and no/100 Dollars

THE FARMERS NATIONAL BANK OF BUHL, IDAHO 83316 PRUDEK BROTHERS

P. O. BOX 392 BUHL, IDAHO 83316

For *Utah's Water* *Jake F. Prudek*

⑆124102509⑆ 75 01761 8⑈ ⑈0000025100⑈

RECORDED
JUN 25 1992

3 PRUDEK BROTHERS 960
RFD 1 BOX 80 843-4876
BUHL, IDAHO 83316 *May 12, 1981* 92-250/1241 00

Pay to the order of *Department of Public Works* \$ *125*

One Hundred twenty five and no/100 Dollars

THE FARMERS NATIONAL BANK OF BUHL, IDAHO 83316 PRUDEK BROTHERS

P. O. BOX 392 BUHL, IDAHO 83316

For *Jake F. Prudek*

⑆124102509⑆ 75 01761 8⑈ ⑈0000012500⑈

PRUDEK BROTHERS 935
RFD, NO. 1
BUHL, IDAHO 83316 *July 28, 1977* 92-250/1241 00

PAY TO THE ORDER OF *1020100050290349373 holder* \$ *35*

Thirty five and no/100 DOLLARS

THE FARMERS NATIONAL BANK OF BUHL, IDAHO PRUDEK BROTHERS

MEMO *For withdrawal* *Jake F. Prudek*

⑆124102509⑆ 75 01761 8⑈ ⑈0000003500⑈

MICROFILMED

JUN 25 1992

PRUDEK BROTHERS 257
RFD 1 543-4876
BUHL, IDAHO 83316
and # 160457 Fo 378-71001
Ino 263884
Pay to the order of Aurora Pumps \$2931.⁰⁰
Two thousand three hundred thirty one dollars and no Dollars
THE FARMERS NATIONAL BANK PRUDEK BROTHERS
P. O. BOX 392 BUHL, IDAHO 83316
For Pump (Paid all) 92-250
1:124100250: 5 01761 8 "0000293100"

PRUDEK BROTHERS 110
RFD 1 543-4876
BUHL, IDAHO 83316
Pay to the order of Arnold Elising Will \$2700.⁰⁰
Two thousand seven hundred and no Dollars
THE FARMERS NATIONAL BANK PRUDEK BROTHERS
P. O. BOX 392 BUHL, IDAHO 83316
For Hole 92-250/1241
1:124100250: 75 01761 8 "0000270000"



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 28, 1992

Prudek Brothers
Route 1 Box 104
Buhl, ID 83316

RE: Permit No. 47-07419

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on May 26, 1992. The permit lapsed on October 1, 1991, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of July 28, 1977 will be advanced to May 26, 1992.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

JUN 25 1992

I certify that file No. 47-07419
has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Brenda Miller
Signature

3-19-92
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

WRS00000
(00-26)

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/17/92 16:03:24
Page 1

Water Right Number - 47-07419

Prefix Translation: WATER RIGHT

Old (B) Number -

+ - - - - Last Name - - - - + + - - First Name - - - - + - - - - Address - - - - -

*** C - CURRENT OWNER ***
PRUDEK BROTHERS

1 - Rt. 1 BOX 80
2 -
3 -
City- BURL
Phone -

State- ID Zip- 83316

+ - - Priority Date - - -
07/28/1977

+ - - Region - - -
17 SOUTHERN

+ - - Stage - - -
P - PERMIT

+ - - Status - - -

+ - - Source - - -
GROUNDWATER

+ - - Tributary - - -

+ - - Point of Diversion - - -
Tm Rng Sec Tract Lot Rfig County Stream Index (Blank if no Index Code)
10S 14E 20 SW SE (83) TWIN FALLS

+ - - Water Use - - -
Cod: Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/05 2.000
04 - STOCKWATER 12/01 02/28 0.070

+ - Total Div. Rate - - + - Total Div. Volume - - + - Total Div. Capacity - - +
2.000

+ - - Place of Use - - -
Tm Rng Sec Tract Lot Acres Code Description County
10S 14E 20 NE NE 20.0 01 IRRIGATION (83) TWIN FALLS
10S 14E 20 NW NE 40.0 01 IRRIGATION (83) TWIN FALLS
10S 14E 20 SW NE 40.0 01 IRRIGATION (83) TWIN FALLS
10S 14E 20 NW SE 40.0 01 IRRIGATION (83) TWIN FALLS
10S 14E 20 SW SE 40.0 01 IRRIGATION (83) TWIN FALLS

Total Acres: 180.0

+ - - Diversion Means - WELL, PUMP, DITCHES & PONDS.

+ - - Non-Irrigation Use - S/300 HEAD.

+ - - Other Rights for Same Use -

+ - - Remarks - - -
No Remarks found.

+ - - Old Water Right Numbers - - -
No Old Water Right Numbers found.

03/17/92 16:03:24
Page 2

Prefix Translation: WATER RIGHT

+ - - - - + - - - - Water Rights Dates and Flaps Area - - - - +

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|-----|
| Proof Due Date | - 10/01/1991 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 10/07/1977 | Protested Date | - 00/00/0000 | Swan Falls | - G |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carney Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 00/00/0000 | Appl. Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Presumption Flag | - | | - |

November 25, 1991

Prudek Brothers
Route 1 Box 104
Buhl, ID 83316

Re: Permit No. 47-7419

LAPSE NOTICE

Dear Permit Holder:

Under the provisions of Section 42-218a of the Idaho Code, you are hereby notified that the above referenced permit has lapsed since the Department could not approve the request for extension of time you submitted.

You can 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.

If you have any questions or if we can be of any further assistance, please feel free to contact our office.

Sincerely,

L. Glen Saxton
Chief, Water Allocation Bureau



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 HICKINSON
DIRECTOR

November 20, 1991

Prudek Brothers
Route 1 Box 104
Buhl, ID 83316

Re: Permit No. 47-07419

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit. While we sympathize with your current litigation, since it does not directly bring the title to the water right into question, it does not constitute a reason authorized under Idaho Law to grant an extension.

I suggest that you file the enclosed proof of beneficial use form for that portion of the development completed. If there has been no beneficial use of the water, I suggest you file a new application within one year of the time you actually intend to develop the 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.

If you have any questions or if we can be of any further assistance, please feel free to contact us at any of our regional offices.

Sincerely,


L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof of Beneficial Use form/instruction
Extension of Time

Nov. 14, 1991

Dept. of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, Id. 83720-0000

RECEIVED
NOV 15 1991

Department of Water Resources

Karen Gustafson:

The Hawkin's Warehouse Bean case is involved only because of the loss of over \$17,000, and the cost to us, of legal fees. That proof is enclosed.

Due to the farmer's recession years, which are very real, of 1988, 89, 90, and 91; a son in college, and 2 Major back surgeries this year, we do not feel we can spend the monies required to bring the well pumping capabilities up to 100 inches from 40 inches, at this time. It takes as much power to pump 40 inches as 100 inches, so the well has been idle for aprox. 5 years.

We are very interested in working on the well, in the future, and so request an extension at this time.

Sincerely,
Jake Prudek
Prudek Bros.

Jake F. Prudek


FNB
 THE FARMERS NATIONAL BANK
 200 Main St. - Buell, Idaho 83316

Pay to the order of *Prudek Brothers*
 \$ *112.55/100*
One Hundred and Twelve and 55/100
 For *Beck's Hardware*
 124102509 75017618 2791 0000036259

PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

2791


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

2553
 92-25071241

Pay to the order of *Bernard Alexander Snelman* \$ *112.55/100*
One Hundred and Twelve and 55/100
 For *Beck's Hardware*
 124102509 75017618 2553 0000011255

PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

2577
 92-25071241

Pay to the order of *Bernard Alexander Snelman* \$ *198.24*
One Hundred and Ninety Eight and 24/100
 For *Beck's Hardware*
 124102509 75017618 2577 0000019824

PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

2617
 92-25071241

Pay to the order of *Bernard Alexander Snelman* \$ *47.03*
Forty Seven and 3/100
 For *Beck's Hardware*
 124102509 75017618 2617 0000004703

PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

Pay to the order of *Robert E. Peterson* \$ *42.15*
Forty Two and 15/100 Dollars
 For *Beats*


THE FARMERS NATIONAL BANK
 10000004215

For *Beats - Hacking* 6 - *Gate F. Prudek*
 1241025091 75017618 2837 10000004215


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

Pay to the order of *Enoch, Alexander Sinclair* \$ *442.00*
Four Hundred Forty Two and 00/100 Dollars
 For *Flour*


THE FARMERS NATIONAL BANK
 1241025091 75017618 2812 10000044100

Date *Oct 25, 1989* 92-2501241


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

Pay to the order of *Robert E. Peterson* \$ *192.05*
One Hundred Ninety and 05/100 Dollars
 For *Beats*


THE FARMERS NATIONAL BANK
 1241025091 75017618 2869 10000019005

Date *Dec 19, 89* 92-2501241


PRUDEK BROTHERS
 RFD 1 BOX 104 543-4876
 BUHL, ID 83316

Pay to the order of *Enoch, Alexander Sinclair* \$ *61.00*
Sixty One and 00/100 Dollars
 For *Flour*


THE FARMERS NATIONAL BANK
 1241025091 75017618 2879 10000006100

Date *Jan 7, 1990* 92-2501241



State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL B. ANDRUS
GOVERNOR

R. KEITH HIGGINS
DIRECTOR

November 5, 1991

Prudek Brothers
Route 1, Box 104
Buhl, ID 83316

Re: Permit No. 47-07419

Dear Permit Holder:

This office is in receipt to your Request for Extension of Time submitted in reference to the above mentioned permit.

Before the Department can complete our examination and make a determination on whether we can grant this extension, it will be necessary for me to obtain further information. We need an explanation as to how the Hawkins Bean Warehouse case has brought title to the water into question. Also, and more specifically, can you submit documents of evidence and or information which shows the beginning date of the law suit and how it related to the water right permit.

In order to comply with the proof due dates, please reply to this office within 30 days of the date of this letter. I will hold your extension until that time. When I receive this information, I can complete my examination and make a final determination.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

138915

July 31, 1991

PRUDEK BROTHERS
RT. 1 BOX 80
BUHL, ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-07419

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 October 1, 1991. (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

October 4, 1989

Frudek Brothers
Rt. 1 Box 80
Buhl, ID 83316

Gentlemen:

Re: Permit No. 47-7419

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 October 1, 1991.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

138551

August 31, 1989

PRUDEK BROTHERS
RT. 1 BOX 80
BUHL, ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 47-07419

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 November 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

July 31, 1989

RE: Permit No. 47-7419

Prudek Brothers
Rt. 1
Buhl, ID 83316

Dear Permit Holders:

Enclosed is an order that authorizes you to continue development under permit to appropriate water no. 47-7419. Please note in condition #1., page two of the order that you must develop your system and beneficially use the water prior to November 1, 1989. Failure to beneficially use the water before November 1, 1989 could result in a loss of your water right permit.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:hm

Enclosure



The Times-News

P.O. Box 548 • Twin Falls, Id. 83303-0548

July 12, 1989

Idaho Water Resources
1301 N Orchard
Boise ID 83720

RIGHT #47-7419

Two Times

June 8, 1989, 43 lines @ .36- - \$15.48
June 15, 1989, 43 lines @ .28- - \$12.04

TOTAL DUE \$27.52

INVOICE
13956

448 PPS



**State of Idaho
DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDERSON
GOVERNOR
R. KEITH HODGSON
DIRECTOR

May 31
June 26, 1989

Times News
Box 548
Twin Falls, ID 83301

Dear Legal Department:

Enclosed you will find legal notices which we wish to have published on June 8 and June 15, 1989 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notices must appear in the issue that is distributed during the weeks of June 5 and June 12. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and billing to the office below before June 23, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mall
Boise, ID 83720

Sincerely,

HEIDI M. NIKEL
Secretary

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 47-7419
Presently Recorded as Follows:

Name: PRUDEK BROTHERS
Address: RT. 1
BUHL ID 83316
Source: GROUNDWATER
Diversion Pt.: SWSE SEC. 20 T10S R14E
TWIN FALLS COUNTY
Use: IRRIGATION (2.0 CFS)
STOCKWATER (0.07 CFS)
Priority: 7/28/1977
Place of Use: N1/2NE, SWNE, W1/2SE,
SEC. 20 T10S R14E
Total Acres: 180

This is a supplemental water right permit. Lands under this permit are irrigated with existing rights from Twin Falls Canal Co. Development of the water source under this permit was not complete by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before June 26, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.

R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

PERMIT NO. 47-7419

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes ☒ No ☐

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. 180

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. _____

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

Twin Falls Canal Co. shares

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder Jake F. Hardick

Date 5-10-89

RECEIVED

MAY 10 1989

Department of Water Resources
Southern Region Office

page 2

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

irrigated
My farm has been with canal water for many years. The well was developed to
provide supplemental water when needed. Well water comingles with canal water at
the upper end of the farm, so the whole place can be irrigated with the well.

5
I hereby certify that the above is a true and correct copy of the original as the same appears in the records of the Department of Water Resources.
Department of Water Resources



Not to scale F-13



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720 - (208) 327-7900

May 19, 1989

CECIL B. ANDERSON
GOVERNOR
R. KEITH ROBINSON
DIRECTOR

RE: Permit No. 47-7419

Prudek Brothers
Rt. 1, Box 80
Buhl, ID 83316

Dear Mr. Prudek:

I have received your response to my letter and the Department's trust water information questionnaire. I appreciate your cooperation in responding and providing an explanation about the status of your permit.

Based on your response and further review of the permit file, it appears that all of the lands described under your permit have been irrigated prior to July of 1985. However, it appears that the lands were irrigated with water from the Twin Falls Canal Company. Review of the file and questionnaire indicates that the groundwater source described under Permit No. 47-7419 may not have been developed or beneficially used before July of 1985.

Permits which were named in the Swan Falls litigation and not completely developed before July of 1985 are subject to the review requirements of Section 42-203D, Idaho Code. In the case of Permit No. 47-7419, which is a supplemental filing, review under Section 42-203D at this point in time means only that the Department is required to re-advertise the permit. I provided you with notice in my April 6 letter that you were required to submit the \$20.00 fee for re-advertising if the permit or a portion of the permit was not developed before July of 1985. The fee is required by Water Appropriation Rule 4.2.3. and Section 42-221F, Idaho Code. Failure to pay the fee is cause for the Department to cancel the permit.

Since you may have overlooked the fee requirement in my first correspondence, we will provide you an additional 15 days to submit the fee. Failure to respond to this request within 15 days from the date of this letter will result in cancellation of the permit.

Please contact me at this office if you have questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:hm



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7988

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83726 - [REDACTED]

CAROL B. ANDRUS

GOVERNOR

R. KEITH HODGKINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 47-7419

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4.2.3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

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

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 42-2030, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NOT 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 42-2030, WHICH READS AS FOLLOWS:

42-2030. 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

Form 100-9
6-58

STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL PROTECTION
COMMENCEMENT OF WORK

Permit No. 47-2419

Name of Permit Holder: Franklin, Inc.

Post Office Address: Box 1, JR.

☒ I hereby certify that construction of dumping site under permit began on 12/22/68

continue to develop the water system with this permit.

☐ I hereby certify that construction of dumping site under permit has not yet begun due to the following reasons:

Very Respectfully,
July 22, 1968

Department of Water Resources

JUL 28 1962

RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

WATER RESOURCES
DIVISION

WATER RESOURCES
DIVISION

WATER RESOURCES
DIVISION

§ 104-11 - 21. 17 ;

$$\rho = 1.2 \text{ g/cm}^3 \quad ; \quad r = 1.5 \text{ cm}$$

7. 1. 1992

6. 1. 1991

[illegible]

discussed in 1990, if the 1990-91 budget is extended to 1991. In 1990, the budget is expected to be about 10% less than the 1989-90 budget, and the 1991-92 budget is expected to be about 10% less than the 1990-91 budget.

A comparison with the relevant information entered into this report, as well as with all other information available at present indicated in the year 1962 which likely will affect more people than expected.

CE-41 stated that, absent this Idaho Power Company's use of water for power generation purposes, that Swan Falls dam on the Snake River is not subordinated to upstream irrigation by later-in-time uses. The question of whether Idaho Power's 3,400 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.

1999

RITA L. FLECK
Secretary/Records Manager

enclosure

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 20-1118

- ☒ Date received stamp
- ☒ Fee received and receipted
- ☒ Name on request same as on permit
- ☒ Address same permit as on latest correspondence
- ☒ Proof due date within six months of due date
- ☒ Signature same as permit
- ☒ Source of water the same
- ☒ Review conditions of approval
- ☒ Extensions previously approved
- ☒ Proceed diligently
- ☒ Is delay caused by litigation: 1 Swan Falls
- Date lit. completed _____
- Date lit. began _____
- Period of delay _____
- New proof due date _____

ACTION: 12/1/81 12/1/81 12/1/81 12/1/81 12/1/81 12/1/81 12/1/81 12/1/81 12/1/81 12/1/81

- ☐ Is the extension timely received?
- ☒ Reinstated: Extension received _____
- Proof due date _____
- Days late _____
- Priority date _____
- Adjusted priority date _____
- ☒ Is there commencement of works?
- ☒ Cover letter _____
- ☐ Coding sheet _____
- ☐ Rolodex card updated and refilled _____

Reviewed by [Signature] Date: 4-20-1981



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

September 7, 1984

Prudek Brothers
Rt. #1, Box 80
Buhl, ID 83316

PERMIT NO. 67-7419

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. 75056.

Roberta Garrett
Records Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
138169

FRUECK BROTHERS
RT. 1 Box 50
Buhl, ID 83316

PROVE USE NOTICE

AUGUST 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7419 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 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 ON A PREVIOUS DINNER 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

November 19, 1979

Prudek Brothers
Route 1, Box 80
Dahl, ID 83316

Gentlemen:

Re: Permit No. 47-7419

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

The time within which to submit proof of beneficial use of water has been extended to November 1, 1984.

Sincerely,

Jan Grover
Water Rights Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 384-2215

PRODER ENGINEERS
RT. 1
BOISE, ID 83316

104096

AUGUST 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7419 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1979. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SN. SECRETARY

ENC: 1

October 17, 1977

Re: Permit No. 47-7419

Prudek Brothers
Route #1
Buhl, ID 83316

Gentlemen:
Enclosed is a copy of your approved Application for Permit No. 47-7419 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

10/17/77

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-7619 - Prudek Brothers

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) gh 8/2/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) ADM 8/3/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) mls 9-12-77

Critical groundwater area: yes _____ no ☒

(8) mls 9-12-77

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same piece of use

(10) _____

Comments: No replat

(11) _____

Affidavit of Publication received(date) _____

(12) mls 9-12-77

Final date for protests 8/24/77
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) mls 9-12-77

Action recommended:

☒ Approve ☐ Deny

7-28-77 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Southern

By Michael Steller Date 9-12-77

Supplemental

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frederick Proshers
Buhl, Idaho 83316
has on 7/22/77 submitted Application No. 47-3419
for a permit to appropriate 2.6 cubic feet per second acre feet per annum
of water from Groundwater
by means of pump, well, ditches, stock ponds
within the SE1/4, Sec. 20, Twp. 19N, Rge. 14E, B. M. Twin Falls County

to be used from Nov. 15 to Nov. 15 for irrigation purposes 63 180 acres 4
for from Dec. 1 to Feb. 24 for livestock purposes.

within the W1/4, NE1/4, W1/2, Sec. 20, Twp. 19N, Rge. 14E, B. M.

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 be-
fore August 20, 1977.

C. Stephen Allred
Director

Published in the Times News
on 8/11 and 8/18/77

Aug 19 1977

August 1, 1977

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

Re: Application for Permit No. 47-7419 - Prudek Brothers

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,

Michael L. Steele
Southern Region Supervisor

MLS/dj

Bill submitted: _____

RECEIVED
AUG 1 1977