

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

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

Map grid showing land and point of diversion. Includes handwritten labels: "RISE", "T14S", "well", and "26".

Scale: 2 inches equal 1 mile.

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

Signed at Edgemoor Hollister, this 30 day of 8-30 Aug, 1991.  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by det Fee = \$20.00

Received by det Date 09/03/91

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

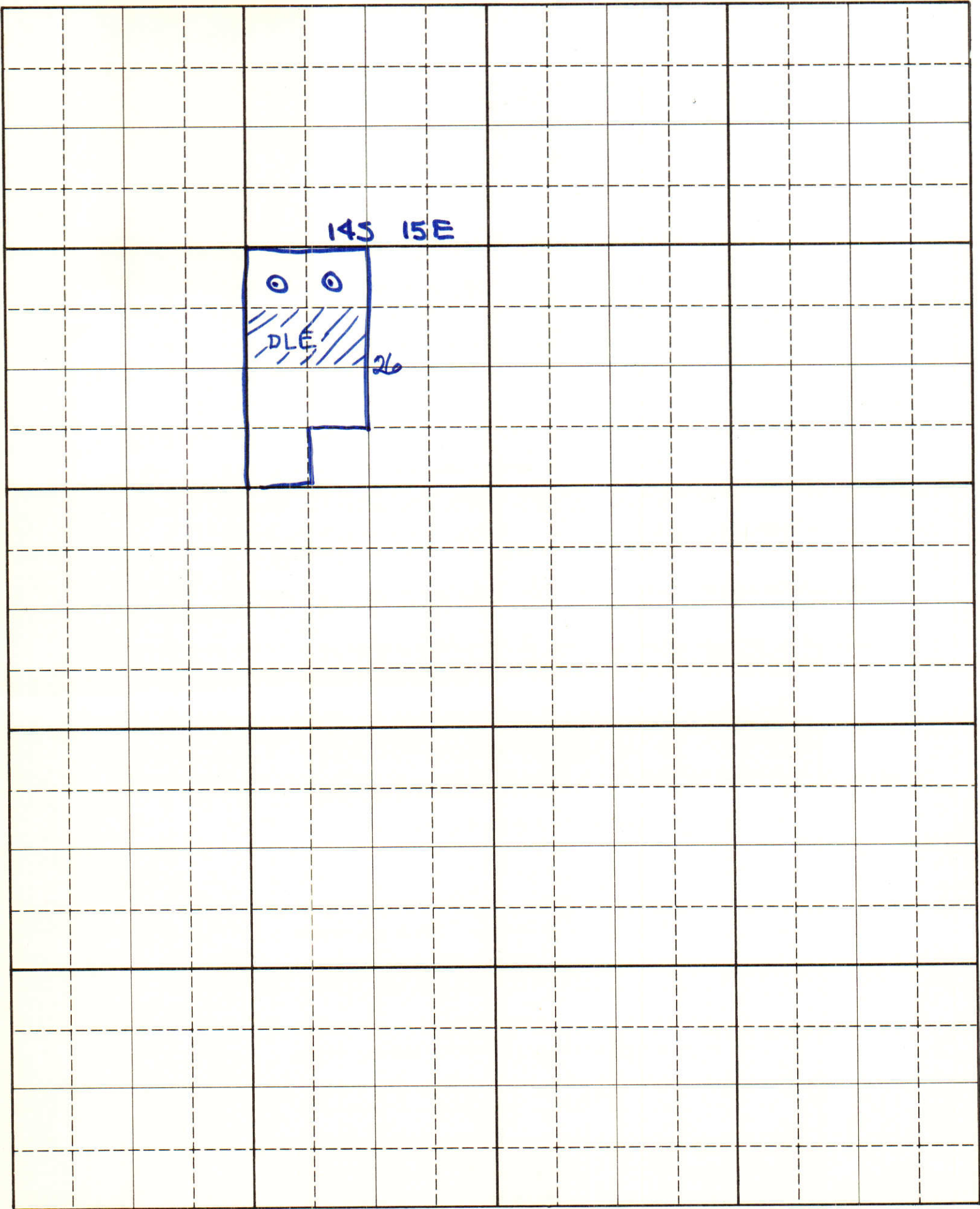
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby approve the above referenced application for amendment. See attached sheet for the conditions of approval.

Witness my hand this 24<sup>th</sup> day of January, 1992

Chief, Water Allocation Bureau

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.

*Ed [Signature]*  
(Applicant)

RECEIVED

N<sup>o</sup> JAN 18 1973

## Affidavit of Publication

STATE OF IDAHO, }  
COUNTY OF TWIN FALLS } SS.NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Ed Yragui, P. O. Box 975, Twin Falls, ID has on Dec. 22, 1972 submitted Application No. 47-7169 for a permit to appropriate 5.6 cubic feet per second of water from a groundwater source by means of well and pump within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, T. 14S, R. 15E, B.M., Twin Falls County to be used from Jan. 1 to Dec. 31 for stockwater purposes and from April 1 to Nov. 1 for the irrigation of 280 acres within the NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26 T. 14S, R. 15E, 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 Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before Jan. 22, 1973.

R. KEITH HIGGINSON  
Director

Published in the Times News, Twin Falls, ID on Jan. 4 and Jan. 11, 1973.

I, Carolyn Jennings being first duly sworn upon

oath, depose and say that I am Princ. 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 Jan. 4, 19 73, and ending with the issue dated Jan. 11, 19 73.

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.

Carolyn Jennings  
Subscribed and sworn to before me on this 11th day of January, 19 73.

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

NOTICE OF EXISTING  
WATER RIGHT PERMIT  
Permit No. 47-7169  
Presently Recorded as  
Follows:

Name: ED YRAGUI  
Address: Box 975  
Twin Falls, ID 83303  
Source: Groundwater  
Diversion Pt: NWNW Sec  
26 T14S R15E, Twin Falls  
County  
Use: Irrigation (4.00 cfs)  
Stockwater (0.02 cfs)  
Priority: 12/22/1972  
Place of Use: N $\frac{1}{2}$ NW,  
N $\frac{1}{2}$ SW, SWSW Sec. 26  
T14S R15E

Total Acres: 200  
This permit was not devel-  
oped by July 1, 1985, and  
is being reprocessed in  
compliance with Section  
42-203D, Idaho Code.  
Protests against the con-  
tinuance of the permit  
must be filed with the Di-  
rector, Dept. of Water Re-  
sources, Statehouse Mail,  
Boise, Id 83720 on or be-  
fore May 22, 1989. A pro-  
test must overcome the  
presumption of Water Ap-  
propriation Rule 5.2.1.  
R. Keith Higginson, Direc-  
tor

PUBLISH: Thursday, May  
4, and 11, 1989.

**Affidavit of Publication**  
STATE OF IDAHO }  
COUNTY OF TWIN FALLS } SS.

No 19814

I, Linda Copps McGuire being first duly sworn upon oath, depose  
and say that I am Print Clerk of the TIMES-NEWS, published daily, at  
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per  
clipping attached, was published in the regular and entire issue of said newspaper, and not in  
any supplement thereof, for Two consecutive weeks,  
commencing with the issue dated May 4, 1989,  
and ending with the issue dated May 11, 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 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 17 day of May in the year of 1989, before me,  
a Notary Public, personally appeared Linda Copps McGuire,  
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.

Laura R. Feltman  
Notary Public for Idaho

Residing at

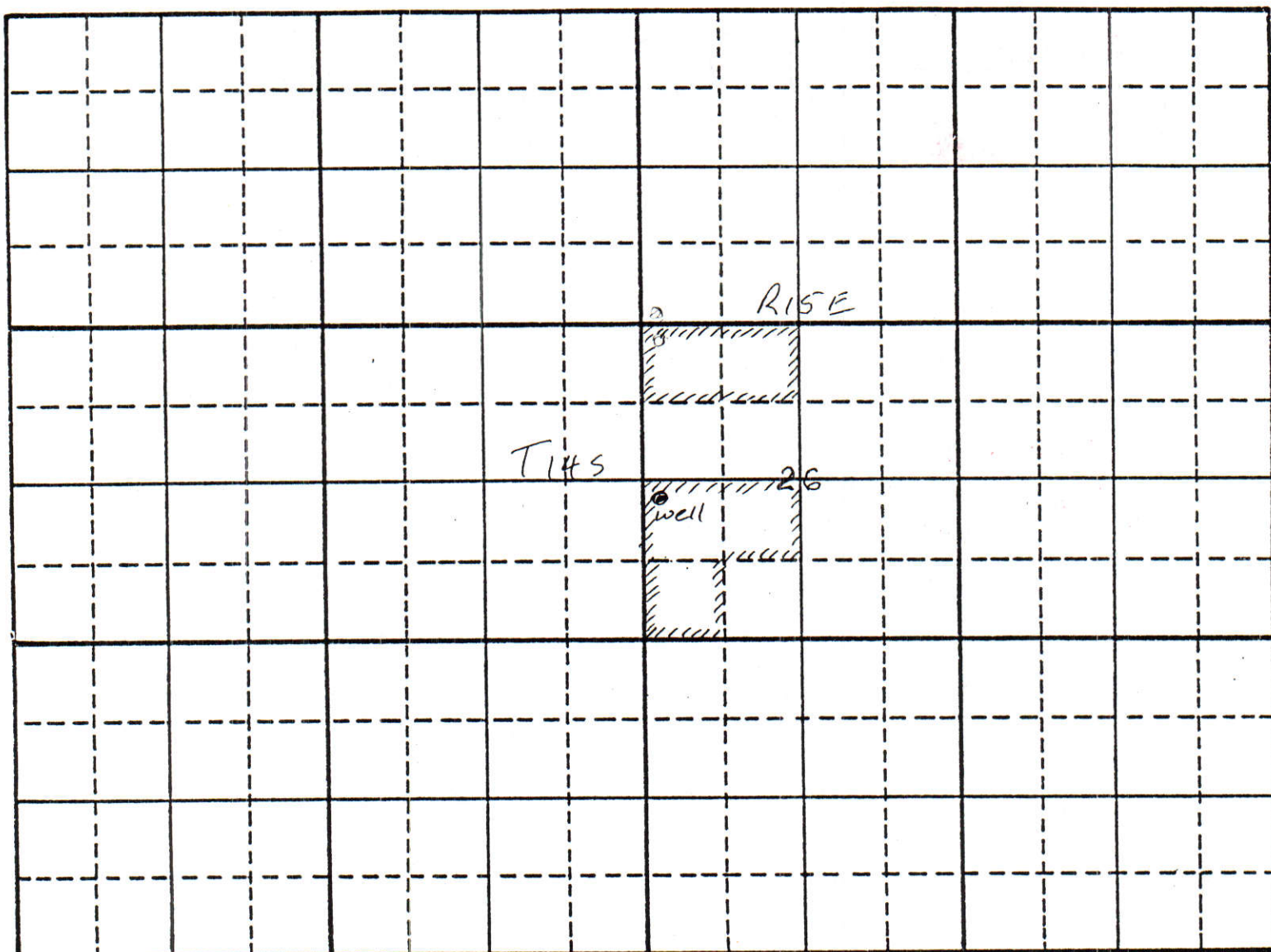
My commission expires:

Twin Falls County  
5/19/94

JUN 13 1989

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Edgemoor, this 30 day of Aug, 1991.

Edgemoor  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by det Fee = \$20.00

Received by det Date 09/03/91

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, \_\_\_\_\_, Director of the Department of Water Resources hereby

MICROFILMED

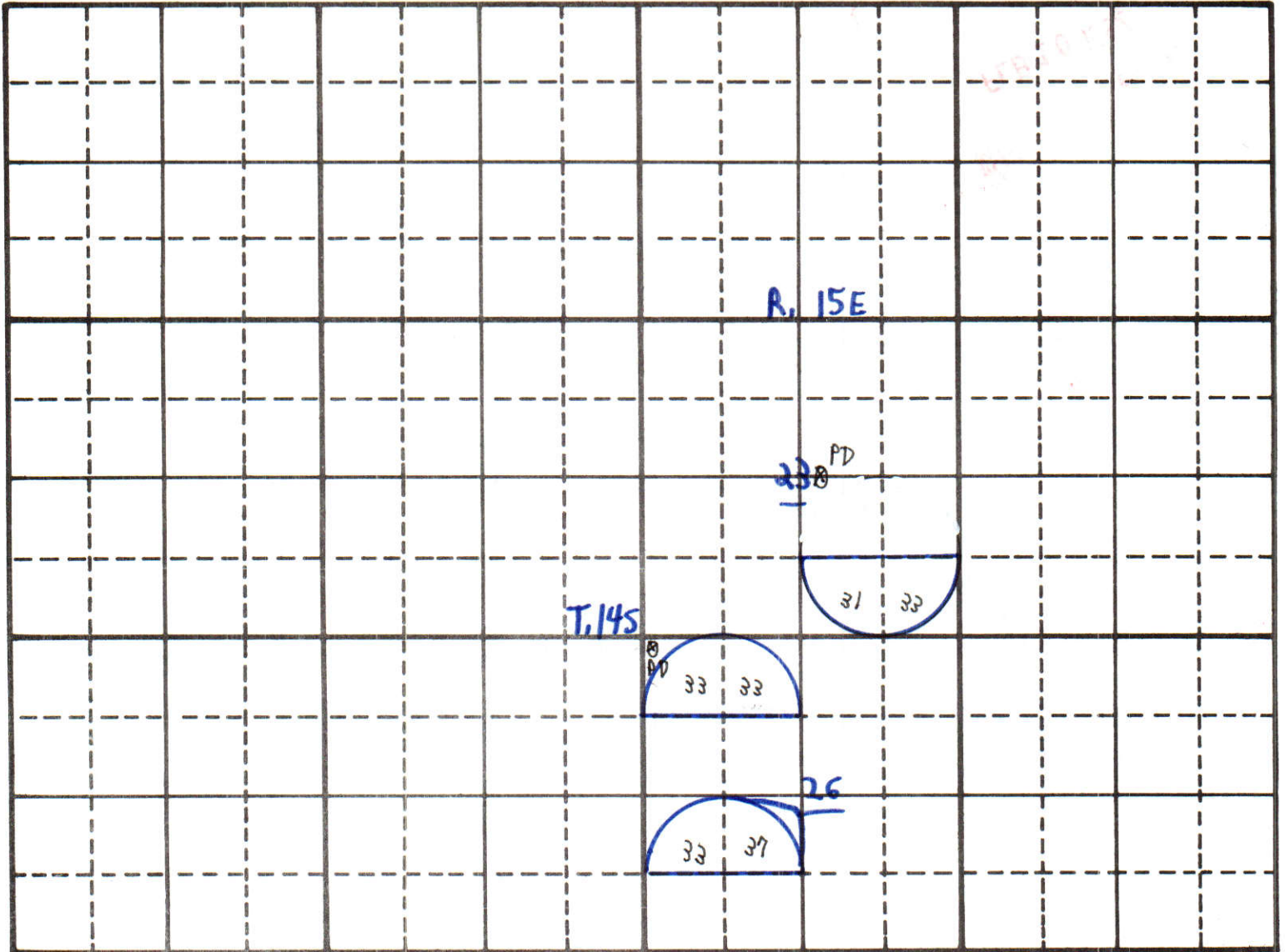
FEB 10 1992

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Director

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Twin Falls, ID, this 28<sup>th</sup> day of September, 19 89.

Ed Yarnall  
(Signature)

#### FOR DEPARTMENT USE ONLY

Preliminary check by DRJ Fee = \$20.00

Received by JP Date 9-28-89 5009464

Publication prepared by MB Date 10/25/89

Published in Times News

Publication dates 11/2 & 11/9/89

#### ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, \_\_\_\_\_, of the Department of Water Resources hereby

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19

**MICROFILMED**

**FEB 10 1992**

NOTICE OF AMENDMENT TO A WATER

PERMIT

NO. 47-07169

Notice is hereby given that Ed Yragui of Twin Falls, ID is the holder of Approved Permit No. 47-07169 authorizing the diversion of 4.0 cubic feet per second of water from groundwater in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S26, T14S, R15E, County of Twin Falls, to be used for stockwater use and irrigation of 200 acres within NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{2}$ SW $\frac{1}{4}$ , S26, T14S, R15E.

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

Amount: 4.0 cfs for irrigation

Period of Use: From 4/1 to 11/1

Amount: .02 cfs for stockwater

Period of Use: From 1/1 to 12/31

Point of Diversion:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S26, T14S, R15E, SW $\frac{1}{4}$ NE $\frac{1}{4}$  or

NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S23, T14S, R15E, (exact description

not certain in S23.

Place of Use: Stockwater and irrigation of 200 acres

within S $\frac{1}{2}$ SE $\frac{1}{4}$ , S23, T14S, R15E, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , S26, T14S, R15E.

Any protest against approval of the amending of

Permit No. 47-07169 as set forth above must be

filed with the Idaho Department of Water Resources, 2148 4th Avenue

East, Twin Falls, ID 83301 on or before November

20, 1989.

R. Keith Higginson, Director

PUBLISH: Thursday, November 2, and 9, 1989.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

No 20523

I, Sinda Capps McGuire being first duly sworn upon oath, depose and say that I am Bruce 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 November 2, 1989, and ending with the issue dated November 9, 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 10 day of November in the year of 1989, before me,

a Notary Public, personally appeared Sinda Capps McGuire, 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.

Bonnie Schuch  
Notary Public for Idaho

Residing at Twin Falls, ID

My commission expires: 9-6-94

OK  
Tg 12/4/89

FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

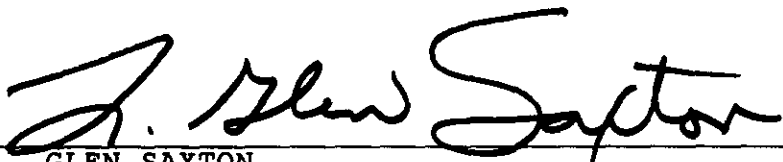
IN THE MATTER OF PERMIT NO. 47-07169 ) ORDER EXTENDING  
IN THE NAME OF ED YRAGUI ) PROOF OF  
\_\_\_\_\_ ) BENEFICIAL USE

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before October 1, 1992; and,

WHEREAS, notice was not given to the permit holder sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS THEREFORE HEREBY ORDERED that the time within which to submit the proof of beneficial use of water under Permit No. 47-07169 be extended to January 1, 1993.

Dated this 8<sup>th</sup> day of October, 1992.

  
L. GLEN SAXTON  
Chief, Water Allocations Bureau

**MICROFILMED**

NOV 13 1992

STATE OF IDAHO

For Office Use Only  
\$15 FEE Received by [Signature]  
Date 9-9-91  
Receipt # 0021694

**RECEIVED**  
SEP 08 1991

DEPARTMENT OF WATER RESOURCES

**REQUEST FOR EXTENSION OF TIME**

Department of Water Resources **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. 47-07169

Name(s) of Permit Holder: Ed Yragui

Post Office Address: P.O. Box 975 Twin Falls Id 83301

Telephone No. \_\_\_\_\_

Date Proof Is Due: Oct 1 1991

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

Water Right and Amendment is now in process of Protest by Ralph Schell and the Idaho Water Resource Department has not held their Hearing - Well Driller is waiting to start Drilling - pump and Irrigation Equipment ~~is~~ <sup>has been</sup> purchased Costing \$ 60,000.

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

Permit holder(s) request an extension to Oct 1, 19 92 [Signature]  
(1 yr. minimum) (Signature)\*

FEE: \$15.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended FEB 10 1992 to October 1, 1992.

Signed this 24<sup>th</sup> day of January, 19 92.

[Signature]  
Chief, Water Allocation Bureau

**RECEIVED**

SEP 03 1991

## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Southern Region Office**APPLICATION FOR AMENDMENT OF A PERMIT**

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

Comes now Ed Yraquiof (address) P.O. Box 975 Twin Falls, ID 83301, and represents to the  
Director of the Idaho Department of Water Resources:That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho  
No. 47-7169, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SW 1/4, Section 26, Township 14S, Range 15E, B.M.,  
County of Twin Falls. Other points of diversion: \_\_\_\_\_

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

Amount 4.00 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)  
(cfs or acre feet per annum)Amount .02 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: (No Change from Permit)

| TWP | RGE | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 14S | 15E | 26  |        |        |        |        | 40     | 40     |        |        | 40     | 40     | 40     |        |        |        |        |        | 200    |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated = 200

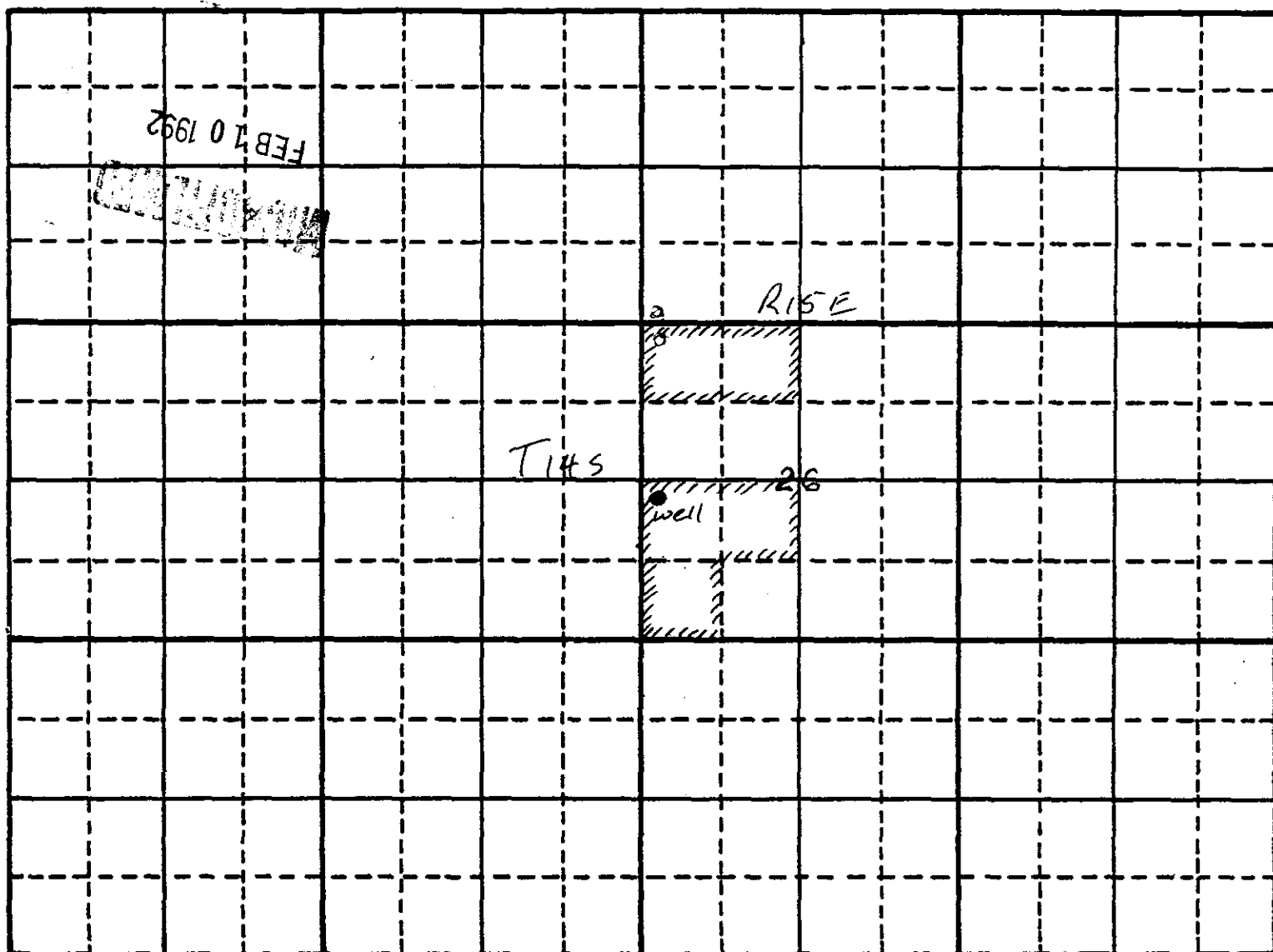
4. a. Who owns the property at the point of diversion? Applicant  
b. Who owns the land to be irrigated or the place of use? Applicant  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_

FEB 10 1992

\* This Application withdraws & replaces the Application  
for Amendment filed Sept. 28, 1989

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Edgemoor, this 30 day of 8-30 Aug, 1991.  
Edgemoor  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by det Fee = \$20.00

5013678  
Received by det Date 09/03/91

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Director of the Department of Water Resources hereby approve the above referenced application for amendment. See attached sheet for the conditions of approval.

Witness my hand this 24<sup>th</sup> day of January, 1992

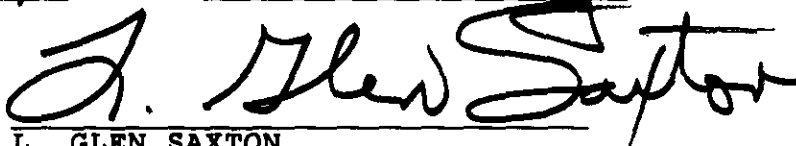
L. Glen Saxton  
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 47-07169

1. The previous conditions as set forth in Permit No. 47-07169 must be met.
2. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Dated this 24<sup>th</sup> day of January, 1992.



L. GLEN SAXTON  
Chief, Water Allocation Bureau

FEB 10 1992

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 FEE Received by J. E. Saylor  
Date 9-28-89  
Receipt # 5009464

OCT 02 1989

REQUEST FOR EXTENSION OF TIME

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

Department of Water Resources

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

Permit No. 47-07169

Name(s) of Permit Holder: Ed Yraqui

Post Office Address: P. O. Box 975, Twin Falls, ID 83303-0975

Telephone No. 733-3988

Date Proof is Due: November 1

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 was drilled but has not been used.

Costing \$ 15,000.

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

Due to the moratorium on electric power hookups, it has not been feasible to proceed with  
development of this ground. With the moratorium finally lifted by Idaho Power Co., develop-  
ment can finally proceed.

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

Ed Yraqui  
(Signature)\*

FEE: \$15.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1991.

Signed this 13<sup>th</sup> day of October, 19 89.

J. E. Saylor  
Chief, Water Allocation Bureau

MICROFILMED

NOV 13 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT  
NO. 47-7169 IN THE NAME  
OF ED YRAGUI

---

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. Permit No. 47-7169 (permit) issued to Ed Yragui (permit holder) authorized the diversion of 4.0 cfs of water from a groundwater source for the irrigation of 200 acres of land.
2. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, which propose to divert water held in trust by the state of Idaho pursuant to subsection (5) of section 42-203D, Idaho Code, to determine whether they comply with the provisions of Section 42-203C, Idaho Code. The review is not required for permits to the extent beneficial use was complete prior to July 1, 1985.
3. Information submitted by the permit holder shows that 200 acres authorized to be irrigated by Permit No. 47-7169 were not irrigated as proposed prior to July 1, 1985.
4. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

**MICROFILMED**

JUN 13 1989

5. The permit was readvertised in accordance with Water Appropriation Rule 4,2,3,1. and was not protested.

6. Proposed development of water under the permit satisfies the presumption of Water Appropriation Rule 5,2,1. that it will not cause either an individual or cumulative significant reduction.

#### CONCLUSIONS OF LAW

1. The permit will appropriate trust water.

2. IDWR has reviewed the permit under Section 42-203D, Idaho Code and has determined that the permit complies with Section 42-203C, Idaho Code since the diversion and use of water under the permit will not individually or cumulatively cause a significant reduction.

3. The Director should enter an order reauthorizing development in compliance with the provisions of Section 42-203D, Idaho Code.

#### ORDER

IT IS, THEREFORE, hereby ORDERED that development under Permit No. 47-7169 is reauthorized and CONTINUED 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. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review 20 years after the date of this continuation order to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

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

**MICROFILMED**

JUN 13 1989

4. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

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

Dated this 5<sup>th</sup> day of June, 1989.

*L. Glen Saxton*

L. GLEN SAXTON, Chief  
Water Allocation Bureau

**MICROFILMED**

JUN 13 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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

For Office Use Only  
Fee Received 15.00 +g  
Date 1-8-85  
Receipt # 35957

RECEIVED  
JAN 8 1985

Department of Water Resources

Ed Yragui of P.O. Box 975, Twin Falls, Ida  
(Name) (Address) 83303-0975

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder\*, of Permit to Appropriate the Public Water of the State of Idaho No. 47-7169

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Nov. 1, 19 84

That he has heretofore performed the following work described under said permit: Completed  
(This must be filled out! If no work has been completed put none.)  
drilling a well in Sept. 1984-1974.

Costing \$ \$15,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:  
I have been involved in litigation with Idaho Power  
and they have not been willing to hook up power  
for the pump. BLM has not yet granted  
D.L.E.

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

E. Yragui  
(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 proof of beneficial use is extended to November 1, 1989.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to February 28, 1973, pursuant to Section 42-218a, Idaho Code.

Signed this 11<sup>th</sup> day of January, 19 85

A. Glen Saxton  
Chief, Operations Bureau

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING )  
DEVICE REQUIREMENT FOR PERMIT NO. 47-7100 )  
\_\_\_\_\_ )

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 18<sup>th</sup> day of August, 1978.

MICROFILMED

  
C. STEPHEN ALLRED  
Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
REQUEST FOR EXTENSION OF TIME

APR 17 1981

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

Ed Yragui of P.O. Box 975, Twin Falls Id.  
(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. 47-7169.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 19 81.

That he has heretofore performed the following work described under said permit: Completed  
drilling a well in Sept. 1974 at that time Idaho Power  
could not supply a hookup In 1976 Idaho said they could  
supply power, however, the land developers were not interested at that  
time. Costing \$ 15,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Presently Idaho Power will not hook  
up power due to litigation & power shortage.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 19 86.

Ed Yragui  
(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 the statement of beneficial use is extended to November 1, 1984.

Signed this 6<sup>th</sup> day of May, 19 81.

J. Glen Saxton  
Chief, Operations Bureau

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

Accepted - 4-28-81 # 18579

Identification No. 47-7169

Application No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
**APPLICATION FOR PERMIT**

**APPROVED**

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

1. Name of applicant Ed Yragui  
post office address PO Box 975 Twin Falls Idaho
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 26 Township 14S  
Range 15E B.M. Twin Falls County; additional points of diversion if any: NE NW Sec 26 T 14S R 15E
- 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 5.6 <sup>ALLOW: 4.00</sup> for Irrigation purpose from April 1 to Nov 1 (both dates inclusive)  
Amount .02 for Stock purpose from Jan 1 to Dec 31 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
5. Total quantity to be appropriated: ALLOW: 4.0 cfs  
a. 5.6 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 pump
- 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.
- c. Proposed well diameter is 22 inches; proposed depth of well is 450 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 \$ 10,000.
8. Description of proposed uses:  
a. If water is **not** for irrigation: Same as 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 \_\_\_\_\_  
(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]

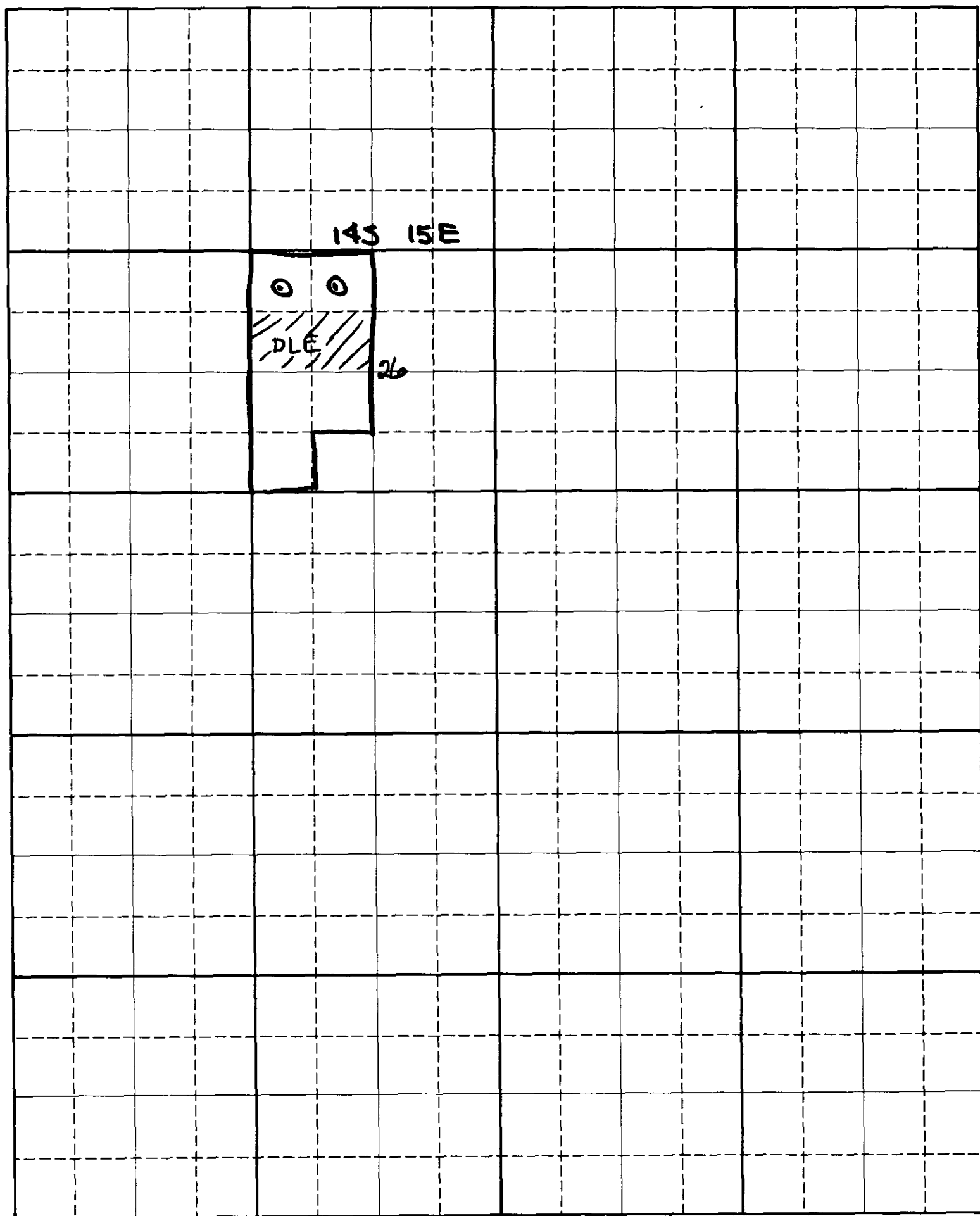
Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. ALLOW: 200 acres

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 and DLE  
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 \_\_\_\_\_

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.

Ed J. Jorgensen  
(Applicant)

Proposed Priority 12-22-72

Received by RAH Date 12-22-72 Time 3:00 PM

Preliminary check by RAH Fee \$ 75.00

Receipted by RAH Date 12-22-72 # 9498

Publication prepared by alw Date 12-29-72

Published in Times News, Twin Falls, ID

Publication dates 1-4 & 1-11-73

Publication approved alw Date 1-15-73

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: Ralph Schnell, Hazel Schnell

Copies of protests forwarded by alw

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by BDF

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7169, 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.

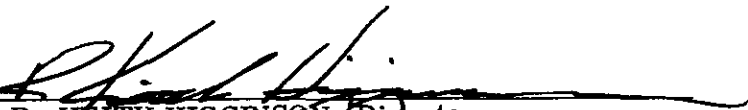
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 81.

c. Other: The maximum rate of diversion shall not exceed 4.0 cfs for the irrigation of 200 acres.

A measuring device of a type approved by this Department 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 16 day of June, 19 76.

  
R. KEITH HIGGINSON, Director  
Idaho Department of Water Resources

# Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

Nº 1825

I, Carolyn Jennings being first duly sworn upon

oath, depose and say that I am Princ. 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

Jan. 4, 19 73

, and ending with the issue dated

Jan. 11, 19 73

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.

Carolyn Jennings

Subscribed and sworn to before me on this 11th day of

January, 19 73

W. H. Westinghouse

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

NOTICE OF EXISTING  
WATER RIGHT PERMIT  
Permit No. 47-7169  
Presently Recorded as  
Follows:

Name: ED YRAGUI  
Address: Box 975  
Twin Falls, ID 83303  
Source: Groundwater  
Division: Pt. NWNW Sec  
26 T14S R15E, Twin Falls  
County  
Use: Irrigation (4.00 cfs)  
Stockwater (0.02 cfs)  
Priority: 12/22/1972  
Place of Use: N $\frac{1}{2}$ NW,  
N $\frac{1}{2}$ SW, SWSW Sec. 26  
T14S R15E

Total Acres: 200  
This permit was not developed 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 May 22, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.

R. Keith Higginson, Director

PUBLISH: Thursday, May 4, and 11, 1989

Affidavit of Publication

STATE OF IDAHO  
COUNTY OF TWIN FALLS } ss.

No 19814

I, Shirley Capps McQuire being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated May 4, 1989, and ending with the issue dated May 11, 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 publication 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 17 day of May JUN 13 1989 in the year of 1989, before me, a Notary Public, personally appeared Shirley Capps McQuire, 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.

Leona R. Fittman  
Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County  
5/19/94

November 6, 1992

ED YRAGUI  
PO BOX 975  
TWIN FALLS ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-07169

Dear Permit Holder:

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

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

**MICROFILMED**

NOV 13 1992

RECEIVED

OCT 23 1992

Department of Water Resources  
Southern Region OfficeSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESOFFICE USE ONLY  
Amt. of Fee \$ 175.00  
Date 10-23-92  
Receipt No. 5015110  
Receipt by J. C. [signature]

## 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. 47-07169 Telephone No. \_\_\_\_\_
2. Name(s) of Permit Holder(s): Ed Yraqui
3. Mailing Address: P.O. Box 975 Twin Falls, ID 83301
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Guy Weech Date Drilled: 1992

## OPTIONAL:

Pump horsepower: 250 Pressure (psi): Open Dynamic pumping level (ft.): 340

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

Domestic \_\_\_\_\_ (No. of households) Stockwater 300 Beef Cattle (No. and type of stock)  
Irrigation 200 (No. of acres) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted 4.0 cfs OR \_\_\_\_\_ 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: \$ 175.00 (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.

Larry Loughmiller 734-6321 (mobile) - 1371  
Name Telephone No.

Rt 2 Box 2271, Filer, ID 83329  
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.

RECEIVED

NOV 13 1992

Oct 23 1992 Larry Loughmiller Manager for Ed Yraqui  
Date Signature (and title, if on behalf of a company or organization)

7/90

R E C E I V E D

OCT 18 1991

Department of Water Resources  
Southern Region OfficeState of Idaho  
Department of Water ResourcesDrilling Permit No. 47-91-S-114Water Right Permit No. 47-7169

Injection Permit No. \_\_\_\_\_

## APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Ed Yragui2. Mailing Address P.O. 975 Twin Falls ID 83301Telephone 733 3988☒ Well Owner ☐ Well Operator ☐ Other, specify \_\_\_\_\_3. Proposed well location NW 1/4 SW 1/4, or Gov't Lot No. \_\_\_\_\_Sec. 26, Twp. 14, Rge. 15, County Twin Falls

Street Address of Well Site \_\_\_\_\_

Lot, block and subdivision \_\_\_\_\_

## 4. Proposed use of well:

- ☐ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- ☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

☐ Injection

- ☐ Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: \_\_\_\_\_

## 5. Well construction information:

- A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9

B. Proposed Surface Diameter 20" Proposed Maximum Depth 600

C. Anticipated bottom hole temperature:

- ☐ 85°F or less (Cold water well)  
☒ 85°F to 212°F (Low temp. geothermal well)  
☐ 212° or more (Geothermal well)

6. Construction Start Date Oct. 15 19917. Anticipated Well Driller Chuck Jones

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Ed Yragui Date Oct 17 1991

Title \_\_\_\_\_

(Owner, Firm Representative, Other)

MICROFILMED  
NOV 13 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 12/4/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Larry D. Halverson  
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION

Title

Receipt No. 503790 Received by JA Fee \$200 Date 10-21-91

**APPROVED**  
**NOV 13 1992**

EXTENSION OF DRILLING PERMIT

Extension approved by \_\_\_\_\_ Approval Date \_\_\_\_\_

This extension is good for 60 days beyond the above extension approval date.



**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

October 7, 1992

Ed Yragui  
PO Box 975  
Twin Falls, ID 83301

**PROOF DUE NOTICE**

RE: Permit No. 47-07169

Dear Permit Holder:

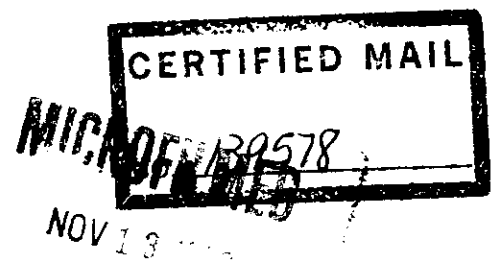
One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied 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 days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

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



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

USE TYPEWRITER OR  
BALLPOINT PEN

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

**1. WELL OWNER**

Name Ed Yraqui  
Address P.O. Box 975 Twin Falls, Id  
Drilling Permit No. 47-91-S-114  
Water Right Permit No. [REDACTED]

**2. NATURE OF WORK**

- ☒ New well ☐ Deepened ☐ Replacement  
☐ Well diameter increase  
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

**3. PROPOSED USE**

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

**4. METHOD DRILLED**

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary  
☒ Cable ☐ Dug ☐ Other \_\_\_\_\_

**5. WELL CONSTRUCTION**

Casing schedule: ☒ Steel ☐ Concrete ☐ Other \_\_\_\_\_

| Thickness    | Diameter     | From       | To         |
|--------------|--------------|------------|------------|
| 2.50 inches  | 16 inches    | 1 feet     | 96 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 ☐ Gun  
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 18' Material used in seal: ☐ Cement grout  
☒ Bentonite ☐ Puddling clay ☐ \_\_\_\_\_  
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing  
☒ Overbore to seal depth  
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld  
☐ Cemented between strata  
Describe access port IN SIDE Per Peg

**7. WATER LEVEL**

Static water level 206 feet below land surface.  
Flowing? ☐ Yes ☒ No G.P.M. flow \_\_\_\_\_  
Artesian closed-in pressure \_\_\_\_\_ p.s.i.  
Controlled by: ☐ Valve ☐ Cap ☐ Plug  
Temperature \_\_\_\_\_ OF. Quality \_\_\_\_\_  
Describe artesian or temperature zones below.

**8. WELL TEST DATA**

- ☐ Pump ☐ Bailer ☐ Air ☐ Other \_\_\_\_\_

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|------------------|---------------|--------------|
|                  |               |              |
|                  |               |              |
|                  |               |              |

**9. LITHOLOGIC LOG**

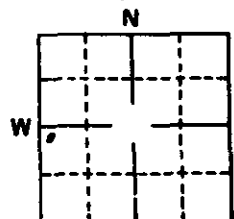
| Bore Diam. | Depth |     | Material                          | Water |    |
|------------|-------|-----|-----------------------------------|-------|----|
|            | From  | To  |                                   | Yes   | No |
| 20"        | 0     | 4   | Top Soil                          |       |    |
|            | 4     | 15  | Brown Clay + Gravel               |       |    |
|            | 15    | 19  | Brown Clay                        |       |    |
|            | 19    | 21  | Brown Clay & Heavy gravel         |       |    |
|            | 21    | 35  | Brown Clay                        |       |    |
|            | 35    | 40  | Reddish Brown Cinders Clay        |       |    |
|            | 40    | 52  | " " with Black sand               |       |    |
|            | 52    | 68  | Reddish Brown Clay & Grey Cinders |       |    |
|            | 68    | 72  | Grey Sand & Cinders Clay          |       |    |
|            | 72    | 89  | Black Basalt                      |       |    |
| 16"        | 89    | 106 | Green Black Basalt                |       |    |
|            | 106   | 146 | Dark Brown Basalt                 |       |    |
|            | 146   | 162 | Black Basalt                      |       |    |
|            | 162   | 169 | Brown Scoria Clay                 |       |    |
|            | 169   | 189 | Reddish "                         |       |    |
|            | 189   | 196 | Brown Basalt                      |       |    |
|            | 196   | 204 | Tan Brown Basalt                  |       |    |
|            | 204   | 210 | Brown Basalt                      |       |    |
|            | 210   | 234 | Brown Scoria, Cinders & Clay      |       |    |
|            | 234   | 257 | Grey Brown Scoria                 |       |    |
|            | 257   | 268 | Grey Scoria                       | X     |    |
|            | 268   | 305 | Red Brown Scoria & Clay           | X     |    |
|            | 305   | 320 | Dark Brown Basalt                 | X     |    |
|            | 320   | 348 | Reddish Brown Rhyolite            | X     |    |
|            | 348   | 386 | Dark Brown Rhyolite               | X     |    |
| 14"        | 386   | 450 | 430 Broken Caving Brown Rhyolite  | X     |    |
|            | 450   | 475 | Black Basalt                      | X     |    |
|            | 475   | 520 | Brown Cinders & Clay              | X     |    |
|            | 520   | 532 | Black Basalt                      | X     |    |
| 10         | 532   | 558 | 378 Reddish Brown Basalt          | X     |    |
|            | 558   | 562 | Dark Brown Rhyolite               | X     |    |

**10.**

Work started 2-10-92 finished 3-25-92

**6. LOCATION OF WELL**

Sketch map location must agree with written location.



Subdivision Name NOV 13 1992  
Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_

County Twin Falls  
N 1/4 SW 1/4 Sec. 26, T. 14, S. 15, E. 15

**11. DRILLERS CERTIFICATION**

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

Firm Name Wreck Well Firm No. 210

Address 632 E 42nd St. Date 4-3-92

Signed by (Firm Official) Pex A. Wreck  
and  
(Operator) Guy Wreck

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

1. WELL OWNER

Name Ed Yragui

Address P.O. Box 975- Twin Falls, ID

Owner's Permit No. 47-89-5-060

2. NATURE OF WORK

☒ New well

☐ Deepened

☒ Replacement

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other \_\_\_\_\_ (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☐ Cable ☐ Dug ☐ Other \_\_\_\_\_

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other \_\_\_\_\_

Thickness

Diameter

From

To

1/4 inches

16 inches

2 feet

182 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 182 Material used in seal: ☒ Cement grout

☐ Bentonite ☒ Puddling clay ☐ \_\_\_\_\_

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 1 1/4" Pipe

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

Subdivision Name

Lot No.

Block No.

County Twin Falls

SE 1/4 510 1/4 Sec. 23 T. 14 N. S. R. 15 E.W.

7. WATER LEVEL

Static water level 175 feet below land surface.

Flowing? ☐ Yes ☐ No G.P.M. flow \_\_\_\_\_

Artesian closed-in pressure \_\_\_\_\_ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature \_\_\_\_\_ OF. Quality \_\_\_\_\_

Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other \_\_\_\_\_

Discharge G.P.M.

Pumping Level

Hours Pumped

2250

270

8

9. LITHOLOGIC LOG

Bore Diam.

Depth

Material

Water

From

To

Yes

No

20"

0

15

Top Soil

15

110

Brown Clay

110

150

Brown Shale

150

180

Black Lava - Poris

☒

180

205

Poris Black Lava

☒

205

225

Brown Lava- Poris

☒

225

240

Black Lava

240

250

Brown Shale

250

260

Brown Lava

260

310

Dark Brown Shale

310

325

Dark Brown Lava

☒

325

340

Gray Lava

340

395

Brown Shale

395

415

Brown Rylite

415

450

Broken Black Rylite

☒

10.

Work started 1-10-90 finished 3-30-90

11. DRILLERS CERTIFICATION

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

Firm Name Chuck Jones Firm No. 84

Well Drilling

Address 3564 N 3000 E Date 6-29-90

Kimberly, ID

Signed by (Firm Official) Chuck Jones

and

(Operator) Chuck Jones

RECEIVED  
SEP 12 1990

Department of Water Resources  
RECEIVED

JUL 17 1990

Department of Water Resources  
Southern Region Office

NOTE: FOR original log of well that  
has been abandoned see  
#47-89-5-0060-001

## WELL DRILLER'S REPORT

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

## 1. WELL OWNER

Name Ed YraguiAddress P.O. Box 975- Twin Falls, IDOwner's Permit No. 47-89-5-060-0012. NATURE OF WORK 47-7170, 47-7169

- ☒ New well ☐ Deepened ☐ Replacement  
☒ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

## 3. PROPOSED USE

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

## 4. METHOD DRILLED

- ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary  
☐ Cable ☐ Dug ☐ Other \_\_\_\_\_

## 5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other \_\_\_\_\_

| Thickness         | Diameter         | From           | To              |
|-------------------|------------------|----------------|-----------------|
| <u>1/4</u> inches | <u>16</u> inches | <u>15</u> feet | <u>165</u> feet |
| _____ inches      | _____ inches     | _____ feet     | _____ feet      |
| _____ inches      | _____ inches     | _____ feet     | _____ feet      |
| _____ inches      | _____ inches     | _____ feet     | _____ feet      |

Was casing drive shoe used? ☐ Yes ☒ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow 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 \_\_\_\_\_ Material used in seal: ☒ Cement grout☐ Bentonite ☐ Puddling clay ☐ \_\_\_\_\_Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld☐ Cemented between strata

Describe access port \_\_\_\_\_

## 7. WATER LEVEL

Static water level No water feet below land surface.Flowing? ☐ Yes ☐ No G.P.M. flow \_\_\_\_\_

Artesian closed-in pressure \_\_\_\_\_ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature \_\_\_\_\_ °F. Quality \_\_\_\_\_

Describe artesian or temperature zones below.

## 8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other \_\_\_\_\_

Discharge G.P.M.

Pumping Level

Hours Pumped

No water

## 9. LITHOLOGIC LOG

| Bore<br>Diam. | Depth |     | Material         | Water |    |
|---------------|-------|-----|------------------|-------|----|
|               | From  | To  |                  | Yes   | No |
| 20"           | 0     | 10  | Top Soil         |       | X  |
|               | 10    | 125 | Brown Clay       |       | X  |
|               | 125   | 140 | Black Cinders    |       | X  |
|               | 140   | 170 | Brown Lava Poris |       | X  |
|               | 170   | 180 | Gray Lava        |       | X  |
|               | 180   | 185 | Brown lava       |       | X  |
|               | 185   | 190 | Gray Lava        |       | X  |
|               | 190   | 215 | Black lava       |       | X  |
|               | 215   | 235 | Red Shale        |       | X  |
|               | 235   | 245 | Gray Lava        |       | X  |
|               | 245   | 315 | Brown shale      |       | X  |

When abandoning the well, we cut the casing off at 15' below the surface of the ground, welded on a water tight cap, poured 8' of cement on top of the cap, and from the cap up it is filled to the surface level with clay.

RECEIVED

SEP 12 1990

RECEIVED

JUL 17 1990

Department of Water Resources

Department of Water Resources

Southern Region Office

NOTE: FOR Replacement Well

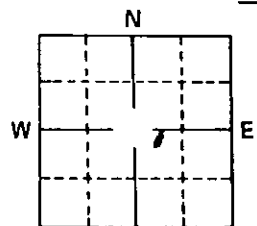
See #47-89-5-0060-000

## 10.

Work started 11/8/89 finished 1/6/90

## 6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name \_\_\_\_\_

Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_

County Twin FallsN. 1/4 S.E. 1/4 Sec. 23, T. 14 S., R. 15 E.W.

## 11. DRILLERS CERTIFICATION

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

Firm Name Chuck Jones Firm No. 84Address 3564 N- 3000 E. Date 6-29-90Signed by (Firm Official) Kimberly, Id 83341  
Chuck Jonesand  
(Operator) Chuck Jones



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

January 24, 1992

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83301715

Re: Permit No. 47-07169

Dear Permit Holder:

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, 1992.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Also enclosed is a copy of your approved Application for Amendment of a Permit. Please note the conditions of approval that have also been attached to the amendment.

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

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED

FEB 10 1992

State of Idaho  
Department of Water Resources  
AMENDMENT ANALYSIS SHEET

RECEIVED  
DEC 05 1991

Department of Water Resources

INITIAL REVIEW BY: JH

Right Number 47-7169 R42 9/3/91 Applicant YRAGUI, ED

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other \_\_\_\_\_

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) \_\_\_\_\_
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. Protest withdrawn 12/3/91
- ☒ Approve. - Drilling Permit issued by Region.
- ☐ Deny.

Conditions Advise that existing well in quarter sec 26 T14S R15E  
Not authorized as a P/D & must meet min well constr  
stds for Abandonment.

By Linda D. Halpin Date 12/4/91

STATE OFFICE PROCESSING: 046-P23

- ☒ Amendment correct and complete. By CS Date 01-03-92
- ☐ Approved copy sent to applicant and to Region. By \_\_\_\_\_ Date \_\_\_\_\_

MEMORANDUM

TO: SOUTHERN REGION

FROM: PAM SKAGGS *OK per Jim*

RE: APPLICATION FOR AMENDMENT  
OF PERMIT #47-07169

DATE: 20-DEC-1991

=====

This amendment is being returned for advertisement. The second amendment filed on 09-03-1991 proposes a new point of diversion located in the NWSW, S26, T14S, R15E. This point of diversion has not been previously advertised.

Please advertise and return to the State Office as soon as possible to avoid further delay in processing. There is also an Extension of Time pending that could be affected through the Amendment process.

RECEIVED

FEB 10 1992

State of Idaho  
Department of Water Resources  
AMENDMENT ANALYSIS SHEET

RECEIVED  
DEC 05 1991

Department of Water Resources

INITIAL REVIEW BY: JH

Right Number 47-7169 Filed 9/3/91 Applicant YRAGUI, ED

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other \_\_\_\_\_

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) \_\_\_\_\_
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. Protest withdrawn 12/3/91
- ☒ Approve. - Drilling Permit issued by Region.
- ☐ Deny.

Conditions Advised that existing well in NW 1/4 Sec 26 T14S R15E  
Not authorized as a P/D & must meet min well const  
stds for Abandonment.

By Linda D. Halen Date 12/16/91

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By \_\_\_\_\_ Date \_\_\_\_\_
- ☐ Approved copy sent to applicant and to Region. By \_\_\_\_\_ Date \_\_\_\_\_

— COPY —  
Original Returned to Region

**RECEIVED**

## STATE OF IDAHO

SEP 03 1991

## DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Southern Region Office**APPLICATION FOR AMENDMENT OF A PERMIT**

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

Comes now Ed Yraquiof (address) P.O. Box 975 Twin Falls, ID 83301, and represents to the  
Director of the Idaho Department of Water Resources:That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho  
No. 42-7169, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SW 1/4, Section 26, Township 14S, Range 15E, B.M.,  
County of Twin Falls. Other points of diversion: \_\_\_\_\_

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

Amount 4.00 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)  
(cfs or acre feet per annum)Amount .02 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: (No Change from Permit)

| TWP | RGE | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 14S | 15E | 26  |        |        |        |        | 40     | 40     |        |        | 40     | 40     | 40     |        |        |        |        |        | 200    |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated = 200

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the 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: COPY

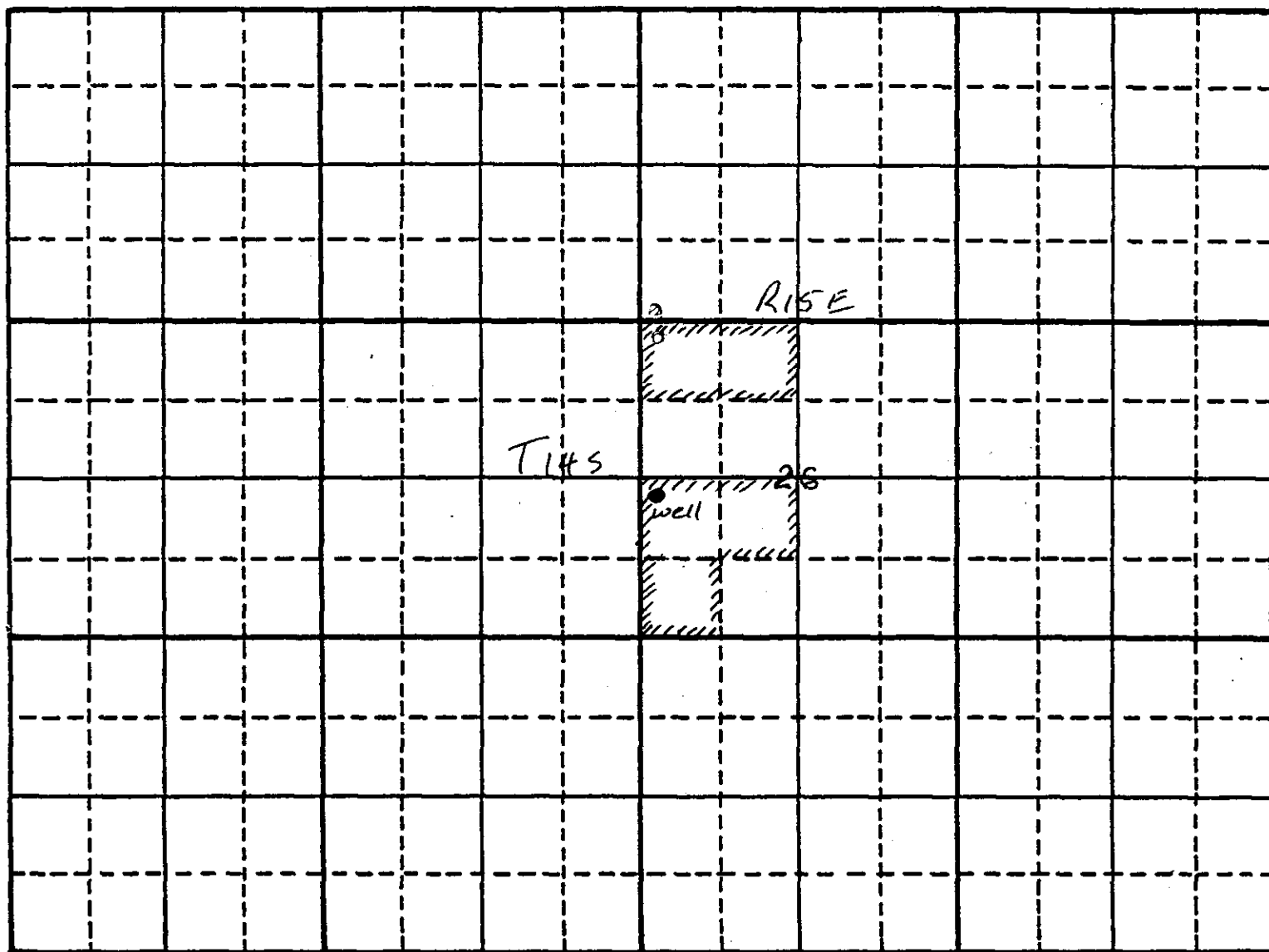
FEB 10 1992

Original Returned to Region

\* This Application withdraws & replaces the Application  
for Amendment filed Sept. 28, 1989

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Ed J. Hollister, this 30 day of 8-30 Aug, 1991.

Ed J. Hollister  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by det Fee = \$20.00

Received by det Date 09/03/91

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, \_\_\_\_\_, Director of the Department of Water Resources hereby

**RECEIVED**

**FEB 10 1992**

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Director

ROSHOLT, ROBERTSON & TUCKER  
Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

JOHN A. ROSHOLT  
J. EVAN ROBERTSON  
JAMES C. TUCKER  
GARY D. SLETTE  
JERRY V. JENSEN  
BRUCE M. SMITH  
GARY L. QUIGLEY  
JUSTIN R. SEAMONS  
JOHN O. FITZGERALD  
D. BERNARD ZALEHA

Boise Office  
1020 MAIN ST., SUITE 400  
P.O. BOX 2139  
BOISE, IDAHO 83701-2139  
TELEPHONE (208) 336-0700  
FAX (208) 344-6034

December 2, 1991

Idaho Department of Water Resources  
Attn: Loren Holmes  
228 Shoshone Street East  
Twin Falls, ID 83301

RE: Application 47-7169 (Yragui)

Dear Loren:

The purpose of this letter is to confirm the contents of our telephone conversation earlier today concerning the above-numbered application. As you related to me, the amendment to this permit will move the point of diversion from Section 23 to the NW1/4 SW1/4 of Section 26, T. 14 S., R. 15 E.B.M. It is my further understanding from our discussion that the old well will necessarily have to be capped or rendered unusable in order to comply with statutory requirements.

Based on the foregoing facts, Mr. Schnell has requested that I advise the Idaho Department of Water Resources that he desires to withdraw his protest to the amendment of the above-numbered permit. Although he remains concerned about the water supply in this area and the impact of pumpage pursuant to this permit, he believes that Mr. Yragui is attempting to minimize negative impacts on Mr. Schnell's water rights.

If you have any questions or comments regarding the foregoing withdrawal of protest, please contact me at your convenience.

Yours truly,



Gary D. Slette

GDS/mw  
15661

cc: Ralph Schnell  
Chuck Brockway  
Ed Yragui

RECEIVED

DEC 03 1991

Department of Water Resources  
Southern Region Office

RECEIVED

FEB 10 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

26-Nov-1991

R. KEITH HIGGINSON  
Director

RALPH SCHNELL  
PO BOX 122  
ROGERSON ID 83302

Re: Application for amendment of permit 47-7169

Dear Mr. Schnell:

The withdrawal of your protest in this matter does away with the need for a hearing.

The hearing scheduled for December 10 is cancelled. The department will now proceed with action on the application.

Sincerely,

  
Loren O. Holmes, P. E.  
Southern Region Manager

c: Gary Slette

RECEIVED  
FEB 10 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

26-Nov-1991

R. KEITH HIGGINSON  
Director

ED YRAGUI  
PO BOX 975  
TWIN FALLS ID 83303-0975

Re: Application for amendment of permit 47-7169

Dear Mr. Yragui:

The protest in this matter has been withdrawn on the protestant's understanding, which agrees with my own, that the original well in the Northwest corner of Section 26, T14S R15E will not be used as a water supply under this permit.

The hearing scheduled for December 10 is cancelled. The department will now proceed with action on the application.

Sincerely,

A handwritten signature in cursive script, reading 'Loren O. Holmes'.

Loren O. Holmes, P. E.  
Southern Region Manager

c: Larry Loughmiller

FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR AMENDMENT OF PERMIT )  
NO. 47-7169 )

Ed Yragui,

Applicant

Ralph Schnell,

Protestant

**AMENDED**  
NOTICE OF HEARING

SOURCE: Groundwater

COUNTY: Twin Falls

On September 28, 1989, Ed Yragui, applicant, applied to the Department of Water Resources to amend permit No. 47-7169 by adding two points of diversion and changing the place of use. On November 7, 1989, the application was protested by Ralph Schnell. At a pre-hearing conference in the matter, on February 1, 1990, The protestant raised concern about generally declining groundwater levels and about possible interference between the applicant's wells and his own wells. The matter was continued to allow the parties to seek a resolution privately.

On September 3, 1991, the applicant withdrew the original amendment proposal and filed a new application to amend the permit, proposing to retain the original permitted place of use and change to a single point of diversion in a location 1/2 mile from the originally permitted well.

The Department has set the matter of protest for hearing for 1:00 PM, Tuesday, December 10, 1991, at the Department of Water Resources Southern Region Office, 222 Shoshone Street East, Twin Falls.

The hearing will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 26 day of November, 1991.

  
Loren O. Holmes  
Southern Region Manager

RECORDED

FEB 10 1992

47-07169

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83303-0975

47-07169

Larry Loughmiller  
Rt. 2 Box 2271  
Filer, ID 83328

47-07169

Ralph Schnell  
P.O. Box 122  
Rogerson, ID 83302

47-07169

Gary Slette  
P.O. Box 1906  
Twin Falls, ID 83303-1906

RECEIVED

FEB 10 1992



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

26-Nov-1991

R. KEITH HIGGINSON  
Director

ED YRAGUI  
PO BOX 975  
TWIN FALLS ID 83303-0975

Re: Amended notice of hearing - 47-7169

Dear Mr. Yragui:

Enclosed is an amended notice of hearing. The original notice did not give the time for the hearing, 1:00 PM. This has been corrected in the amended notice.

Sincerely,

Loren O. Holmes, P. E.  
Southern Region Manager

c: Larry Loughmiller

FEB 10 1992



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

26-Nov-1991

R. KEITH HIGGINSON  
Director

RALPH SCHNELL  
PO BOX 122  
ROGERSON ID 83302

Re: Amended notice of hearing - 47-7169

Dear Mr. Schnell:

Enclosed is an amended notice of hearing. The original notice did not give the time for the hearing, 1:00 PM. This has been corrected in the amended notice.

Sincerely,

Loren O. Holmes, P. E.  
Southern Region Manager

FEB 16 1992



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

26-Nov-1991

R. KEITH HIGGINSON  
Director

GARY SLETTE  
PO BOX 1906  
TWIN FALLS ID 83303-1906

Re: Amended notice of hearing - 47-7169

Dear Mr. Slette:

Enclosed is an amended notice of hearing. The original notice did not give the time for the hearing, 1:00 PM. This has been corrected in the amended notice.

Sincerely,

Loren O. Holmes, P. E.  
Southern Region Manager

FEB 10 1992

# STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 47-07169

Reviewed by KLK

Date 11/25/91

## BASIC INFORMATION

9/6/91 Date stamp received  
yes Extension received timely (not too early not too late)  
yes Fee received and receipted  
yes Name and signature same as permit  
no Address change

## BASIS FOR EXTENSION REQUEST

       Has adequate work been completed to demonstrate due diligence?  
       Has the cost incurred been adequate to demonstrate an intent to complete the project?  
✓ Has the permit been involved in litigation?  
 a. Swan Falls        Dismissed from Swan Falls  
 Other ✓ Identify Ralph Schnell-IDWR  
 b. Is supporting documentation needed to complete the file? no  
 Requested         
 c. Calculate the period of delay

Date litigation completed       

Date litigation began -

Total period of delay =       

Present proof due date +

NEW PROOF DUE DATE =       

       Is delay by a government agency?  
       Is supporting documentation needed to complete the file?         
 Requested?       

## ACTION TAKEN

approved - extend to 10/1/92  
Based on litigation

       Reinstate Date extension received        =         
 Proof due date        = -  
 No. of days late        =         
 Priority date        = +  
 ADJUSTED PRIORITY DATE        =       

## DATE ENTRY

       Change proof due date        Address change  
       Priority date change

**SENDER:**

- Complete items 1 ☐ or 2 for additional services.
- Complete items 3, 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also ☐ h to receive the following ☐ ices (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 47-7169

Ed Yragui

PO Box 975

Twin Falls ID 83303-0975

4a. Article Number

1261

4b. Service Type

☐ Registered

☐ Insured

☐ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

Department of Water Resources  
**DOMESTIC RETURN RECEIPT**  
Southern Region Office

United States Postal Service

Official Business

MICROFILM

FEB 10 1992



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

IDAHO DEPT. OF WATER RESOURCES

1211 N. 1st St.  
Boise, ID 83721

**SENDER:**

- Complete items 1 or 2 for additional services.
- Complete items 3, 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 47-7169

RALPH SCHNELL  
PO BOX 122  
ROGERSON ID 83302

4a. Article Number  
1262

4b. Service Type  
☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

NOV 27 1991

United States Postal Service

Official Business

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

FEB 10 1992



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

IDAHO DEPT. OF WATER RESOURCES

200 N. 1st St.  
Boise, ID 83721

**SENDER:**

- Complete items 1 or 2 for additional services.
- Complete items 3, 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also want to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

47-7169

GARY SLETTE

PO BOX 1906

TWIN FALLS ID 83303-1906

4a. Article Number

1263

4b. Service Type

☒ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express-Mail

☐ Return Receipt for Merchandise

5. Date of Delivery

FEB 10 1992

5. Signature (Addressee)

6. Signature (Agent)

*A. Davis*

8. Addressee's Address (Only if requested and fee is paid)

NOV 27 1991

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

Department of Water Resources  
**DOMESTIC RETURN RECEIPT**  
Southern Region Office

United States Postal Service

Official Business



**MICROFILMED**

**FEB 10 1992**



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

UNITED STATES MARINE RESOURCES

Washington, DC 20540  
Rm 5410, PO 88801

3M-1  
800A  
927

NAME AND  
ADDRESS  
OF SENDER

IDWR

Indicate type of mail

- ☐ Registered  
☐ Insured  
☐ COD  
☐ Certified ☐ Express Mail

Check appropriate block for

- Registered Mail:  
☐ With Postal Insurance  
☐ Without Postal Insurance

Affix stamp here if issued as  
certificate of mailing or for  
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

PS Form 3877, Feb. 1982

| Line | Number of Article      | Name of Addressee, Street, and Post-Office Address | Postage | Fee  | Handling Charge | Act. Value (If Regis.) | Insured Value | Due Sender If C.O.D. | R. R. Fee | S. D. Fee | S. H. Fee | R |
|------|------------------------|----------------------------------------------------|---------|------|-----------------|------------------------|---------------|----------------------|-----------|-----------|-----------|---|
| 1    | 1261 ✓                 | Ed Groqui 11-25-91<br>47-7169                      | .29     | 1.00 | 1.00            | 2.29                   |               |                      |           |           |           |   |
| 2    | 1262 ✓                 | Ralph Schnell                                      |         |      |                 |                        |               |                      |           |           |           |   |
| 3    | 1263 ✓                 | Gary Slette                                        |         |      |                 |                        |               |                      |           |           |           |   |
| 4    | non<br>cert<br>(3) (1) | Larry Langmueller                                  |         |      |                 |                        |               |                      |           |           |           |   |
| 5    |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 6    |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 7    |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 8    |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 9    |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 10   |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 11   |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 12   |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 13   |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 14   |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |
| 15   |                        |                                                    |         |      |                 |                        |               |                      |           |           |           |   |

FEB 10 1992

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|                                         |                                                |                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------|------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Total Number of Pieces Listed by Sender | Total Number of Pieces Received at Post Office | POSTMASTER, PER (Name of receiving employee) | <p>The full declaration of value is required on all domestic and international parcels. The maximum indemnity payable for nonnegotiable documents under Express Mail reconstruction insurance is \$50,000 per piece subject to a limit of occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for Insured Mail. Special handling charges apply only to Third-class parcels. Special delivery service also includes special handling service.</p> |
|-----------------------------------------|------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

★ U.S. GOVERNMENT PRINTING OFFICE

**MEMORANDUM**

**DATE:** 18-Nov-1991

**FROM:** Loren Holmes

**TO:** File 47-7169

**SUBJECT:** History and status of application for amendment as of current date.

Prior to application for amendment, the permit has been twice extended and the priority advanced to 2/28/73.

Further action:

- 9/28/89 - Application for amendment filed to change P/U, retain the original P/D in NWNW Sec. 26, and add a diversion point in SWNE or NWSE Sec. 23. Drilling permit 47-89-S-060 was issued on applicant's request for an expedited approval for the well in NWSE Sec. 23. An extension of time request was also filed and subsequently approved, advancing the proof due date to 10/1/91.
- 11/7/89 - The amendment application was protested by Ralph Schnell.
- 12/28/89- Drilling permit 47-89-S-060 was amended to SESW Sec. 23. Drilling at the original location had been unsuccessful and the applicant wanted to abandon the original hole and try a new spot.
- 2/1/90 - A pre-hearing conference was held. Ralph Schnell was represented by Mike Felton, Attorney.

Schnell has concerns about generally declining water levels in his irrigation wells. His concern about this application in particular is that the original P/D is across the road from an existing well of his, referred to as Schnell #6. He indicated that water levels in the existing Yragui well drops 40 feet when his well is pumped. The Schnell #6 well is 1000 ft. deep with the pump set at 550 feet. The static water level is about 250 ft. and the well draws down to 400 ft. when pumped.

At the conference and subsequent to it, Felton raised the question of whether the Yragui permit had lapsed or not. I believe that this has since been cleared up.

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**FEB 10 1992**

Schnell was planning to conduct some measurements to determine the extent of influence between Schnell #6 and the Yragui well drilled 1/2 mile to the East.

9/3/91 - The original application for amendment was withdrawn and a new application filed proposing the originally permitted P/U and a new P/D in the NWSW Sec. 26. A new drilling permit application was also filed for this site, with request for expedited approval based on driller availability, but has not been acted on yet.

Another permit, 47-7170, also in the name of Ed Yragui, was amended without protest to use the wells drilled under drilling permit 47-89-S-060. As it currently stands, the P/D for 47-7170 is the well in SESW Sec. 23 and the P/D for 47-7169 is the original existing well in NWNW Sec. 26 with a pending amendment to NWSW Sec, 26, 1/2 mile to the south.

*11/26/91 - Hearing set for 12/10/91 on 47-7169*

*12/3/91 - Protest withdrawn - Hearing Cancelled.*

**RECEIVED**

**FEB 10 1992**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

15-Nov-1991

R. KEITH HIGGINSON  
Director

ED YRAGUI  
PO BOX 975  
TWIN FALLS ID 83303-0975

Re: Application for amendment of permit 47-7169, Ed Yragui

Dear Mr. Yragui:

This office is tentatively setting the hearing date for this matter for December 10, 1991 in Twin Falls.

Notices officially setting the date and time will be mailed about November 25.

If you have a conflict with December 10, Please let me know by November 25.

Sincerely,

*Loren O. Holmes*  
Loren O. Holmes, P. E.  
Southern Region Manager

c: Larry Loughmiller

**MICROFILMED**

**FEB 10 1992**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

15-Nov-1991

R. KEITH HIGGINSON  
Director

RALPH SCHNELL  
PO BOX 122  
ROGERSON ID 83302

Re: Application for amendment of permit 47-7169, Ed Yragui

Dear Mr. Schnell:

This office is tentatively setting the hearing date for this matter for December 10, 1991 in Twin Falls.

Notices officially setting the date and time will be mailed about November 25.

If you have a conflict with December 10, Please let me know by November 25.

Sincerely,

A handwritten signature in cursive script that reads "Loren O. Holmes".

Loren O. Holmes, P. E.  
Southern Region Manager

c: Gary Slette

RECEIVED

FEB 10 1992



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

29-Oct-1991

R. KEITH HIGGINSON  
Director

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83303-0975

Re: Ed Yragui, Application for amendment 47-7169

Dear Mr. Yragui:

At the request of the protestant's counsel, the hearing date is being rescheduled to the week of December 9 - 13, 1991 to allow hearing preparation time.

When a more firm date is set, I will notify all parties.

Sincerely,

  
Loren O. Holmes, P. E.  
Southern Region Manager

cc: Larry Loughmiller

**RECEIVED**

FEB 10 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

29-Oct-1991

R. KEITH HIGGINSON  
Director

Ralph Schnell  
P.O. Box 122  
Rogerson, ID 83302

Re: Ed Yragui, Application for amendment 47-7169

Dear Mr. Schnell:

At the request of the protestant's counsel, the hearing date is being rescheduled to the week of December 9 - 13, 1991 to allow hearing preparation time.

When a more firm date is set, I will notify all parties.

Sincerely,

A handwritten signature in cursive script, reading 'Loren O. Holmes'.

Loren O. Holmes, P. E.  
Southern Region Manager

cc: Gary Slette

FEB 10 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

21-Oct-1991

R. KEITH HIGGINSON  
Director

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83303-0975

Re: Application for amendment of permit No. 47-7169, Ed Yragui

Dear Mr. Yragui:

This office has received your amended application for amendment of permit 47-7169.

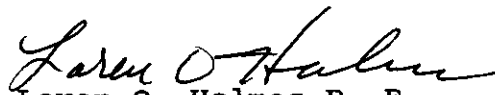
A copy is being sent to the protestant to determine if this proposal will resolve the protest.

I am also tentatively scheduling a hearing date for November 13, 1991 in Twin Falls. Notice of hearing will be served about October 28. If conflicts arise, please let me know by that date.

We have also received your application for a drilling permit and request for expedited approval. I will hold action on approval of the drilling permit until it becomes evident whether or not a hearing on the water right matter is required. If a hearing will not be required, a drilling permit will be issued as soon as possible.

If any questions arise about this matter, please let me know.

Sincerely,

  
Loren O. Holmes P. E.  
Southern Region Manager

cc: Larry Loughmiller

**MICROFILMED**

FEB 10 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

21-Oct-1991

R. KEITH HIGGINSON  
Director

Ralph Schnell  
P.O. Box 122  
Rogerson, ID 83302

Re: Application for amendment of permit No. 47-7169 Ed Yragui

Dear Mr. Schnell:

Enclosed is a copy of an amended application for amendment of permit No 47-7169 recently received from Ed Yragui.

The application proposes to leave the place of use of the water the same as in the original permit and change the point of diversion to a well to be drilled 1/2/mile south of the original well location.

Please advise this office if this proposal resolves your objection to the previous application for amendment.

I am also tentatively scheduling a hearing date for November 13 1991 in Twin Falls. Notice of hearing will be served about October 28. If conflicts arise please let me know by that date.

Please let me know if any questions arise concerning this matter.

Sincerely

  
Loren O. Holmes P. E.  
Southern Region Manager

cc: Mike Felton

RECEIVED  
OCT 20 1991

STATE OF IDAHO

Amendment #1  
WITHDRAWN  
9-3-91

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Ed Yragui Phone 733-3988  
of (address) P. O. Box 975, Twin Falls, ID 83303-0975 , and represents to the  
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho  
No. 47-07169 , and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ NW ¼, Section 26 , Township 14S , Range 15E , B.M.,  
County of Twin Falls . Other points of diversion: SW ¼ NE ¼ or NW ¼ SE ¼ Sec. 23  
T. 14S R. 15E (exact description not certain)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change  
Amount 4.0 for Irr purposes from 4/1 to 11/15 (both dates inclusive)  
Amount 0.02 for Stock purposes from 4/1 to 12/31 (both dates inclusive)  
Amount for purposes from to (both dates inclusive)  
Amount for purposes from to (both dates inclusive)

3. Place of use or land to be irrigated:

| TWP | RGE | SEC | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |     |     | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 14S | 15E | 23  |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 31  | 33  | 64     |
|     |     | 26  |     |     |     |     | 33  | 33  |     |     | 37  | 33  |     |     |     |     |     |     | 136    |
|     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

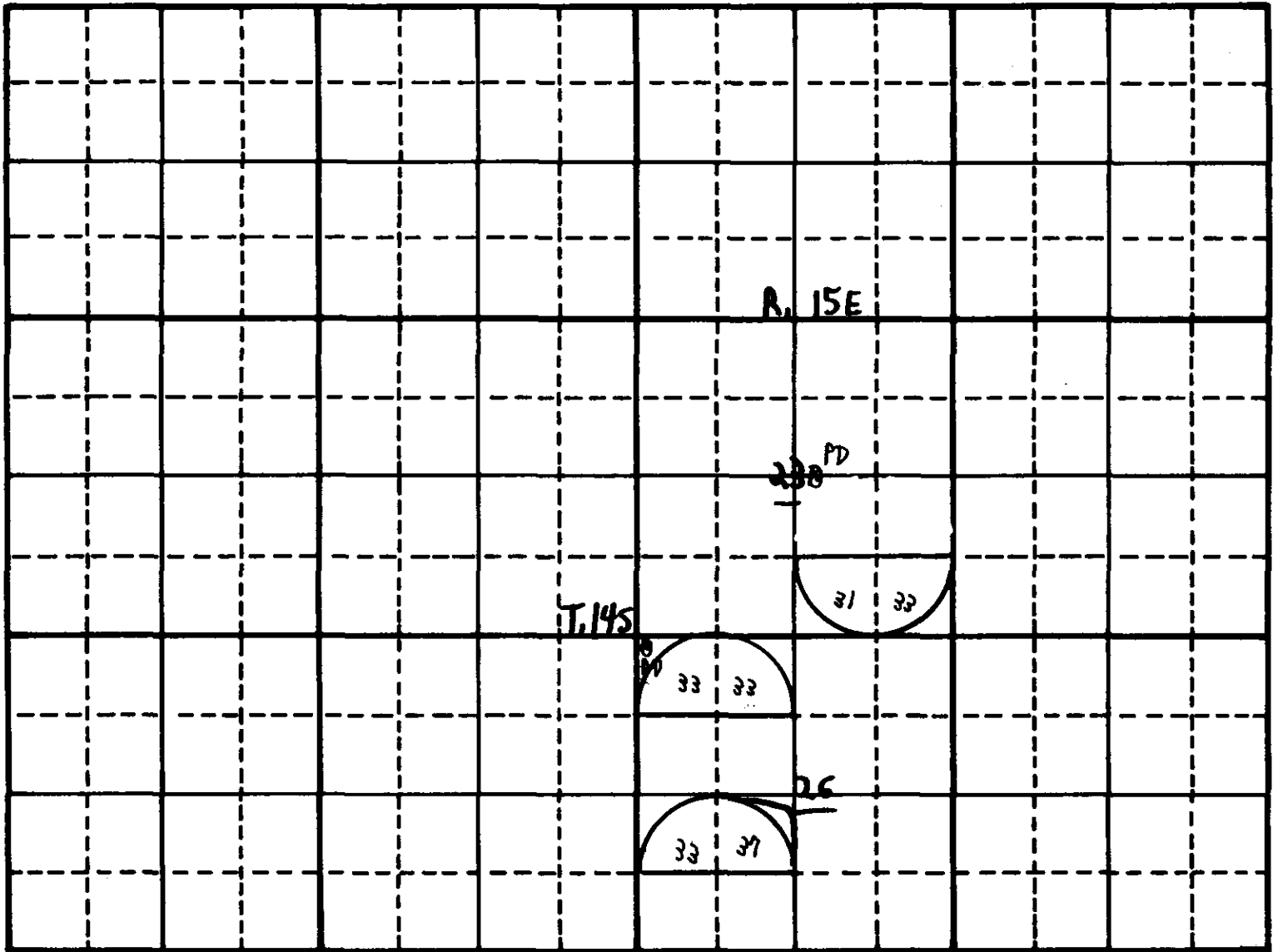
Total number of acres to be irrigated = 200

4. a. Who owns the property at the point of diversion? Applicant  
b. Who owns the land to be irrigated or the place of use? "  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the  
applicant to make this filing:

RECEIVED  
FEB 10 1992

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Twin Falls, ID, this 28<sup>th</sup> day of September, 19 89.

Ed Yagui  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by IRI Fee = \$20.00

Received by GO Date 9-28-89 5009464

Publication prepared by MB Date 10/25/89

Published in Idaho News

Publication dates 11/2 & 11/9/89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, \_\_\_\_\_, of the Department of Water Resources hereby

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19

**RECEIVED**

FEB 10 1992

**NOTICE OF AMENDMENT TO A WATER PERMIT**

NO. 47-07100

Notice is hereby given that Ed Higgins of Twin Falls, ID is the holder of Approved Permit No. 47-07100 authorizing the diversion of 4.0 cubic feet per second of water from groundwater in the NW¼NW¼, NE¼NW¼, S26, T14S, R15E, County of Twin Falls, to be used for stock-water use and irrigation of 200 acres within NE¼NW¼, N½SW¼, SW¼SW¼, S26, T14S, R15E.

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

Amount: 4.0 cfs for irrigation

Period of Use: From 4/1 to 11/1

Amount: .02 cfs for stock-water

Period of Use: From 1/1 to 12/31

Point of Diversion: NW¼NW¼, S26, T14S, R15E, SW¼NE¼ or NW¼SE¼, S23, T14S, R15E, (exact description not certain in file)

Place of Use: Stock-water and irrigation of 200 acres within NE¼NW¼, N½SW¼, SW¼SW¼, S26, T14S, R15E.

Any protest against approval of the amendment of Permit No. 47-07100 as set forth above must be filed with the Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 20, 1990.

R. Keith Higginson, Director

PUBLISH: Thursday, November 2, and 9, 1990.

**Affidavit of Publication**

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

No 20523

I, Linda Capps McSweeney being first duly sworn upon oath, depose and say that I am Bonnie 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 November 2, 1989, and ending with the issue dated November 9, 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 10 day of November in the year of 1989, before me,

a Notary Public, personally appeared Linda Capps McSweeney, 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.

Bonnie Clark  
Notary Public for Idaho

Residing at Twin Falls ID

My commission expires: 9-6-94

FEB 10 1992

OK  
Tg 12/4/89



**The Times-News**

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

November 28, 1989

Idaho Water Resources  
2148 4th Ave East  
Twin Falls ID 83301

**RECEIVED**

DEC 1 1989

Department of Water Resources  
Southern Region Office

**RIGHT #47-07169**

Two Times

Nov. 2, 1989, 59 lines @ .40- - \$23.60

Nov. 9, 1989, 59 lines @ .32- - \$18.88

Affidavit \$ 3.00

**TOTAL DUE \$45.48**

**INVOICE  
20523**

AGE PTO.

OK  
12/4/89

**RECEIVED  
FEB 10 1992**

*Yragui, Ed*

*25*

**State of Idaho**  
**Department of Water Resources**  
**AMENDMENT ANALYSIS SHEET**

INITIAL REVIEW BY: *DRJ*

Right Number *47-7169* Applicant *Yragui, Ed*  
Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).  
☐ Increase amount. ☒ Change place of use. ☐ Other \_\_\_\_\_

**CHECK:**

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ ~~Stream index information (reverse).~~
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) \_\_\_\_\_
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? \_\_\_\_\_

**FINAL REGIONAL PROCESSING REVIEW:**

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_

STATE OFFICE PROCESSING: *Withdrawn + Replaced by Amendment filed 9-3-91*

- ☐ Amendment correct and complete. By \_\_\_\_\_ Date *08*
- ☐ Approved copy sent to applicant and to Region. By \_\_\_\_\_ Date \_\_\_\_\_

**MEMORANDUM**

**To:** File 47-7169  
**From:** L. Glen Saxton *WJ*  
**RE:** STATUS OF PERMIT AND EXTENSION REQUEST REC'D 9-06-91  
**Date:** September 24, 1991

In addition to the pending request for extension of time on this permit, there is also a protested application for amendment pending in Southern Region. The amendment has been in the works for about a year. The purpose of the amendment apparently is to relocate the existing well away from the well of Ralph Schnell.

In order that the pending amendment will not just serve to prolong this matter, the Southern Region will schedule a hearing soon in connection with the protested amendment. If the amendment can be approved, the department can grant a short development period approximately equal to the amount of time the amendment has been pending. If the amendment can't be approved, the extension request should not be denied and proof filed on the part beneficially used, if any.

**RECEIVED**

**FEB 10 1992**

138914  
July 31, 1991

ED YRAGUI  
P.O. BOX 975  
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-07169

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

RECEIVED

FEB 10 1992

MEMORANDUM

DATE: 20-Apr-1990

FROM: Loren Holmes *LH*

TO: Water Alloc.

SUBJECT: Permit 47-7169 & attached correspondence

The region is currently processing a protested application for amendment and the question of whether a permit actually exists has been raised by the protestant's attorney.

Would you please send Mr. Felton a complete copy of the file and, if the permit turns out to be lapsed, let me know?

Thanks,

Loren

**RECEIVED**  
APR 23 1990

Department of Water Resources

*Sent 4/24/90*

FEB 16 1991

20-Apr-1990

Michael H. Felton  
P.O. Box 589  
Buhl, ID 83316

Re: Application for amendment of permit 47-7169; Ed Yragui

Dear Mr. Felton:

I have this date sent a memorandum to our state office requesting that a complete copy of the water right file be sent to you so that you can examine the complete chronology of this permit.

Our regional office file contains only material dating from the issuance of the permit and may have gaps in correspondence occurring between the permit holder and the state office.

Very Truly yours,

Loren O. Holmes, P. E.  
Southern Region Manager

42310

**MICHAEL H. FELTON**

Attorney at Law

Professional Center

1020 Main  
Post Office Box 589  
Buhl, Idaho 83316-0589  
(208) 543-4368  
FAX: (208) 543-4360

March 13, 1990

Loren P. Holmes, P.E.  
Southern Region Manager  
Dept. of Water Resources  
2148 Fourth Avenue East  
Twin Falls, ID 83301

**R E C E I V E D**

**MAR 14 1990**

Department of Water Resources  
Southern Region Office

RE: Application for Permit No. 47-07169  
Ed Yragui

Dear Loren:

We met at a pre-hearing conference on February 1st in Twin Falls with Mr. Yragui and Mr. Schnell. On February 22nd I followed up with a letter to you in support of my allegation that the applicant's permit had lapsed. I am writing to you today to inquire if you have reached a decision on that aspect of the matter. Please advise.

Very truly yours,

  
Michael H. Felton  
MHF:cjp  
Enclosures  
Our File No. 1436  
cc: Mr. Ralph Schnell  
Letters\Holmes.Tue

1992

**MICHAEL H. FELTON**

Attorney at Law

Professional Center

1020 Main  
Post Office Box 589  
Buhl, Idaho 83316-0589  
(208) 543-4368  
FAX: (208) 543-4360

February 22, 1990

Mr. Loren P. Holmes, P.E.  
Southern Region Manager  
Dept. of Water Resources  
2148 Fourth Avenue East  
Twin Falls, ID 83301

**RECEIVED**

**FEB 23 1990**

Department of Water Resources  
Southern Region Office

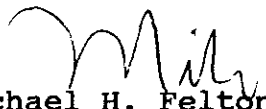
RE: Application for Permit No. 47-07169  
Ed Yragui

Dear Loren:

This letter is a follow-up to our discussion at the prehearing conference which you conducted in Twin Falls on Thursday, February 1. I had suggested that I thought the application had lapsed. After a review of the contents of the file which I had Mr. Schnell pick up and bring to me on January 30th it would appear that the last extension of time on January 11, 1985 reinstated the permit which had lapsed and assigned a new proof of beneficial use date which was November 1, 1989. On September 28, 1989, a new request for extension was filed requesting an extension to November 1, 1994. No record of any approval of the request was in the file and no record of any proof submittals were contained in the documents which I received from the I.D. WR file. It therefore appears that the permit has lapsed at this time.

Also there were amendments to the permit application in the file which were submitted on September 28 and September 29 of 1989, each of which contained conflicting points of diversion in place of use. The notice in the Times News doesn't appear to reflect either of these applications for amendment. It may be that the file is not complete or some of it is in the Boise office. I would appreciate it if you would review the complete file on this application and advise if it has, in fact, lapsed. We do not wish to waive the lapse of this permit. I look forward to hearing from you.

Very truly yours,

  
Michael H. Felton  
MHF:cjp  
Our File No. 1436  
cc: Mr. Ralph Schnell  
Letters\Holmes.Thr

**MAILED**

**FEB 10 1992**

MICHAEL H. FELTON

Attorney at Law

Professional Center

February 15, 1990

RECEIVED

FEB 16 1990

1020 Main  
Post Office Box 589  
Buhl, Idaho 83316-0589  
(208) 543-4368  
FAX: (208) 543-4360

Mr. Loren O. Holmes, P.E.  
Southern Region Manager  
Department of Water Resources  
2148 Fourth Avenue East  
Twin Falls, ID 83301

Department of Water Resources  
Southern Region Office

RE: Application for Permit No. 47-07169;  
Ed Yragui

Dear Loren:

Through a copy of this letter I hope to inform Dr. Brockway as to how you intend to proceed on this matter. The applicant will be allowed to complete his well and then he must notify you upon completion and prior to the 1990 irrigating season so that you can arrange to coordinate your people and Dr. Brockway for the purpose of testing draw down in neighboring wells. Prior to the irrigation season the applicant will pump his well for an extended period of time to determine what apparent effect it has on nearby wells including Ralph Schnell's Well No. 6 which is located approximately one-half mile due west of the point where the applicant is currently drilling. Please advise if I have misstated the above procedure.

Would you also please check to determine if there has in fact been a lapse in the applicant's permit. Please advise.

Very truly yours,



Michael H. Felton

MHF:cjp

Our File No. 1436

cc: Dr. C. E. Brockway

cc: Mr. Ralph Schnell

Letters\Holmes.Thr

MISSOURI

FEB 10 1992



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery  
(Extra charge) (Extra charge)

3. Article Addressed to:

Ralph Schnell  
P.O. Box 123  
Rogerson, ID 83302

FEB 10 1992

4. Article Number

928

Type of Service:

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt  
for Merchandise

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature - Addressee

X *Ralph Schnell*

6. Signature - Agent

X

8. Addressee's Address (ONLY if  
requested and fee paid)

JAN 24 1990

7. Date of Delivery

1-23-90

Department of Water Resources  
Southern Region Office

UNITED STATES POST SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN  
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES  
2148 4th AVENUE EAST  
TWIN FALLS, IDAHO 83301

FEB 10 1992



PENALTY FOR PRIVATE  
USE, \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83303-0975

47-07169

4. Article Number

927

Type of Service:

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

SCH 1373

FEB 10 1992

125-90

UNITED STATES POST SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

JAN 26 1990



Department of Water Resources  
Southern Region Office

PENALTY FOR PRIVATE  
USE, \$300

RETURN  
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES  
2148 4th AVENUE EAST  
TWIN FALLS, IDAHO 83301

NAME AND  
ADDRESS  
OF SENDER

IDWR

11/19/90  
37-8569, 8570,  
8571

Indicate type of mail

☐ Registered  
☐ Insured  
☐ COD  
☒ Certified ☐ Express MailCheck appropriate block for  
Registered Mail:☐ With Postal Insurance  
☐ Without Postal InsuranceAffix stamp here if issued as  
certificate of mailing or for  
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

PS Form 3877, Feb. 1992 FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

| Line                                    | Number of Article | Name of Addressee, Street, and Post-Office Address   | Postage                                      | Fee | Handling Charge | Act. Value (If Regis.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Insured Value | Due Sender If C.O.D. | R. R. Fee | S. D. Fee | S. H. Fee |
|-----------------------------------------|-------------------|------------------------------------------------------|----------------------------------------------|-----|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|-----------|-----------|-----------|
| 1                                       | 922               | c/o Jamrs P. Speck<br>Mc Mahen, William              | .25                                          | .85 | .95             | 2.05                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                      |           |           |           |
| 2                                       | 923               | c/o Richard Oneida<br>Big Wood Canal Co.             |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 3                                       | 924               | ATTN: Carl Nellis<br>I.D. Dept. Fish + Game Region 4 |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 4                                       | 925               | Molyneux, A.W.                                       |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 5                                       | 926               | Deputy Atty. Gen.<br>I.D. Dept. Fish + Game          |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 6                                       |                   | Reid Newby                                           |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 7                                       |                   | L.N. Purdy                                           |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 8                                       |                   |                                                      |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 9                                       | 927 ✓             | Yragui, Ed                                           | .25                                          | .85 | .95             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 10                                      | 928 ✓             | Schnell, Ralph                                       |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 11                                      |                   |                                                      |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 12                                      |                   |                                                      |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 13                                      |                   |                                                      |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 14                                      |                   |                                                      |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| 15                                      |                   |                                                      |                                              |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                      |           |           |           |
| Total Number of Pieces Listed by Sender |                   | Total Number of Pieces Received at Post Office       | POSTMASTER, PER (Name of receiving employee) |     |                 | The full declaration of value is required on all domestic and international. The maximum indemnity payable for nonnegotiable documents under Ex ment reconstruction insurance is \$50,000 per piece subject to a limit occurrence. The maximum indemnity payable on Express Mail merchant \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for Insured Mail. Special handling charges apply only to Third- parcels. Special delivery service also includes special handling service. |               |                      |           |           |           |

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

\* U.S. GOVERNMENT PRINTING OFFICE:

FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION  
FOR AMENDMENT OF WATER PERMIT  
NUMBER 47-7169

---

Ed Yragui

Applicant

Ralph Schnell

Protestant

---

NOTICE OF  
PRE-HEARING CONFERENCE

SOURCE: Groundwater

COUNTY: Twin Falls

On September 28, 1989, Ed Yragui, applicant, filed with the Department of Water Resources an application to amend the above captioned permit to appropriate the public waters of the State of Idaho. On November 7, 1989, the Department received a protest against the approval of said application from Ralph Schnell.

The Department has set the matter of protest for conference for Thursday, February 1, 1990, at 10:00 AM, at the Health & Welfare Mental Health Center, 823 Harrison St., Twin Falls.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 19 day of January, 1990.

FEB 10 1992

  
Loren O. Holmes  
Southern Region Manager



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

January 3, 1990

Ralph Schnell  
P.O. Box 122  
Rogerson, ID 83302

Re: Application for Amendment of permit No. 47-07169; Ed Yragui

Dear Mr. Schnell:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

This office is tentatively scheduling the matter of protests for a pre-hearing conference for February 1, 1990. Notices formally setting the conference time and place will be mailed about January 18.

The following are the principal items the Department can consider in either approving or denying an application for amendment of a permit (Section 42-211, IDAHO CODE):

- 1) Will the change result in the diversion and use of more water than originally permitted?
- 2) Will the rights of others be adversely affected by the change?

The purpose of the pre-hearing conference is to determine whether the matter can be resolved without a formal hearing and, if a hearing is required, to formulate and simplify issues, obtain admission of fact and documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses and advise parties of the procedure which will be followed at the hearing to be scheduled.

If you have any questions, or if this office can be of assistance in this matter, please contact us.

Very Truly yours,

*Loren O. Holmes*  
Loren O. Holmes, P. E.

Southern Region Manager

FEB 10 1992

## CONFERENCE AND HEARING PROCEDURE

### IN THE MATTER OF A PROTESTED APPLICATION FOR AMENDMENT OF A PERMIT

In accordance with IDAHO CODE, Section 42-211, the following issues are involved in the consideration of the application and protest(s):

- 1) Will the change result in the diversion and use of more water than originally permitted?
- 2) Will the rights of others be adversely affected by the change?

#### PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

#### CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

#### HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

#### EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

FEB 10 1992

I, Ralph Schnell, do hereby protest Application for Amendment of Permit 47-07169 by Ed Yragui. I feel that Mr. Yragui's proposed amendment will cause harm to my existing irrigation wells that are near his property.

Sincerely,

*Ralph Schnell - NOV-7-1989*

Ralph Schnell  
P. O. Box 122  
Rogerson, ID  
83302

RECEIVED

NOV 7 1989

Department of Water Resources  
Southern Region Office

FEB 10 1992

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 36-08399

Notice is hereby given that NORTH RIM FAIRWAYS OWNERS' ASSOCIATION, INC. is the holder of Approved Permit No. 36-08399 authorizing the diversion of 0.7 cubic feet per second of water from groundwater in the NE1/4NE1/4SE1/4, S18, T9S, R17E; County of Jerome, to be used for domestic use within E1/2SE1/4, S18, T9S, R17E; NE1/4, NE1/4NW1/4, S19, T9S, R17E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: 0.7 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: NE1/4SE1/4, S18, T9S, R17E; Jerome County.

Place of Use: No change.

Any protest against approval of the amending of Permit No. 36-08399 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 23, 1991.

R. Keith Higginson, Director

Published in the North Side News on 12/4 & 12/11/91.

RECEIVED  
FEB 10 1992

25-Oct-1989

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

FEB 10 1992

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-07169

Notice is hereby given that Ed Yragui of Twin Falls, ID is the holder of Approved Permit No. 47-07169 authorizing the diversion of 4.0 cubic feet per second of water from groundwater in the NW1/4NW1/4, NE1/4NW1/4, S26, T14S, R15E, County of Twin Falls, to be used for stockwater use and irrigation of 200 acres within NE1/4NW1/4, N1/2SW1/4, SW1/4SW1/4, S26, T14S, R15E.

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

Amount: 4.0 cfs for irrigation  
Period of Use: From 4/1 to 11/1

Amount: .02 cfs for stockwater  
Period of Use: From 1/1 to 12/31

Point of Diversion: NW1/4NW1/4, S26, T14S, R15E; SW1/4NE1/4 or NW1/4SE1/4, S23, T14S, R15E (exact description not certain in S23).

Place of Use: Stockwater and irrigation of 200 acres within S1/2SE1/4, S23, T14S, R15E; N1/2NW1/4, N1/2SW1/4, S26, T14S, R15E.

Any protest against approval of the amending of Permit No. 47-07169 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 20, 1989.

R. Keith Higginson, Director

Published in the Times News on 11/2 & 11/9/89.

FEB 10 1992



25-Oct-1989

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83301

Re: Application for Amendment, 47-07169

Dear Mr. Yragui:

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

This office will be advertising the application in the Times News on 11/2/ & 11/9/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.  
Water Resources Engineer

DJ:MB

FEB 10 1990

Form 235-1  
3/89

Drilling Permit No. 47-89-S-060  
Water Permit No. 47-07170, 47-07169  
Injection Permit No. \_\_\_\_\_

State of Idaho  
Department of Water Resources

Amended

DRILLING PERMIT

1. Applicant Ed Yragui
2. Address P. O. Box 975, Twin Falls, ID 83303-0975  
Telephone 733-3988
- (X) Well Owner ( ) Well Operator ( ) Other, specify \_\_\_\_\_
3. Proposed well location SE SW 1/4 SE 1/4, or Gov't lot No. \_\_\_\_\_,  
Sec. 23, Twp. 14S, Rge. 15E, County Twin Falls,  
Lot, block and subdivision \_\_\_\_\_
4. Proposed use of well: (Check all that apply)
- ( ) Domestic ( ) Stockwater ( ) Monitoring  
No. of households \_\_\_\_\_ No. of livestock \_\_\_\_\_
- (X) Irrigation ( ) Industrial ( ) Municipal
- ( ) Injection ( ) Other, Specify \_\_\_\_\_
5. Well construction information:
- (X) New well ( ) Deepen ( ) Replace
- Proposed surface diameter 20" Maximum depth 500'
- Anticipated bottom hole temperature:
- (X) 85°F or less (Cold water well)  
( ) 85°F to 212°F (Low temp. geothermal well)  
( ) 212°F or more (Geothermal well)
6. Anticipated construction start date within 30 days
7. Well Driller (if known) Chuck Jones  
Address Kimberly, ID
8. Applicant's signature Ed Yragui  
Title \_\_\_\_\_  
Date 9-28-89

FEB 10 1992

47-89-S-060

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

9. Permission is given to cap previously drilled well until Spring when casing must be pulled and the hole back filled according to DWR regulations - both subject to Department inspection.
10. Permission is given to relocate on new well site & to drill.

Dated this 28 day of September, 1989.

Amended 28 December, 1989

Signed Loren O. Nelson

Title Southern Region Mgr.

Receipt No. 5009464 Received by JA Fee \$100, Date 9/28/89

EXTENSION OF DRILLING PERMIT

FEB 10 1992

Approval Date \_\_\_\_\_ Extension approved by \_\_\_\_\_

This extension is good for 60 days beyond the above extension approval date.

Drilling permit No. 47-89-S-060

Water right No. 47-07169, 47-07170

AMENDED

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Ed Yragui, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Now that electric hookups are available in my area, I want to get started on  
the development in order to protect these two irrigation permits. I want to get  
this well drilled before winter sets in.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 9-28-89

Signature

Ed Yragui

Applicant

SEP 10 1992

3/89

Drilling Permit No. 47-89-S-060Water Permit No. 47-07170, 47-07169

Injection Permit No. \_\_\_\_\_

COPY

State of Idaho  
Department of Water Resources

## D R I L L I N G   P E R M I T

1. Applicant Ed Yragui
2. Address P. O. Box 975, Twin Falls, ID 83303-0975  
Telephone 733-3988
- (X) Well Owner    ( ) Well Operator    ( ) Other, specify \_\_\_\_\_
3. Proposed well location NW 1/4 SE 1/4, or Gov't lot No. \_\_\_\_\_,  
Sec. 23, Twp. 14S, Rge. 15E, County Twin Falls,  
Lot, block and subdivision \_\_\_\_\_
4. Proposed use of well: (Check all that apply)
- |                                         |                                          |                |
|-----------------------------------------|------------------------------------------|----------------|
| ( ) Domestic<br>No. of households _____ | ( ) Stockwater<br>No. of livestock _____ | ( ) Monitoring |
| (X) Irrigation                          | ( ) Industrial                           | ( ) Municipal  |
| ( ) Injection                           | ( ) Other, Specify _____                 |                |
5. Well construction information:
- (X) New well                      ( ) Deepen                      ( ) Replace
- Proposed surface diameter 20"                      Maximum depth 500'
- Anticipated bottom hole temperature:
- (X) 85°F or less (Cold water well)  
( ) 85°F to 212°F (Low temp. geothermal well)  
( ) 212°F or more (Geothermal well)
6. Anticipated construction start date within 30 days
7. Well Driller (if known) Chuck Jones  
Address Kimberly, ID
8. Applicant's signature Ed Yragui  
Title \_\_\_\_\_  
Date 9-28-89

FEB 10 1992

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 28 day of September, 1989.

Signed Loren O. Hansen  
Title Southern Region MGR

Receipt No. S009464 Receipted by JS Fee \$100, Date 9-28-89

EXTENSION OF DRILLING PERMIT

Approval Date \_\_\_\_\_ Extension approved by \_\_\_\_\_

This extension is good for 60 days beyond the above extension approval date.

FEB 10 1992

Drilling permit No. 47-89-S-060

Water right No. 47-07169, 47-07170

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Ed Yragui, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Now that electric hookups are available in my area, I want to get started on  
the development in order to protect these two irrigation permits. I want to get  
this well drilled before winter sets in.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date

9-28-89

Signature

Ed Yragui

FEB 10 1992

Applicant

October 23, 1989

Ed Yragui  
P. O. Box 975  
Twin Falls, ID 83303-0975

Dear Mr. Yragui:

Re: Permit No. 47-7169

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 November 1, 1990.

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

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosures

**MicroFILMED**

NOV 13 1989

# STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 47-7169

Reviewed by [Signature]

Date 10-13-89

## BASIC INFORMATION

- 3 Date stamp received  
3 Extension received timely (not too early not too late)  
4 Fee received and receipted  
4 Name and signature same as permit  
N Address change

## BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?  
       Has the cost incurred been adequate to demonstrate an intent to complete the project?  
       Has the permit been involved in litigation?  
 a. Swan Falls        Dismissed from Swan Falls         
     Other        Identify         
 b. Is supporting documentation needed to complete the file?         
     Requested         
 c. Calculate the period of delay

Date litigation completed       

Date litigation began       

Total period of delay =       

Present proof due date        +       

NEW PROOF DUE DATE =       

- Is delay by a government agency?  
       Is supporting documentation needed to complete the file?         
     Requested?

## ACTION TAKEN

*1st ext. - 81-84 = ~~monitored~~ due diligence*  
*2nd ext - 84-87 = ~~monitored~~ I PCO*  
*3rd ext - Approve until 10-1-1991 based on*  
*S. I. review (I PCO)*

       Reinstate Date extension received        =         
     Proof due date        =         
     No. of days late        =         
     Priority date        =        +         
     ADJUSTED PRIORITY DATE        =       

## DATE ENTRY

- X Change proof due date        Address change  
       Priority date change

138549

August 31, 1989

ED YRAGUI  
P.O. BOX 975  
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-07169

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

MAILED  
NOV 13 1989



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 7, 1989

RE: Permit No. 47-7169

Ed Yragui  
Box 975  
Twin Falls, ID 83301

Dear Mr. Yragui:

Enclosed is an order that authorizes you to continue development under permit to appropriate water no. 47-7169. 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,

A handwritten signature in cursive script, appearing to read 'Tim Luke'.

TIM LUKE  
Sr. Water Resource Agent

TL:hm

Enclosure

**MICROFILMED**

JUN 14 1989

April 25, 1989

Times News  
Box 548  
Twin Falls, ID 83301

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on May 4 and May 11, 1989 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of May 1 and May 8. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and billing to the office below before May 22, 1989.

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

Sincerely,

HEIDI M. MIKEL  
Secretary

**MICROFILMED**  
JUN 13 1989

NOTICE OF EXISTING  
WATER RIGHT PERMIT

PERMIT NO. 47-7169

Presently Recorded as Follows:

Name: ED YRAGUI  
Address: BOX 975  
TWIN FALLS, ID 83303  
Source: GROUNDWATER  
Diversion Pt.: NWNW SEC. 26 T14S R15E  
TWIN FALLS COUNTY  
Use: IRRIGATION (4.00 CFS)  
STOCKWATER (0.02 CFS)  
Priority: 12/22/1972  
Place of Use: N1/2NW, N1/2SW, SWSW SEC. 26  
T14S R15E  
Total Acres: 200

This permit was not developed 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 May 22, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

**MICROFILMED**

JUN 13 1989

IDAHO DEPARTMENT OF WATER RESOURCES  
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED

APR 17 1989

Permit No. 47-7169

Department of Water Resources

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 X

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  
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. None

3. If you have not irrigated lands under this permit, please  
state the number of acres you plan to complete. 200

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.

None

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 [Signature]

Date 4-14-89

RECEIVED

APR 14 1989

Department of Water Resources  
Southern Region Office

fee paid 4-14-89 J. Patterson  
50068 UNRECORDED

JUN 13 1989

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**TRUST WATER INFORMATION QUESTIONNAIRE**

## 5. REMARKS/COMMENTS:

[illegible]

**MICK FILMED**

JUN 13 1989

FROM Sharla

DATE 4/12/89

TO Files 47-7169/7170

SUBJECT January 30, 1989 correspondence

Per a phone call to Tim Luke, the permit holder of the above referenced files stated that he did not receive the 1/30 correspondence. Therefore, on this date copies of the permits and the letters were sent along with relinquishment forms, the questionnaires and copies of Rule 4,5.

---

SIGNATURE

MICROFILMED

JUN 13 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

March 30, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83303-0975

Re: Permit No. 47-7169

Dear Mr. Yragui:

NOTICE OF PENDING ORDER CANCELING PERMIT

On June 16, 1976, the Department of Water Resources (department) issued Permit No. 47-7169 which authorized the diversion of 4.0 cfs of water from groundwater for the irrigation of 200 acres.

The department mailed a letter and questionnaire to you on January 30, 1989 in connection with the permit. The letter provided notice that the department was reviewing the permit in connection with development which was not complete prior to July 1, 1985.

This letter also requested that you return the department's questionnaire concerning any prior development under the permit and/or your plans for pursuing completion of the proposed project. The correspondence further requested that you submit with the questionnaire either a readvertisement fee in the amount of twenty (\$20) dollars and/or evidence showing that development under the permit was complete prior to July 1, 1985. Finally, the letter notified you that failure to submit the required fee or information within 30 days of the date of the letter was cause for the department to cancel the permit.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order canceling the permit pursuant to Water Appropriation Rule 4,2,3,4.

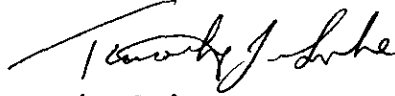
If no development has been completed as authorized by the permit, and you are no longer interested in pursuing the development, please complete and return the enclosed relinquishment form.

RECEIVED

JUN 13 1989

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

Tim Luke  
Sr. Water Resource Agent

Enclosure:1

c: Region

REPRODUCED

JUN 18 1989



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1989

RE: PERMIT NO. \_\_\_\_\_

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.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

**MICROFILMED**

JUN 13 1989

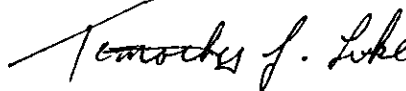
Page 2

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 334-7864. 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

RECEIVED

JUN 13 1989

14s 15E

10/3/26

2/16/1917 Patent # 56 7797 (E 1/2 SW), SE, W 1/2 NE 1/4 26, 14s 15E  
5/19/1920 Patent # 86 2966 (W 1/2 SW), 26 E 1/2 SE, 27, NE 1/4 34 14s 15E  
7/2/1919 Patent # 69 5881 N 1/2 NW, SW NW, W 1/2 SW, 23, (NW NW) 26 14s 15E  
10/18/1920 Patent # 77 8029 W 1/2 NE, SE NW, W 1/2 SE, E 1/2 SW, 23 (NE NW) 26 14s 15E

All private Joe

47-7170

47-7169

To all.

The lands filed on under 47-7170 + 47-7169 are all private. No DLE's involved, see above.

MICROFILMED

JUN 13 1989



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

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

SINCERELY,

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

INDEXED

JUN 13 1989

January 22, 1985

Ed Yragui  
P. O. Box 975  
Twin Falls, ID 83303

Dear Mr Yragui:

Re: Permit Nos. 47-7169 and 47-7170

Enclosed is a copy of each of the approved requests for extension of time. The time within which to submit the proofs of beneficial use is extended to November 1, 1989. Please note that the permits have been reinstated with an advance in priority since the extension of time requests were submitted after the proof due date.

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 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. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

U230112

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosures

RECEIVED  
JAN 11 1964

Case No. 81375

Basin. 47

Page. 22829

Don't look like we ever  
going to get power from  
Idaho Power. We are  
located on marginal area  
due high altitude - -  
will contact with you on  
phone -

Ed Gray

RECEIVED

JAN • 1985

Department of Water Resources

RECEIVED

47-7169  
47-7170



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

January 8, 1988

Ed Yragui

P. O. Box 975

Twin Falls, ID 83303-0975

PERMIT NO. 47-7170, 47-7169

We are in receipt of the \$30 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. 35957.

Roberta Garrett  
Records Supervisor

Enclosure

11/18/87 11:11 AM

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

-----

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

YRAGUI, ED  
P.O. BOX 975  
TWIN FALLS, ID 83301

LAPSE NOTICE

NOVEMBER 06, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 47-7169 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED AUGUST 31, 1984.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

**CERTIFICATION OF MAILING**

I hereby certify that on 11-27-1984  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*[Signature]*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

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

138168

BRAGUI, ED  
P.O. BOX 975  
TWIN FALLS, ID 83301

PROOF DUE NOTICE

AUGUST 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7169 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 OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

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

SINCERELY,

RITA FLECK  
SECRETARY/RECORDS MANAGER

ENCLOSURES





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

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

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

July 28, 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**

June 17, 1976

Re: Permit No. 47-7169

Ed Yragui  
P.O. Box 975  
Twin Falls, ID 83301

Dear Mr. Yragui:

Enclosed is a copy of your approved Application for Permit No. 47-7169 . 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 install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

Enclosures



# United States Department of the Interior

IN REPLY REFER TO

E-40

BUREAU OF LAND MANAGEMENT  
Burley District Office  
Route #3, Box 1  
Burley, ID 83318

Department of the Interior

March 30, 1976

Ms. D. Darlene Reich  
Water Rights Supervisor  
Dept. of Water Resources  
Statehouse  
Boise, ID 83720

Re: Applications for Permit No. 47-7169 and 47-7170 -- Ed Yragui

Dear Ms. Reich:

The private exchange proposal submitted by Mr. Yragui and referred to in your letter of March 9, 1976, has been rejected. I am enclosing a copy of a letter recently sent to Mr. Yragui for your information.

If we can be of any further assistance, please advise.

Sincerely yours,

Nick James Cozakos  
District Manager

Enclosure:  
letter



Burley District Office  
Route #3, Box 1  
Burley, ID 83318

March 11, 1976

Mr. Ed Yragui  
c/o Mr. Bo Yragui  
662 East Malibu Drive  
Tempe, AZ 85282

Dear Mr. Yragui:

I have evaluated several exchange proposals that have been made for various parcels of land in Twin Falls County. I have on file an exchange proposal that you submitted to me on July 29, 1968.

In order to classify the land you selected for exchange, it must be physically suitable for transfer to private ownership and the present and potential uses and users of the land must be considered in an attempt to achieve maximum future uses and minimum disturbance to, or dislocation of, existing users. Further, the classification must be consistent with Federal, State, and local government programs, plans, policies, and regulations.

Our land use planning, field examinations and other information indicates that the land you selected should be retained in Federal ownership to further the objectives of Federal natural resource programs. These programs include the provision of stabilization and development of the livestock industry dependent on Federal lands, preservation of adequate habitat and food supplies for wildlife dependent upon the public lands and the provision of needed recreation, conservation, and open space values.

The land you selected could not be classified for exchange at this time because it is best suited for multiple use management and requires management for a mixture of uses in order to best benefit the general public. Such management could not be achieved if the land was in private ownership. Therefore, your exchange proposal is denied.

If you have any questions concerning this action, please call, write or stop in at the office.

Sincerely yours,

/s/ NICK J. COZAKOS  
Nick James Cozakos  
District Manager

DLotvedt:yd:3-11-76



IN REPLY REFER TO:

# United States Department of the Interior

E-40

BUREAU OF LAND MANAGEMENT

District Office

Box 489

Burley, ID 83318

May 30, 1974

Mr. Bob Haynes, District Engineer  
Department of Water Administration  
1041 Blue Lakes Boulevard North  
Twin Falls, ID 83301

Dear Mr. Haynes:

In regard to Mr. Ed Yragui's Applications for Water Permit Nos. 47-7169, 47-7170, we have reported to you earlier that he does not have a Desert Land Entry. However, we have been working with him on a private exchange which would cover the 160 acres of national resource land he shows in his applications. We feel that when time permits us to do the work, we will make the exchange. This would put all of the land which he has applied for in his ownership. He could then put in his farm development as planned.

We hope this information will be of help in evaluating his applications for water.

Sincerely yours,

*Nick James Cozakos*

Nick James Cozakos  
District Manager

cc: Ed Yragui

RECEIVED

JAN 26 1973

PARRY, ROBERTSON, DALY & LARSON

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

R. P. PARRY  
T. M. ROBERTSON  
JOHN H. DALY (1913-1968)  
BERT LARSON  
C. G. MCINTYRE  
JOHN R. COLEMAN  
THOMAS G. NELSON  
JOHN A. ROSHOLT  
FRED D. DECKER  
ROBERT C. PAINE

Department of Water Administration  
Southern District Office

TELEPHONE  
(208) 733-3722

January 25, 1973

Mr. Robert G. Haynes  
District Engineer  
State of Idaho  
Department of Water Administration  
1041 Blue Lakes Boulevard N.  
Twin Falls, Idaho 83301

Re: Applications Number 47-7168,  
47-7169, and 47-7170 - Ed Yragui

Dear Bob:

The purpose of this letter is to advise you that we have consulted with Mr. Ralph Schnell of Rogerson, Idaho, concerning the above three permits filed by his neighbor.

As of this time, we are authorized by Mr. Schnell to withdraw his protest to the above three applications with the reservation that his withdrawal is without prejudice, that the permit which is issued acknowledges prior existing rights as superior. Mr. Schnell reserves the right to raise the same issues contained in his protest of January 15, 1973, at a later date, if in fact development pursuant to the above three permits causes him some injury. If interference is the result of pumping water pursuant to the above three applications, Mr. Schnell will then decide what course of action to follow.

Please file a copy of this letter with each of the above three mentioned applications so that both the department and the applicant are aware of the position of Mr. Schnell.

Sincerely,

  
JOHN A. ROSHOLT

JAR:ddm

Kogerson, Idaho  
January 15, 1973

Mr. R. Keith Higginson, Director  
c/o Idaho Dept. of Water Administration  
1041 Blue Lakes Blvd. No.  
Twin Falls, Idaho

RECEIVED

JAN 15 1973

Department of Water Administration  
Southern District Office

Dear Mr. Higginson:

We would like to protest the applications for water permits # 47-7168, 47-7169 and 47-7170 made by Edward Yagui, P.O. Box 975, Twin Falls, Idaho for the following reasons: the three applications for wells are all located above and around our patented water rights. We feel we must protect our investments. Due to the location of his applications for wells, we feel it may affect our water supply.

He has also applied for rights to place water on 160 acres of government land ( $S\frac{1}{2}$  of N.W.  $\frac{1}{4}$  of Sec. 26 T. 14., R. 15 E and  $W\frac{1}{2}$  of S.E.  $\frac{1}{4}$  of Sec. 27 T. 14 R. 15 E) which has been allotted to us under Taylor Grazing and which is presently under a rest-rotation plan set up by the Bureau of Land Management.

We would appreciate your giving this matter your attention.

Sincerely,  
Ralph Schnell  
Nazel Schnell

**INTER-DEPARTMENT MEMO — 1**

**DATE** 5/26/81

**FROM** Jim Johnson

**TO** Files 47-7169 and 47-7170

**SUBJECT** Extension of time

Additional time allowed because of Idaho Power Litigation

Litigation began: 12/29/77

Proof due: 6/01/81

Time loss because of litigation 3yrs. 5mo.

Allow extension to 11/01/1984.

**SIGNATURE**

WINDOCEI MEM

May 26, 1981

Ed Yragui  
P. O. Box 975  
Twin Falls, ID 83301

Dear Mr. Yragui:

Re: Permit Nos. 47-7169 and 47-7170

Enclosed are copies of the approved requests for extension of time. The time within which to submit the statements of beneficial use ~~is~~ extended to November 1, 1984.

Enclosed also is receipt No. 18579 in the amount of \$30.00.

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosures

March 31, 1981

Ed Yragui  
P. O. Box 975  
Twin Falls, ID 83301

Dear Mr. Yragui:

One of the conditions of approval of your Permit No. 47-7169 was that evidence of the extent of development must be submitted to this office on or before June 1, 1981. (See last page of your approved permit). Enclosed is a postcard which may be used to submit the required proof of beneficial use.

If you have not fully completed this 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 postcard 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 sixty days.

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosures

March 9, 1976

Re: Applications for Permit No. 47-7169 & 47-7170 - Ed Yragui

Bureau of Land Management  
District Office  
Box 489  
Burley, Idaho 83318

Gentlemen:

Enclosed is a copy of your letter dated May 30, 1974, in connection with the above referenced applications to appropriate water.

Would you please advise this office of the status of the exchange in order that we might take final action on these pending applications.

Thank you for your assistance in this matter.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

ddr  
Enclosure

April 15, 1976

Re: Applications for Permit No.  
47-7169 and 47-7170

Mr. Ed Yragui  
P.O. Box 975  
Twin Falls, Idaho 83301

Dear Mr. Yragui:

The above referenced applications were filed with this Department in December, 1972, however, we have withheld final action since some of the land covered by the applications were under a private exchange proposal with the Bureau of Land Management.

We have recently been advised by the Bureau of Land Management that the exchange proposal was denied, therefore, we are prepared to take final action on the applications, excluding the lands owned by the Federal Government.

If, however, you own other adjoining land that isn't presently covered by a water right permit, you may wish to amend these applications to include that land. Please let us know within 15 days if you intend to amend the applications, otherwise final action will be taken at that time.

Copies of the applications are enclosed for your review. If you have questions regarding this matter, please contact us within the 15-day period.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:DR  
Enclosures

May 20, 1974

RE: Applications for Permit Nos. 47-7169, 47-7170

Mr. Ed Yragui  
P.O. Box 975  
Twin Falls, Idaho

Dear Mr. Yragui:

On December 22, 1972, you filed the above referenced applications for permit with this office in connection with a desert land entry on (47-7169) 280 acres in NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26, T 14S, R 15E, B.M.; (47-7170) 320 acres in SE $\frac{1}{4}$ , Sec. 27; NE $\frac{1}{4}$ , Sec. 34, T 14S, R 15E, B.M.

We have recently been advised by the Bureau of Land Management that you have not filed for a desert entry with their office. Unless we receive notification within 30 days that a desert land entry application has been filed, action will be taken to void your application for a water permit.

Sincerely,

Bob Haynes  
Southern District Engineer

BH:lt

January 29, 1973

Re: Application Nos. 47-7168, 47-7169, & 47-7170 - Ed Yragui

Ed Yragui  
P. O. Box 975  
Twin Falls, ID 83301

Dear Mr. Yragui:

Enclosed is a copy of a letter from the law firm of Parry, Robertson, Daly & Larson withdrawing the protest filed by Mr. Ralph Schnell in connection with your Applications for Permit Nos. 47-7168, 47-7169, and 47-7170.

Application No. 47-7168 is ready for final action by the Department. However, since Application Nos. 47-7169 and 47-7170 are filed in connection with a desert land entry with the Bureau of Land Management, the Department of Water Administration will take no further action until such time as we receive evidence in writing that this land has been classified as suitable for desert entry.

Please contact us if we may be of further assistance.

Very truly yours,

Bob Haynes  
District Engineer  
Southern District

BH:alw

Enc.

RECEIVED

January 15, 1973

Re: Application Nos. 47-7168, 47-7169, & 47-7170 - Ed Yragui

Ralph Schnell  
Rogerson, ID  
83302

Dear Mr. Schnell:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced applications. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Bob Haynes  
District Engineer  
Southern District

BH:alw

January 15, 1973

Re: Application Nos. 47-7168, 47-7169, & 47-7170 - Ed Yragui

Ed Yragui  
P. O. Box 975  
Twin Falls, ID 83301

Dear Mr. Yragui:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application Nos. 47-7168, 47-7169, & 47-7170. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we can be of any assistance, please contact us.

Very truly yours,

Bob Haynes  
District Engineer  
Southern District

January 10, 1973

Re: Application Nos. 47-7168 & 47-7169 - Ed Yragui

Bureau of Land Management  
Shoshone District  
112 So. Cherry, Box 2B  
Shoshone, ID 83352

Gentlemen:

We are enclosing a copy of the above referenced applications for permit, which may be of interest to your agency.

Please review the applications and if you have any comments, please submit them to our Department as soon as possible.

We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this Department.

Sincerely,

Bob Haynes  
District Engineer  
Southern District

BH:alw

Enc.

December 29, 1972

Re: Application Nos. 47-7169 - Ed Yragui  
47-7169 - Ed Yragui  
47-7180 - Ed Yragui  
47-7171 - City of Filer  
47-7172 - Bureau of Land Management

Tucson News  
P. O. Box 548  
Twin Falls, ID 83301

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

-----  
(signature of claimant)

Very truly yours,

Bob Haynes  
District Engineer  
Southern District

Bill submitted 1-15-73 by alw

BH:alw

Enc: Legal Notices (5)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ed Yragui,  
P. O. Box 975, Twin Falls, ID  
has on Dec. 22, 1972 submitted Application No. 47-7169  
for a permit to appropriate 5.6 cubic feet per second ~~acre feet per annum~~  
of water from a groundwater source  
by means of well and pump  
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 26, T. 14S, R. 15E, B.M., Twin Falls County  
to be used from Jan. 1 to Dec. 31 for stockwater purposes and from April 1 to  
~~for~~ Nov. 1 for the irrigation of 280 acres  
within the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26, T. 14S, R. 15E, 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 Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before Jan. 22, 1973.

R. KEITH HIGGINSON

Director

Published in the Times News, Twin Falls, ID  
on Jan. 4 and Jan. 11, 1973