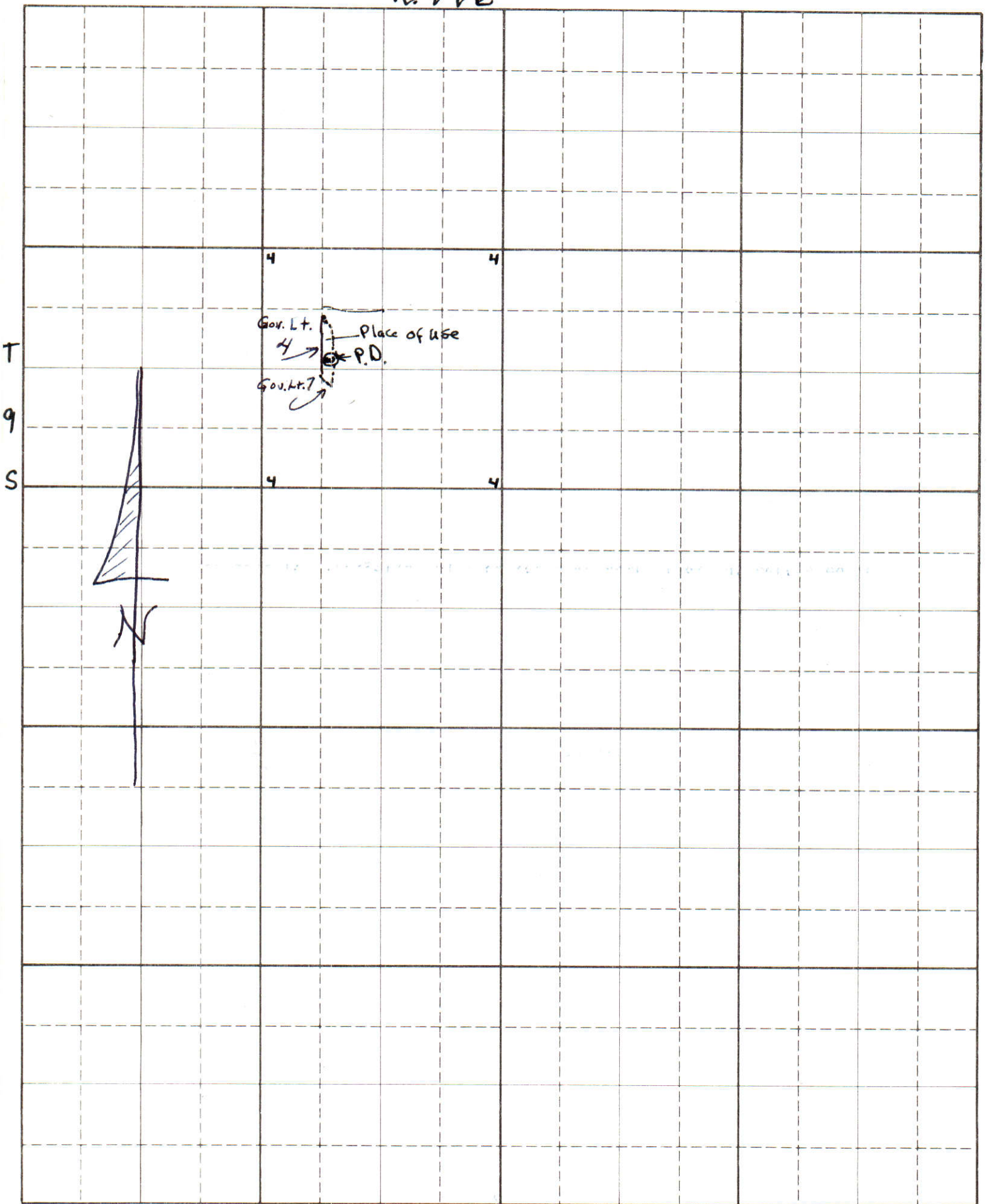


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R. 14 E



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.

Richard Kasten
(Applicant)

RECEIVED

OCT 31 1975

Department of Water Resources

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that RICHARD KASTER, Route #4, Buhl, Idaho 83316 has on 10-14-75 submitted Application No. 47-7313 for a permit to appropriate 0.72 cubic feet per second of water from Groundwater by means of well and pipes within the SE 1/4 NW 1/4 (Gov't. Lot 4), Sec. 4, Twp. 5S, Rge. 14E, B.M. Twin Falls County to be used from January 1 — December 31 (Heating & Domestic purposes); March 15 — Nov. 15 for Irrigation of 15 acres within the SE 1/4 NW 1/4 (Gov't. Lot 4); NE 1/4 SW 1/4 (Gov't. Lot 7), Sec. 4 Twp. 9S, 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 before November 10, 1975.

R. KEITH HIGGINSON
Director

Published in the Times-News and Buhl Herald on 10-23 and 10-30-75.

MODIFIED

O.K.C.C.
11-4-75

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

No 4294

I, KAY MABEY 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 Thursdays, commencing with the issue dated

October 23, 19 75, and ending with the issue dated October 30, 19 75.

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

Subscribed and sworn to before me on this Kay Mabey 30th day of

October, 19 75.

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

RECEIVED

NOV 7 1975

AFFIDAVIT of PUBLICATION

Department of Water Resources
Southern District Office

STATE OF IDAHO
County of Twin Falls } ss.

NOTICE OF APPLICATION FOR WATER PERMIT
Notice is hereby given that RICHARD KASTER Route 4, Buhl, Idaho 83316 has on 10-14-75 submitted Application No. 47-7313 for a permit to appropriate 0.72 cubic feet per second of water from Groundwater by means of well and pipes within the SE¼ NW¼ (Gov't. Lot 4), Sec. 4, Twp. 9S, Rge. 14E, B.M. Twin Falls County to be used from January 1 - December 31 (Heating & Domestic purposes); March 15 - Nov. 15 for irrigation of 15 acres within the SE¼ NW¼ (Gov't. Lot 4); NE¼ SW¼ (Gov't. Lot 7), Sec. 4, Twp. 9S, 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 before November 10, 1975.
R. KEITH HIGGINSON
Director
Published in the Times News & Buhl Herald on 10-23 and 10-30-75.
(42t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 23rd day of October, 1975, and the last publication having been made on the 30th day of October, 1975; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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

Robert E. Bailey
Subscribed and sworn to before me this 30th day of October, 1975
Robert E. Bailey
Notary Public.
Residing at Buhl, Idaho

My Commission Expires
April 17, 1977

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 47-07313 IN THE NAME	)	ORDER OF REINSTATEMENT
	)	
OF OREGON TRAIL SUBDIVISION	)	
	)	
PROPERTY OWNERS	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 47-07313 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 47-07313 to appropriate the public waters of the State of Idaho with a proposed priority of October 14, 1975.
2. On August 12, 1986, the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on October 11, 1986.
3. The license examination fee was received on August 4, 1987, 297 days late.
4. The license examination fee was paid within one year of the due date; however, the Department mistakenly lapsed the permit for failure to pay the license examination fee.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

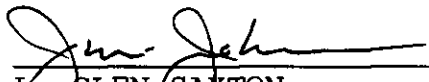
2. Permit No. 47-07313 should be reinstated with the date of priority advanced 297 days.

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 47-07313 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of Permit No. 47-07313 is advanced to August 7, 1976.

Dated this 27th day of December, 1993.

for 
L. GLEN SAXTON
Chief, Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 30th day of December, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Preliminary Order to the following:

Oregon Trail Subdivision Property Owners
C/O Fred Kambrick
Rt. 3 Box 417
Buhl ID 83316



Donna L. Corless
Clerical Specialist

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 47-7313) ORDER
IN THE NAME OF OREGON TRAIL SUBDIVISION)
PROPERTY OWNERS)

WHEREAS, on November 25, 1975 the Department of Water Resources issued Permit No. 47-7313 in the name of Richard Kaster (later assigned to Oregon Trail Subdivision Property Owners) with the requirement that:

The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department;

and,

WHEREAS, on August 13, 1986 the Department received a request from the permit holder to remove the measuring device requirement; and,

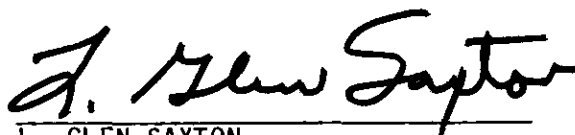
WHEREAS, the Department of Water Resources has determined that a measuring device is not required at this time for a determination of the quantity of water appropriated under the permit;

NOW THEREFORE, the condition of approval on Permit No. 47-7313 requiring that a measuring device or access port be installed is hereby REMOVED.

Dated this 22nd day of September, 1987.

MICROFILMED

OCT 09 1987


L. GLEN SAXTON
Chief, Operations Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
•Original Permit	47-7313	Kaster, Richard	0.72
Full Assignment	47-7313	Oregon Trail Subdivision Property Owners	0.72

MICROFILMED

AUG 27 1987

RECEIVED

State of Idaho

AUG 4 1987

Department of Water Resources

AUG 05 1987

Department of Water Resources
Southern Region Office

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Richard Kaster, hereby assign to Oregon Trail Subdivision, Block 3
of 1/2 Fred Kumbach Rt 3 Box 417 Buhl ID 83316
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 47-7313
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 4 day of August, 19 87.

Richard Kaster
Permit Holder

Edith Kaster
Spouse of Permit Holder

State of Idaho)
County of Twain Falls) ss.

On this 4 day of August, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Loren O Halverson
Notary Public residing at
Twain Falls

My commission expires:
3/21/1993

MICROFILMED

AUG 27 1987

4/86

RECEIVED

AUG 4 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 100.00
Date 8/4/87
Receipt # 45119
Receipt by MB
Sent to S.O. 8/5/87

1. Permit No. 47-7313

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Richard Kaster

3. Post Office Address: Rt 4 Buhl ID 83316

Telephone No. _____

4. Source of Water: Ground water

5. Extent of Use:

Domestic 9 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 15 (acres) Other/Remark _____

Heating - 9 homes

6. Total rate &/or volume for which proof is submitted 0.72 cfs _____ acre-feet

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

10/14/1975

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

Fred Kamblich (Oregon Trail Block 3 Subdiv. Assoc)
(Name)

Rt 3 Box 417 Buhl ID 83316
(Address)

543-5374
(Telephone Number)

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

August 4, 1987
Date

Richard Kaster
Signature of Permit Holder (and title, if appropriate)

RECEIVED

OCT 31 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

OCT 29 1985

Department of Water Resources
Southern District Office

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 47-7313Name(s) of Permit Holder: Richard KasterPost Office Address: Route 4 Buhl Idaho 83316

Telephone No. _____

Source of Water: Grand Water

Extent of Use:

Domestic 9 (number of households)

Stockwater _____ (number and type of stock)

Irrigation 10 (acres)Other/Remarks Heating of 9 housesIndicate the date water was first diverted and beneficially used under this permit: July 1, 1982

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

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

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

Rich Kaster

(Name)

(Address)

543-6150

(Telephone Number)

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

Date Oct. 29, 1985Signature of Permit Holder (and Title, if appropriate)
Richard Kaster

MICROFILMED

1-28-85

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE BANBURY HOT SPRINGS	)	ORDER SUPPLEMENTING
	)	CONDITIONS OF APPROVAL FOR
GROUNDWATER MANAGEMENT AREA	)	PERMIT TO APPROPRIATE
	)	GROUNDWATER NO. 47-7313

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

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

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

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

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

NOW, THEREFORE, the conditions of approval for Permit No. 47-7313 are hereby supplemented with the following additional conditions:

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

MICROFILMED

until approved by the Department.

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

Dated this 2nd day of May, 1983.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

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
Southern District Office

Richard Kaster of Rt. 4, Buhl, Idaho, 83316
(Name) (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. 47-7313.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Nov. 1, 19 80.

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

Well has been completed and are presently
supplying water to five houses

Costing \$ 4,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The remaining lots in the subdivision
have not been sold.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Nov. 1, 19 85.

Richard Kaster
(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, 1985.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to November 24, 1975, pursuant to Section 42-218a of the Idaho Code.

Signed this 18th day of December, 19 80.

A. Glen Saxton
Chief, Operations Bureau

\$15.00 fee received by mesya Date 12-12-80 Receipt # 16718

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO.47-7313)
_____)

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

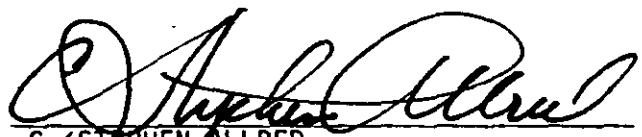
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

1100000000

Identification No. _____

Application No. 47-7313

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 RICHARD KASTER Phone: _____
post office address Route #4, Buhl, Idaho 83316

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

3. a. Location of point of diversion is SE ^(Gov't. Lot 4) $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4 Township 9S
Range 14E B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in SE ^(Gov't. Lot 4) $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 4 Township 9S Range 14E B.M. _____

4. Water will be used for the following purposes:

Amount 0.48cfs for Heating purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.30cfs for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.24cfs for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.72 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and pipes

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 8 inches; proposed depth of well is 350 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

b. Estimated construction cost is \$ 7,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation: NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't. Lot 7); (Gov't. Lot 4)

(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4 Township 9S
Range 14E B.M.

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

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

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 12.

(5) If water is to be used for other purposes describe: Private greenhouses & private swimming pools.

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	4							10	5									15
									/	/									
									G.1t.4	G.1t.7									

Total number of acres to be irrigated 15

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

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

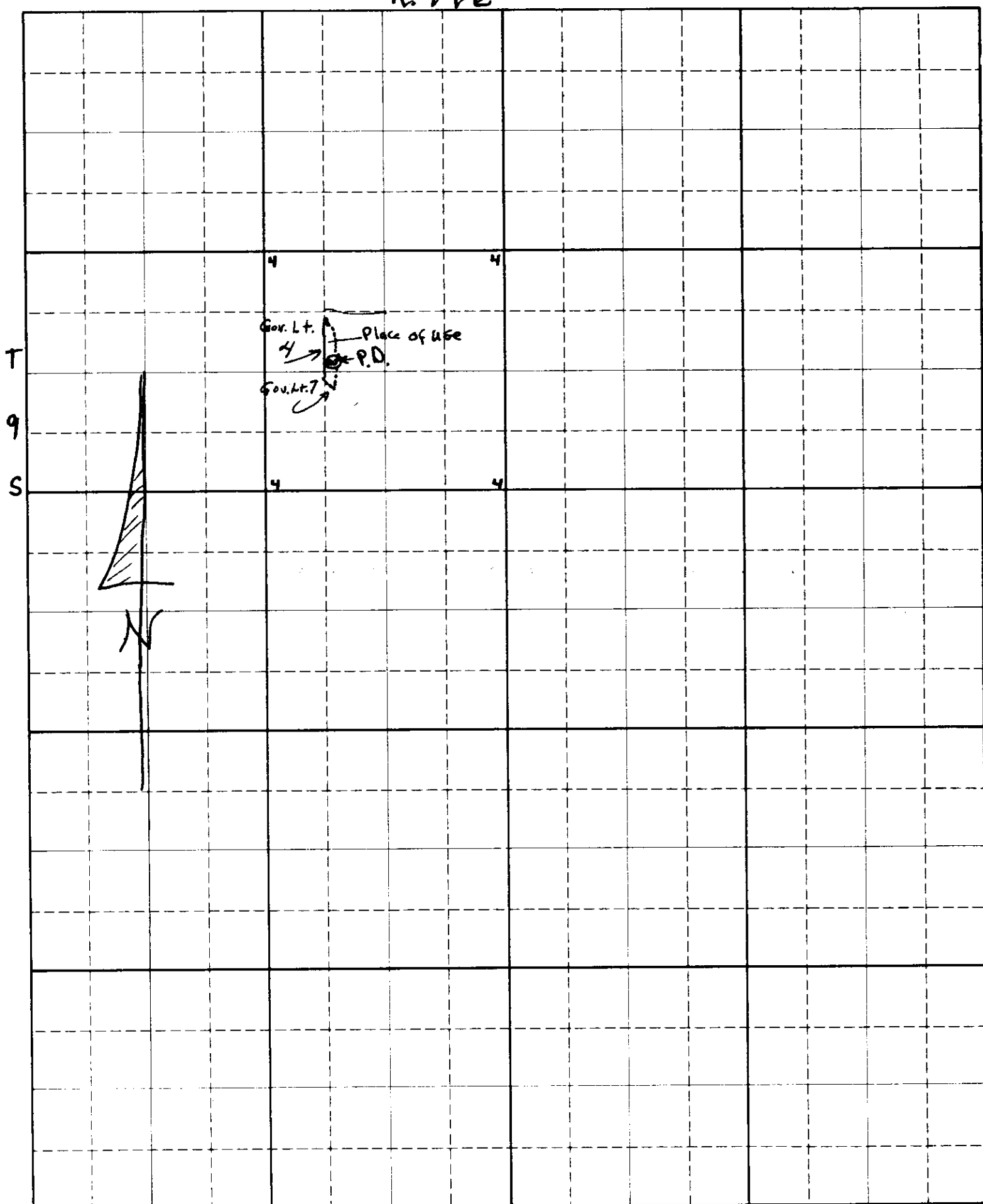
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks Water used for irrigation will be the same water that has been used for heating.

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

R. 14 E



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.

Richard Kasten
(Applicant)

Proposed Priority 10-14-1975

Received by TLB Date 10/14/75 Time 11:00
Preliminary check by GKF Fee \$ 25.00 # 1717
Receipted by CC Date 10-14-75
Publication prepared by cc Date 10-16-75
Published in Times News & Buhl Herald
Publication dates 10-23 & 10-30-75
Publication approved CC Date 11-4-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for ☒ approval ☐ denial by MBW

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. 47-7313, 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 80.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 25 day of November 19 75.


Director

RECEIVED

OCT 31 1975

Legal Notice of Water Resources

Notice is hereby given that RICHARD KASTER, Route #4, Buhl, Idaho 83316 has on 10-14-75 submitted Application No. 47-7313 for a permit to appropriate 0.72 cubic feet per second of water from Ground-water by means of well and pipes within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov't. Lot 4), Sec. 4, Twp. 3S, Rge. 14E, B.M. Twin Falls County to be used from January 1 — December 31 (Heating & Domestic purposes); March 15 — Nov. 15 for Irrigation of 15 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov't. Lot 4), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't. Lot 7), Sec. 4 Twp. 3S, 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, 1011 Blue Lakes Blvd., North Twin Falls, Idaho, 83301 on or before November 10, 1975.

R. KEITH HIGGINSON

Director

Published in the Times-News and Buhl Herald

on 10-23 and 10-30-75.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

No 4294

I, KEITH HIGGINSON 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 Days, commencing with the issue dated

October 23, 1975, and ending with the issue dated

October 30, 1975.

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

Subscribed and sworn to before me on this 30th day of

October, 1975.

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

RECEIVED

NOV 7 1975

AFFIDAVIT of PUBLICATION

Department of Justice
Statistical Office

STATE OF IDAHO
County of Twin Falls

ss.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that
RICHARD E. BAILEY, of the
County of Twin Falls, Idaho, has
submitted an application for a
cubic foot per second water
right from well NW 1/4, Sec. 25,
T. 1N, R. 1E, S. 1E, Co. of Twin Falls,
Idaho, to the Idaho State Engineer,
Boise, Idaho, for the purpose of
irrigating 100 acres of land
with water from said well.
Let it be known that the said
application was filed for record
on or about November 10, 1975.

It is further stated that the
subject application is being
published in the Buhl Herald, a
weekly newspaper of general
circulation, published once each
week at Buhl, Idaho, for the
purpose of giving notice to the
public of the application for the
water right.

Witness my hand and the seal of the
County of Twin Falls, Idaho, on or
about November 10, 1975.

Published in the Buhl Herald &
Buhl Herald on 10-23 and 10-30-
75.
(4212)

I, **Robert E. Bailey**, do solemnly swear that I
am the printer and editor of THE BUHL HERALD, a
weekly newspaper of general circulation, pub-
lished once each week at Buhl, Idaho; that the
notice attached hereto was published in said news-
paper two consecutive weeks, the first
publication having been made on the 23rd
day of October, 1975, and the last
publication having been made on the 30th
day of October, 1975; that said
notice was published in the regular and entire
issue of every number of the paper during the
period and time of publication, and that the said
notice was published in the newspaper proper,
and not in the supplement thereof.

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

Subscribed and sworn to before me this

30th day of October, 1975

Notary Public.

Residing at Buhl, Idaho

My Commission Expires

April 17, 1977



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

December 28, 1993

Oregon Trail Subdivision Property Owners
C/O Fred Kambrick
Rt. 3 Box 417
Buhl, ID 83316

RE: Permit No. 47-07313

Dear Permit Holder:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with

the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of;
or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

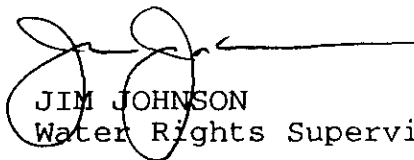
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the

final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

Enclosure

c: Southern Region

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 47-7313

FROM: BRENDA CHAPMAN

RE: PRIORITY ADVANCE REVIEW

DATE: 10-DEC-1993

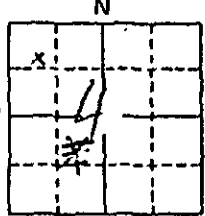
This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	OCTOBER 14 1975	287
EXAM FEE NOTICE		
Exam Fee Notice Date:	AUGUST 12 1986	224
Exam Fee/Info Sheet Received Date:	AUGUST 04 1987	581
Exam Fee or Info Due Date:	OCTOBER 11 1986	284
Days Late:		297 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	OCTOBER 14 1975	287
Total Days Late:		297 DAY(S)
New Priority Date:	AUGUST 07 1976	219

BALLPOINT PEN

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

JAN 13 1969

1. WELL OWNER Name <u>DICK HASTOR</u> Address <u>HAGERMAN</u> Owner's Permit No. _____	7. WATER LEVEL Department of Water Resources Static water level _____ feet below land surface. Flowing? ☒ Yes ☐ No G.P.M. flow <u>175</u> Artesian closed-in pressure <u>6.2</u> p.s.i. Controlled by: ☒ Valve ☐ Cap ☐ Plug Temperature <u>104</u> °F. Quality _____																																							
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 33%;">Discharge G.P.M.</th> <th style="width: 33%;">Pumping Level</th> <th style="width: 33%;">Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																				
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ <u>TWIN FALLS</u>	10. Work started <u>4-7-79</u> finished <u>4-17-79</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Elsberg Drilling</u> Firm No. <u>31</u> Address <u>P.O. Box 919 TE.</u> Date <u>7/20/79</u> Signed by (Firm Official) <u>Lincoln E. Berg</u> and (Operator) <u>Rat Gilcrease</u>																																							

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

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

Department of Water Resources

1. WELL OWNER

Name DICK ~~GARRE~~ Koster
Address HAGERMAN, IDAHO
Owner's Permit No. _____

7. WATER LEVEL

Static water level _____ feet below land surface
Flowing? ☒ Yes ☐ No G.P.M. flow 300
Temperature 104° F. Quality _____
Artesian closed-in pressure 5-8 p.s.i. Kieckhefer 27 p.s.i. in 1977
Controlled by ☒ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

Department of Water Resources
Southern District Office

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

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

3. PROPOSED USE

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

4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 8 inches Total depth 375 feet
Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>250</u> inches	<u>8</u> inches	<u>1</u> feet	<u>28</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

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

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

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

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

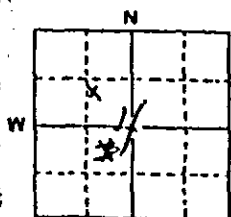
Gravel packed? ☐ Yes ☐ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 28' Material used in seal ☒ Cement grout
☐ Pudding clay ☐ Well cuttings

Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing
☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. 286 Block No. _____

County Twin Falls

10.

Work started 10-3-75 finished 10-9-75

11. DRILLERS CERTIFICATION

Firm Name EISENHEIMER DRILLING Firm No. 51

Address P.O. Box 919 Tule Date 2/6/76

Signed by (Firm Official) Arnold Eising

and D. W. W.

WELL OWNER

Name RICK YASTER

Address Box 411 Buhl, Idaho

Owner's Permit No. _____

7. WATER LEVEL

Static water level 50' feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature 85 °F. Quality Good

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☒ Baller ☐ Air ☐ Other

Discharge G.P.M.
20

Pumping Level
50'

Hours Pumped
2

PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
	0	10	CLAY & Gravel Boulders		
	10	13	Gravel		
	13	18	boulders		
	18	27	Gravel		
	27	32	brown clay		
	32	138	GRAY CLAY		
	138	141	BASALT blk		
	141	143	Grey CLAY		
	143	170	BROKEN BASALT		
	170	195	GRAY BASALT		
	195	211	BROWN CLAY		
	211	216	GRAY BASALT		
	216	249	Gray-Brown CLAY		
	249	278	GRAY CLAY		
	278	286	COARSE SANDY FINE Gravel		
	286	288	ROCK		
	288	336	GRAY-GREEN CLAY w/ FINE Gravel & COARSE SAND		
	336	348	GRAY CLAY		
	348	411	Black BASALT		
	411	461	BROWN CLAY (firm) sticky w/ fine Gravel		
	461	468	SANDY Gravel (water raises 40')		
	468	480	Gravelly Sand CLAY		
	480	482	Gray CLAY (very sticky)		
	482	498	Black BASALT		
	498	510	Brown rock w/ dark Brn CLAY		
	510	580	Black BASALT - HARD		

METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☒ Cable ☐ Dug ☐ Other _____

WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>203</u> inches	<u>16</u> inches +	<u>1</u> feet	<u>166</u> feet
<u>250</u> inches	<u>18</u> inches	<u>1</u> feet	<u>22</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Has casing drive shoe used? ☐ Yes ☒ No

Has a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
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Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 22 Material used in seal: ☐ Cement grout

☒ Puddling clay ☐ Well cuttings

Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing

☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld _____

☐ Cemented between strata

Describe access port fitting in top of casing

10.

Work started 21 APRIL 1980 finished 1 JULY 1980

LOCATION OF WELL

Sketch map location must agree with written location.

N

E

S

W

Subdivision Name _____

Lot No. _____ Block No. _____

County Twin Falls

Section 36 Range 5N Township 28S

11. DRILLERS CERTIFICATION

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

Firm Name BOLEY & HENRY Firm No. 86

Address Murtaugh, Idaho Date AUG 11, 80

Signed by (Firm Official) Blaine Boley

and _____

(Operator) Blaine Boley



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

47-7313
KASTER, RICHARD
RT. 4
BUHL, ID 83316

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

August 12, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on October 12, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on August 12, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before December 11, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

October 7, 1987

RE: Permit No. 47-7313

Oregon Trail Subdivision Property Owners
c/o Fred Kambrich
Rt. 3, Box 417
Buhl, ID 83316

Gentlemen:

Enclosed is an order removing the condition of the above referenced permit that a measuring device, access port or other device be installed.

If you have any questions regarding this document, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

FILED

OCT 09 1987

RE Permit No 47-7313 SEP 25 1987

On behalf of the new owners of the permit I am requesting that you waive the requirement of an access port at the well so the field examination can take place. The examination fee was paid Aug 4th. The former owner, Richard Kaster, has been as unreliable, in word & deed, when dealing with D.W.R. as he has with us.

Some of us purchased our lots with shares in the well in early 1977. All lots were sold long before 1985.

We have been trying for years to get the permit in our names so we would know what was happening etc. We were naive & believed MR Kaster when he assured us everything was being taken care of properly. The well's feeder pipes have not changed since 1977. In July I was in the Twin Falls office & accidentally found out that the permit would lapse Aug 12th '87. We then insisted that the permit be transferred to us & the fee be paid. We would also like to request that our priority date be reinstated.

The feeder lines from the well would make it very difficult to install an access port. The original filing was for 0.72 cfs. The flow has greatly diminished since 1975.

Oregon Trail Subdivision
c/o Fred Kambrich
Route 3, Buhl, Id
83316

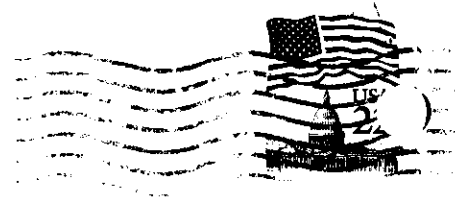
FILED OCT 09 1987 FRANCES KAMBRICH

F. Kambrich
Route 3
Buhl, Id
83316

OCT 09 1987

RECEIVED

Att. Glenn Saxton



State of Idaho,
Department of Water Resources
State Office, 450 W. State St
Boise, Idaho
83720

Twin Falls ID

Aug. 10, 1987

RE: Waiver of Access port requirement 47-7313

I Fred Kambrick acting for and in behalf of Oregon Trail Subdivision, Block 3 Property owners do hereby request a waiver of the measuring device requirement of permit # 47-7313 for the following reasons. (1) The capacity of the well is less than 0.70 cfs. (2) As the well is constructed & pipelines attached there is no acceptable location for an access port or measuring device prior to entering the system.

Fred A. Kambrick

RECEIVED

AUG 13 1987

Department of Water Resources

MICROFILMED

OCT 09 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

August 24, 1987

RE: Permit No. 47-7313

Oregon Trail Subdivision
Property Owners
c/o Fred Kambrich
Rt. 3, Box 417
Buhl, ID 83316

Dear Permit Holder(s):

This office acknowledges receipt of the Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

As new owners of the permit, you are required to submit either an EXAMINATION FEE or a statement from a certified examiner that he has been retained to do a field examination of your water use.

Enclosed is a copy of the EXAMINATION FEE NOTICE sent to the previous permit owner. Please read and take proper action. You should note that the notice was sent on August 12, 1986 and after 60 days a day of priority of your permit is lost for every day the fee or statement is not received by this office.

In order to keep this permit in good standing, you must respond to the Examination Fee Notice as soon as possible. If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

RECEIVED
FILMED

AUG 27 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

A. Kenneth Dunn
Director

47-7313
MASTER, RICHARD
RT. 4
BUHL, ID 83316

138123

August 12, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

AUG 27 1986

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

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

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

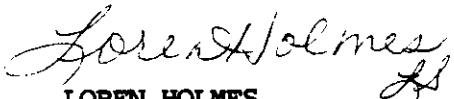
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

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

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

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

Sincerely,


LOREN HOLMES
Southern Regional Manager

Enclosures

RECEIVED
AUG 12 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 11, 1986

RICHARD KASTER
RT. 4
BUHL

ID 83316

RE: Permit No. 47-7313

Dear Permit Holder:

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

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

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

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

Sincerely,
s/Mary A. Newby
Secretary

MICROFILMED

AUG 27 1987



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138299

KASTER, RICHARD
RT. 4
BUHL, ID 83316

PROOF DUE NOTICE

AUGUST 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7313 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

May 2, 1983

Dear Permit Holder:

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

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

Sincerely,

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

DRT:rf

Enclosure

MICROFILMED

December 29, 1980

Mr. Richard Kaster
Route 4
Buhl, ID 83316

Dear Mr. Kaster:

Re: Permit No's. 47-7312 and 47-7313

Enclosed are copies of the approved requests for extension of time. The time within which to submit the statement of beneficial use forms is extended to November 1, 1985. Please note that the permits have been reinstated and the priority dates advanced to November 24, 1975.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

Michael Fleck

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KASTER, RICHARD
RT. 4
BUHL, ID 83316

NOVEMBER 05, 1980

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 47-7313 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED AUGUST 31, 1980.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BE REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.

C. STEPHEN ALLRED
DIRECTOR

ENCLOSURE

CERTIFICATION OF MAILING

I hereby certify that on 1-12-1980
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Rita Fleck

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

KASTER, RICHARD
RT. 4
BOHL, ID 83316

108415

AUGUST 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7313 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1980. (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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

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
SR. SECRETARY

ENCLOSURES

ENCLOSURES



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

May 8, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

November 26, 1975

Re: Permit Nos. 47-7312 and 47-7313

Richard Kaster
Route 4
Buhl, ID 83316

Dear Mr. Kaster:

Enclosed are copies of your approved Applications for Permit Nos. 47-7312 and 47-7313. We direct your attention to the condition of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

RECEIVED
DEC 1 1975

October 16, 1975

RE: Application For Permit No.'s 47-7312 & 47-7313 - Richard Kaster

Buhl Herald
P. O. Box 312
Buhl, Idaho 83316

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,

MIKE STEELE
Southern District Supervisor

MS:cc
enc.

Bill submitted: _____

October 16, 1975

RE: Application For Permit No. 47-7312 & 47-7313 - Richard Kaster

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the 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,

MIKE STEELE
Southern District Supervisor

MS:cc

enc.

Bill submitted: 11.475 cc

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that RICHARD KASTER Route 4, Buhl, Idaho 83316 has on 10-14-75 submitted Application No. 47-7313 for a permit to appropriate 0.72 cubic feet per second of water from Groundwater by means of well and pipes within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov't. Lot 4), Sec 4, Twp. 9S, Rge. 14E, B.M. Twin Falls County to be used from January 1 - December 31 (Heating & Domestic purposes); March 15 - Nov. 15 for irrigation of 15 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov't. Lot 4); NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't. Lot 7), Sec. 4, Twp. 9S, 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 before November 10, 1975.

R. KEITH HIGGINSON
Director

Published in the Times News & Buhl Herald on 10-23 and 10-30-75.

(42t2)

1-10-75
10-12-75

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that RICHARD KASTER

Route #4, Buhl, Idaho 83316

has on 10-14-75 submitted Application No. 47-7313

for a permit to appropriate 0.72 cubic feet per second ~~acre feet per annum~~
XXXXXXXXXXXXXXXXXXXX

of water from Groundwater

by means of well and pipes

within the SE1/4NW1/4 (Gov't. Lot 4), Sec. 4, Twp. 9S, Rge. 14E, B.M. Twin Falls County

to be used from January 1 - December 31 (Heating & Domestic purposes); March 15 - Nov. 15

for Irrigation of 15 acres

within the SE1/4NW1/4 (Gov't. Lot 4); NE1/4SW1/4 (Gov't. Lot 7), Sec. 4, Twp. 9S, 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 before November 10, 1975.

R. KEITH HIGGINSON

Director

Published in the Times News & Buhl Herald

on 10-23 and 10-30-75

RECORDED
10-23-75