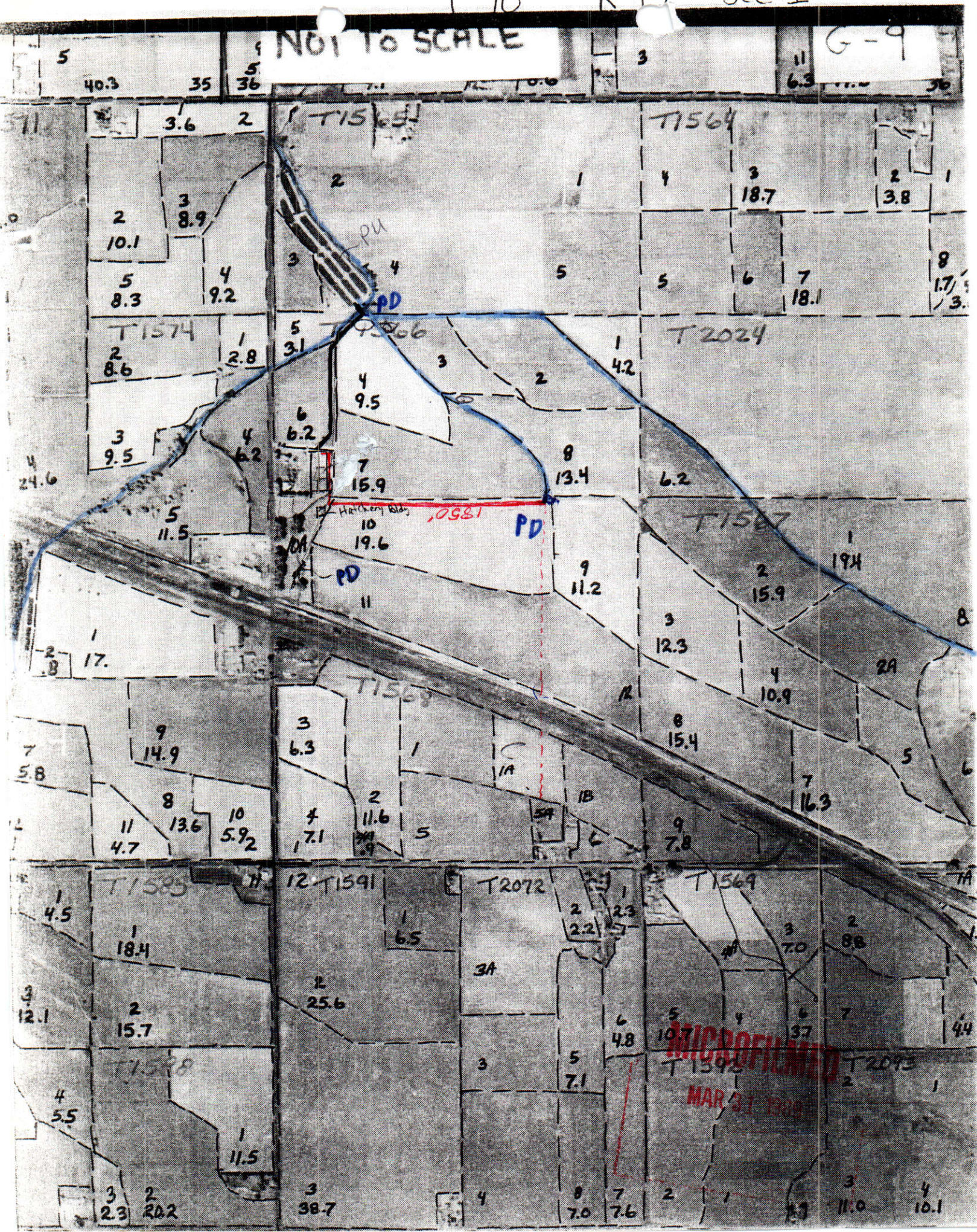


G-9



NOTICE OF AMENDED
PROPOSED CHANGE
OF WATER RIGHT
NO. 47-7092

Notice is hereby given that Tri-West Enterprises have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 47-7092
Basis of right: License
Source: "E" Coulee tributary to Lateral 11
Priority Date: March 2, 1970

Amount of Water: 33.0 cfs

Water use: Fish Propagation

Point(s) of diversion: Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 1, T10S, R15E; Twin Falls County.

Place of use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T10S, R15E.

TO BE CHANGED AS FOLLOWS

Water right No.: 47-7092

Amount: 33.0 cfs

Total amount being transferred: 33.0 cfs

Sources: "E" Coulee tributary to Cedar Draw Creek; Peavey Tunnel tributary to "E"

Coulee; Seep Tunnel tributary to "E" Coulee.

Point of diversion: Lot 4 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 1, T10S, R15E/Original headgate in East

C o u l e e ; NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T10S, T15E/Pipeline

from Peavey Tunnel; SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T10S, R15E/Pipeline

from unnamed tunnel & existing pipeline; Twin

Falls County; 1 mile North & 2 miles West of

Filer.

Place of use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T10S, R15E.

Any protest against approval of the application for transfer must be

filed with the Department of Water

Resources, 2148 4th

Ave. East, Twin Falls, ID

83301 on or before

September 6, 1988.

PUBLISH: Thursday,

August 18 & 25, 1988.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

SEP 12 1988

Nº 18974

I, Linda Capps McSune being first duly sworn upon oath, depose and say that I am Rose 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 August 18, 1988, and ending with the issue dated August 25, 1988.

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

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

Subscribed and sworn to before me on this

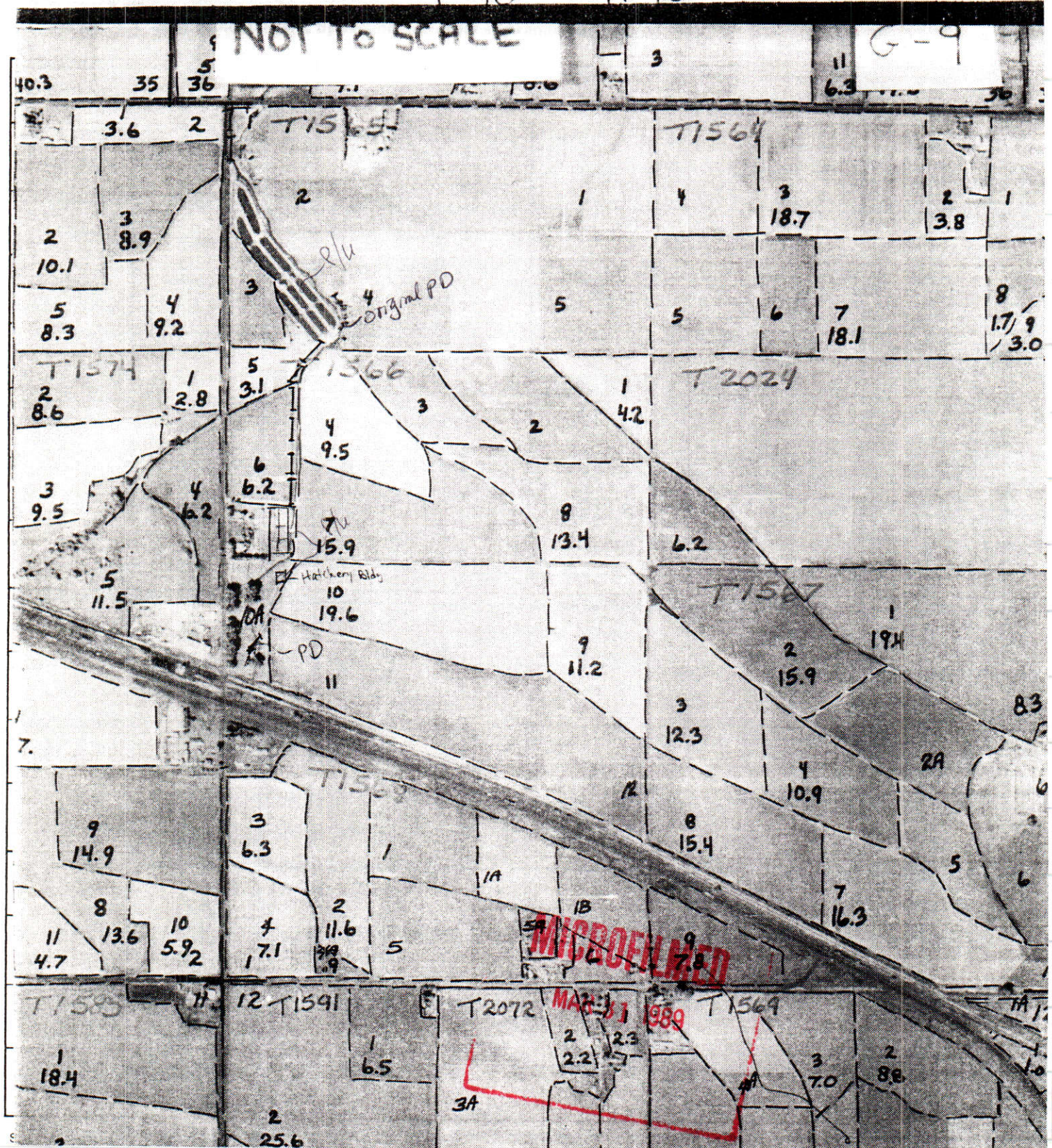
August, 1988

day of

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

T 10 R 15 Sec 1



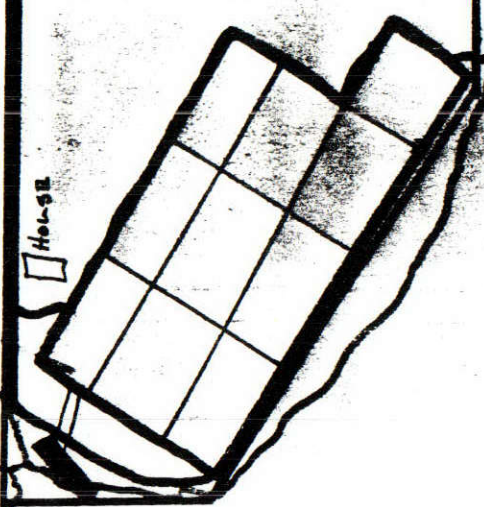
SCALE: 2 inches equal 1 mile. Draw plan in ink.

County Road

Peavey
SEMP
KDEC
DAM
x
Pipes



SEMP



House

SEMP STREAM

SEMP STREAM
PROPERTY LINES

NOTED

MAR 31 1989

Pole Line Road

R.R. Tracks

737

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

NO. 47-7092

Notice is hereby given that Tri-West Enterprises, Fish Division of Buhl, ID has applied to the Department of Water Resources for addition of diversion points to surface water rights. The right sought to be changed is evidenced by License No. 47-7092 and is recorded as follows:

Amount: 33 cfs

Priority: March 2, 1970

Point of Diversion: Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 1, T10S, R15E, Twin Falls County.

Used for fish propagation from 1/1 to 12/31 within NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T10S, R15E.

TO BE CHANGED AS
FOLLOWS

Amount: No change

Point of Diversion: Un-named stream (Peavey tunnel) tributary to Cedar Draw; Lot 4 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T10S, R15E, Twin Falls County; 2 miles NW of Filer.

Use: No change

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, ID 83301 on or before January 4, 1988.

R. Keith Higginson,
Director

PUBLISH: Thursday,
December 17 and 24,
1987.

Affidavit of Publication

RECEIVED

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

DEC 30 1987

No 18134

I, Linda Capps McQuinn 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 December 17, 1987, and ending with the issue dated December 24, 1987.

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

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

Subscribed and sworn to before me on this

24 day of

December, 1987.

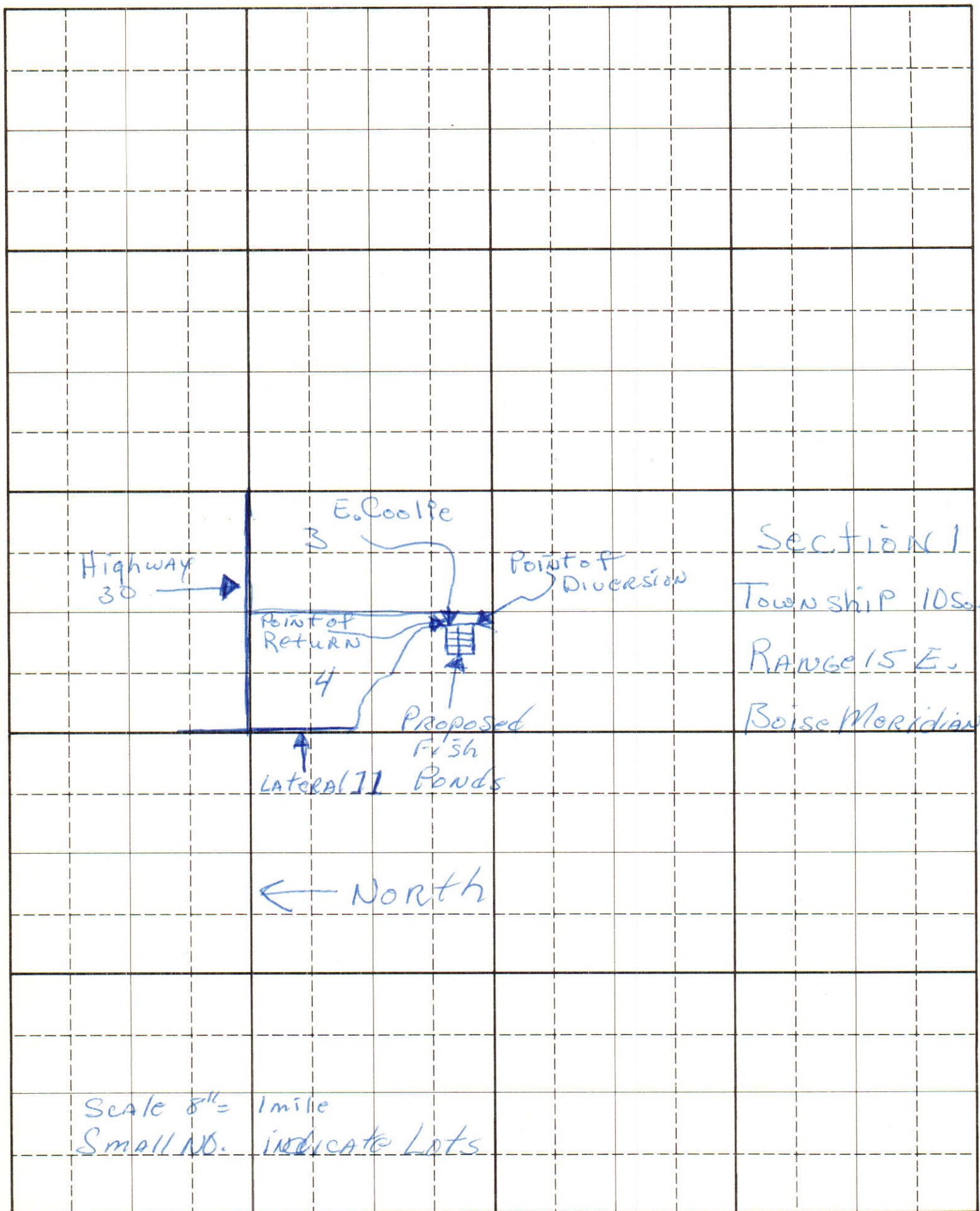
Dennis Bruce
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

MICROFILMED

MAR 31 1989

OK
MB
12/30/87

11. Map of proposed project:



Scale: 8 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.

William J. Gader
(Applicant)

47-7092

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE
STATE OF IDAHO**

Notice is hereby given that William J. Yoder, Route 1, Filer, Idaho, has on March 2, 1970, submitted Application No. 47-7092 to appropriate the public waters of E. Coolie, tributary of Lateral 11.

The application proposes a maximum diversion and appropriation of 35.0 cubic feet per second of water to be diverted by headbox and ditch within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 1, T. 10S, R. 15E, B.M., Twin Falls County, and is to be used within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 10S, R. 15E, B.M. from January 1 to December 31 for fish propagation purposes.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 4, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Times-News, Twin Falls, Idaho, on April 16 and April 23, 1970.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

RECEIVED
No 14768
APR 23 1970

I, Carolyn Jennings, being first duly sworn upon oath, depose and say that I am free lance 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 apr. 16, 1970, and ending with the issue dated apr. 23, 1970.

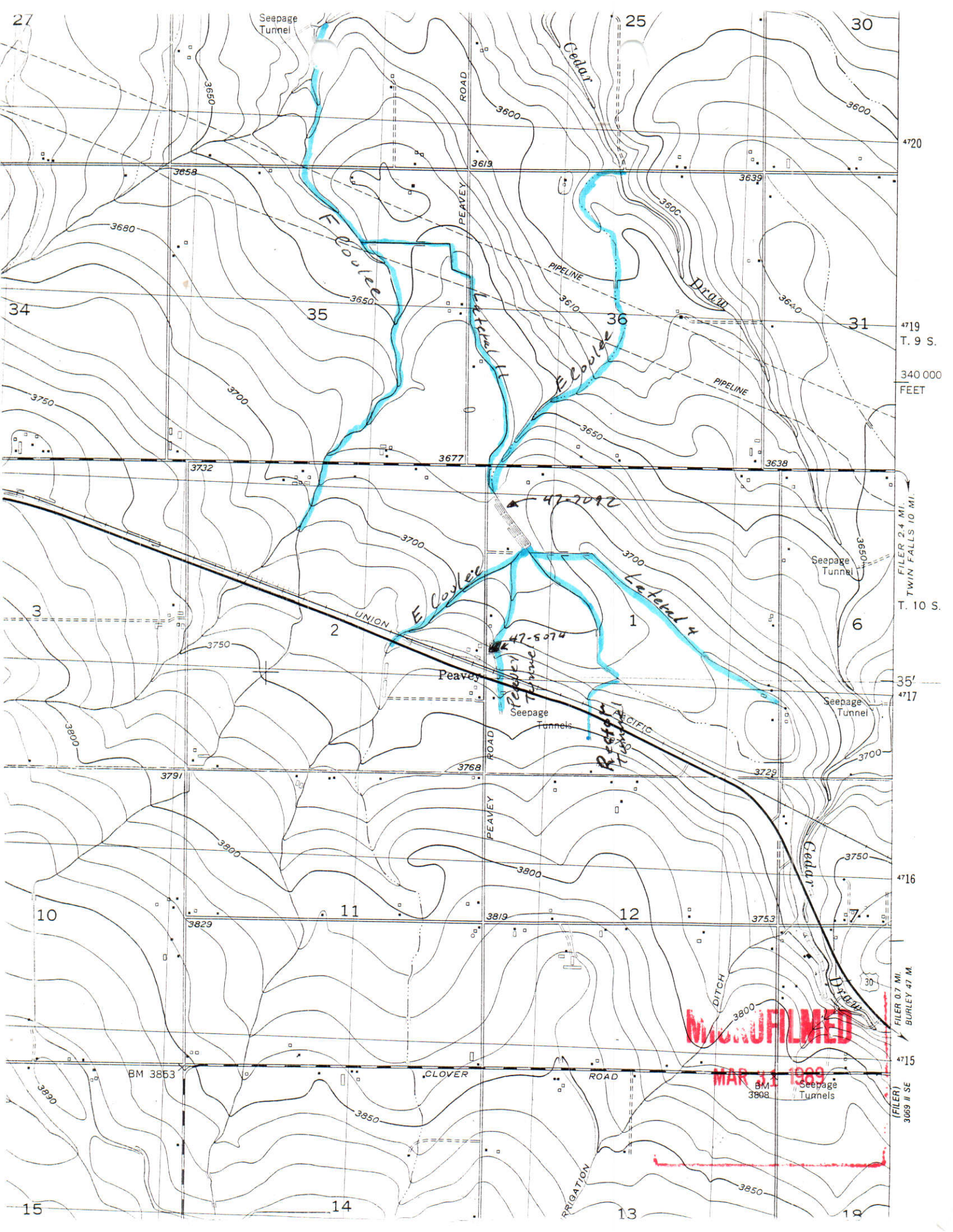
And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under 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 this 27th day of April, 1970.

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

47-7092



MICROFILMED

MAR 31 1989

4720

4719
T. 9 S.

340 000
FEET

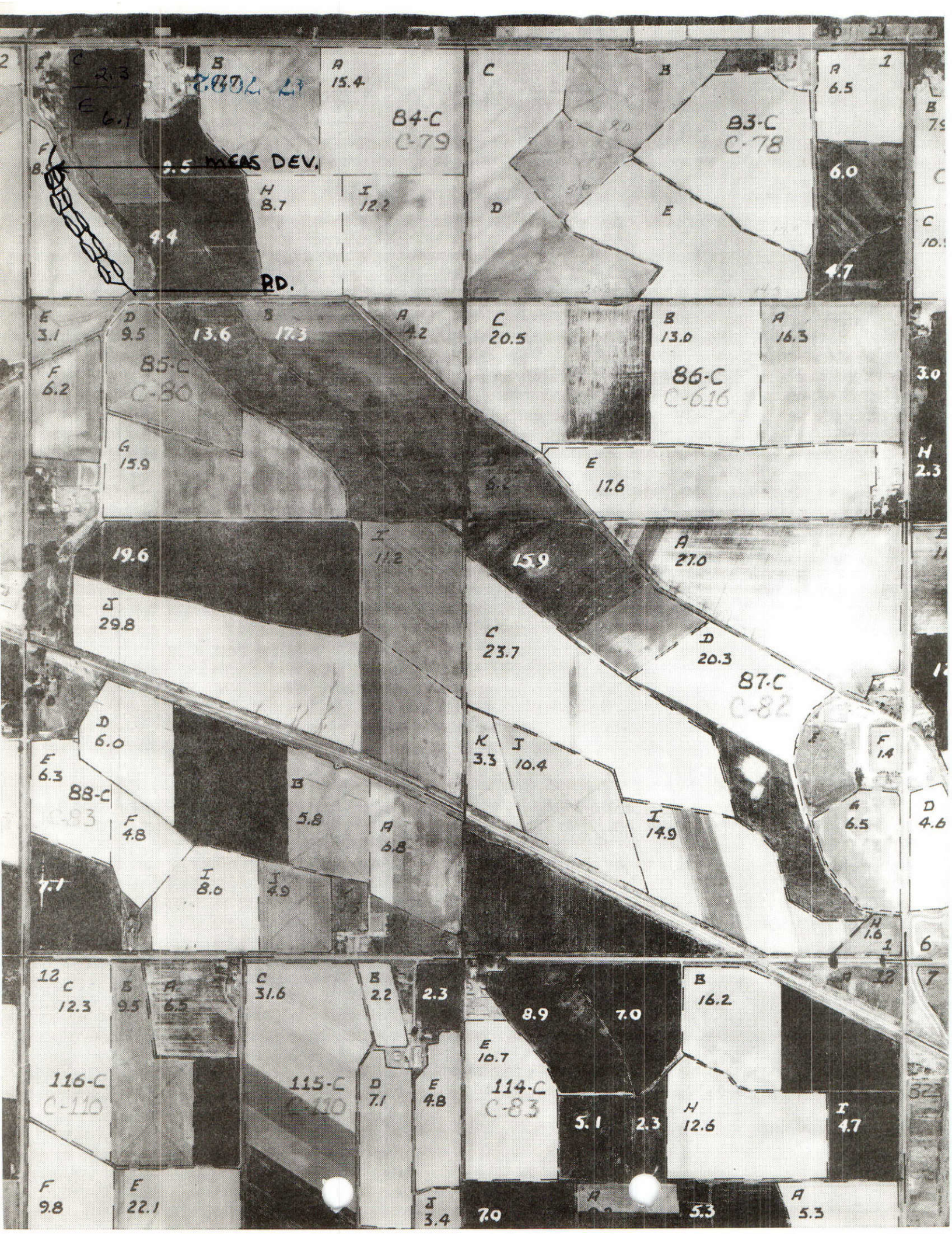
FILER 2.4 MI.
TWIN FALLS 10 MI.
T. 10 S.

35'
4717

4716

FILER 0.7 MI.
BURLEY 47 MI.

4715
(FILER)
3009 II SE



Individual or Partnership Statement
TO: FIDELITY NATIONAL BANK

TWIN FALLS, IDAHO

BRANCH AT FILER

Name William J Yoder Age 50 Address Route #1 Filer Idaho
 Spouse Lydia Children 2 boys 1 girl Occupation farmer & livestock

For the purpose of obtaining credit with you from time to time I herewith submit the following as being a fair and accurate statement of my financial condition on Nov 24, 1969.

ASSETS							AMOUNT	LIABILITIES		AMOUNT
Cash on hand and in <u>92-163 Bank</u>							100.	Due this Bank <u>list over.</u>		33.725
Notes Receivable (List on reverse side) <u>Pay to order</u>							800.	<u>Pay to order</u>		769.
Accounts Receivable <u>Garland paper</u>							1900.	Due other Banks		
Cash Value Life Insurance <u>Est</u>							2000.	Mortgages on Livestock		
Merchandise (new) <u>Garland paper</u>							3600.	Mortgages on Crops and Machinery		
Farm Produce								Loans on Life Insurance		
Stocks and Bonds <u>Gov Certificates</u>							10,000.			
LIVESTOCK	No.	Breed	Weight	Age	Value			Doctor		
<u>Cows</u>	<u>26</u>	<u>Reg Hanford</u>			<u>200.</u>	<u>5200.</u>		Grocer		
<u>Hfcs</u>	<u>11</u>	<u>"</u>		<u>2</u>	<u>200</u>	<u>2200</u>		Other Accounts Payable		
<u>"</u>	<u>7</u>	<u>Hanford</u>		<u>2</u>	<u>200</u>	<u>1400</u>				
<u>"</u>	<u>14</u>	<u>"</u>	<u>500 lb</u>		<u>130</u>	<u>1820</u>		Installment Contracts on		
<u>Bully</u>	<u>7</u>	<u>Reg</u>	<u>600 lb</u>		<u>180</u>	<u>1260</u>				
<u>Bull</u>	<u>1</u>	<u>"</u>	<u>(bull)</u>		<u>500.</u>	<u>500</u>				
<u>Bulls</u>	<u>12</u>	<u>"</u>	<u>(bull by mnd)</u>		<u>500.</u>	<u>6000.</u>				
								<u>Grazing Fee</u>		<u>100.</u>
								<u>Land payment 3-1-70</u>		<u>2500.</u>
Feed <u>60 T Hay</u>								Other Notes		
<u>40 T Silage</u>								R. E. Taxes <u>See personal</u>		<u>671.</u>
<u>500 lb m grain</u>								Income Taxes <u>SS Tax</u>		<u>200.</u>
Estimated Marketed Growing Crop Value \$								<u>(1m or from two years ago from income tax)</u>		
TOTAL QUICK ASSETS							36,780	TOTAL CURRENT DEBTS		37,965
Real Estate (List on reverse side)							51,000.	Mortgages or Liens on Real Estate		19,500.
Equipment <u>Est</u>							7700.	Total Liabilities		57,465
Auto, Truck <u>57 Dodge TK</u>							600.			
<u>61 Ford 1/2 480 PU</u>							750			
<u>67 Buick Skylark</u>							2030.	Net Worth		41,395
TOTAL ASSETS							98,860	TOTAL		98,860

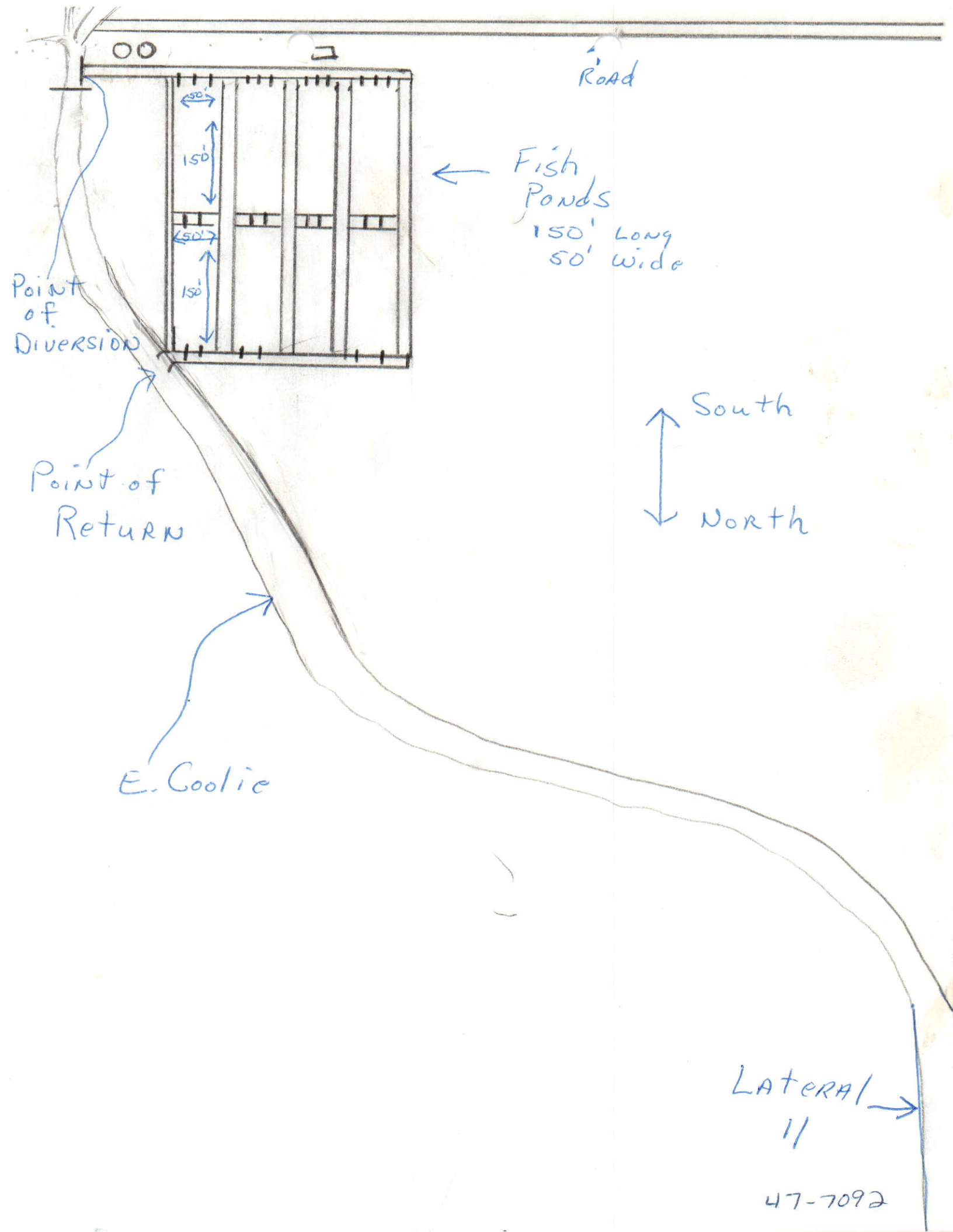
\$ 5000 Life Insurance in New York Life Payable to wife
 \$ 10,000 Life Insurance in Northwestern Mutual Payable to "
 \$ 10,000 Life Insurance in Travelers Payable to "
 Endorser for others? No Fire Insurance on Personal Property \$ 400 Buildings \$ 400
 Do you carry Employers' Liability Insurance? Yes Any suits for or against you? No
 Is Declaration of Homestead Filed? No Have you ever taken Bankruptcy? No Failed in Business? No
 At this time desire to borrow \$ _____ Purpose _____
 Will pay when and how _____ Security _____

(I we) agree to notify you of any material change in (my our) financial condition, including any expansion, time purchases or loans contemplated. In consideration of granting of such credit (I we) agree that if at any time (I we) become insolvent or commit an act of bankruptcy, or if any of the representations made above prove to be untrue; then and in either case, all (my our) obligations held by you shall, at your option, immediately become due and payable without demand or notice, and the same may be charged against any deposit account kept or record due (me us) on your books.

SIGNED William J Yoder
 SIGNED _____

(OVER)

47-7092



Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3455AMENDED **APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1Name of applicant Tri-West Enterprises, Fish Division Phone 543-6675
Post Office address 101 4th Ave. South, Buhl, ID 83316**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Add diversion points so that seep water can be piped to the P/U to avoid contamination with field runoff.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 47-7092 Priority 3-2-1970 Amount (cfs/ac-ft) 33 cfs Nature of Use Fish Prop. Period of Use Jan 1 to Dec 31
2. Total amount of water being transferred 33 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water E Coulee tributary to Cedar Draw Creek
4. Point(s) of Diversion: Peavey Tunnel E Coulee
Seep Tunnel E Coulee

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
4	SE	NW	NW	1	10S	15E	Twin Falls	Original headgate in E Coulee
	NW	NW	SW	1	10S	15E	"	Pipeline from Peavey Tunnel
	SW	SE	NW	1	10S	15E	"	Pipeline from unnamed tunnel & existing pipeline

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10S	15E	1					H												

MICROFILMED

MAR 31 1989

Total acres _____

PART 1**6. General Information:**

- a. Description of diversion system Headgate in E Coulee; pipeline from Peavey Tunnel; pipeline to be installed from end of existing buried pipeline from unnamed seep tunnel.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes N/A No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-7092

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

15th day of

March

, 19 89.

J. Glen Saxton
Chief, Water Alloc. Bureau

RECEIVED

MAR 31 1989

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 47-7092 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water E Coulee tributary to Lateral 11

4. Date or priority 3-2-1970

5. Water is used for the following purpose:

amount 33.0 cfs for Fish Prop. purposes from Jan 1 to Dec 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 33.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
4		NW	NW	1	10S	15E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10S	15E	1					H												

MICROFILMED

MAR 31 1989

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

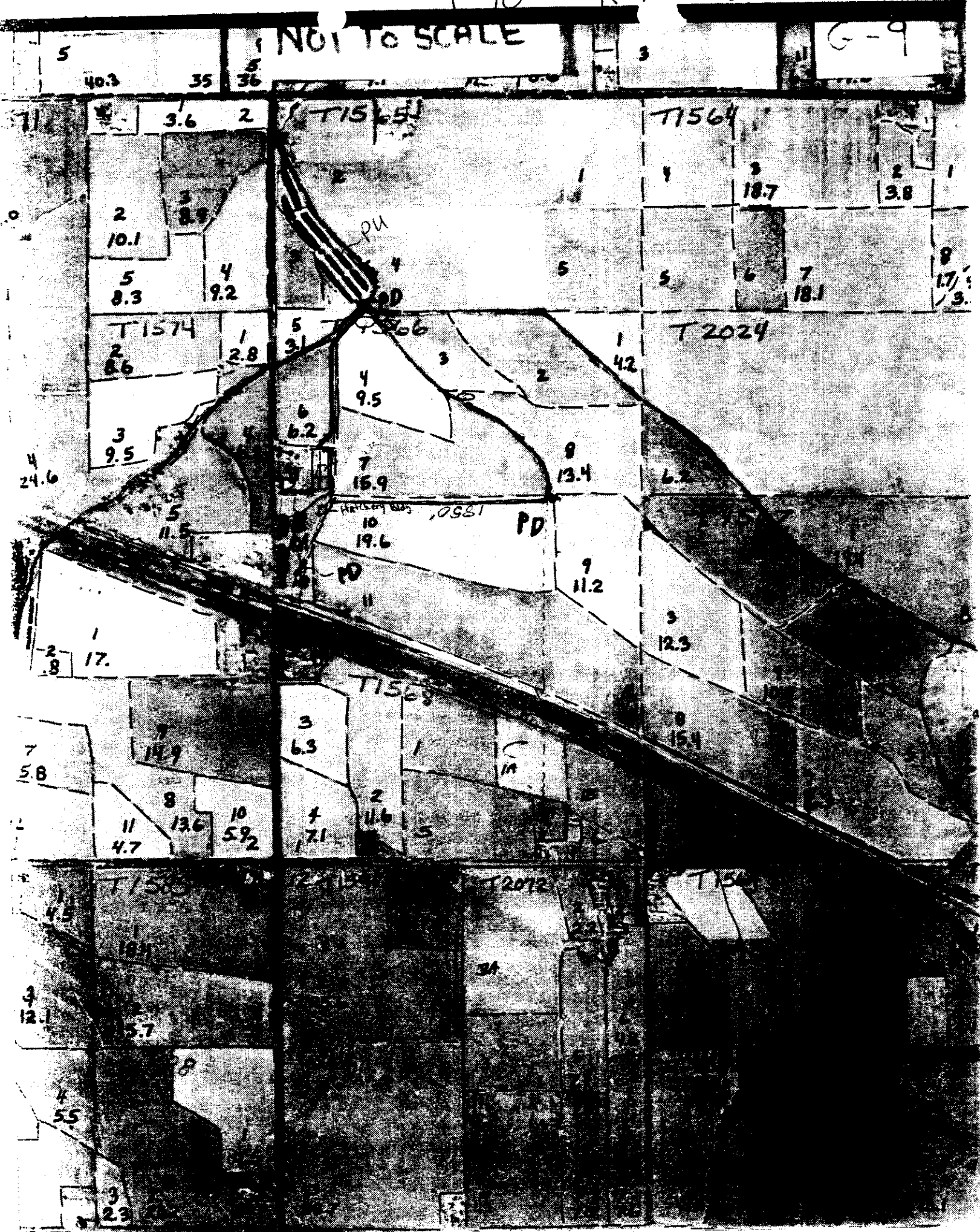
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

NOT TO SCALE

G-9



① Water Book

② Dennis filling

PART 3

B. CHANGES IN NATURE OF USE

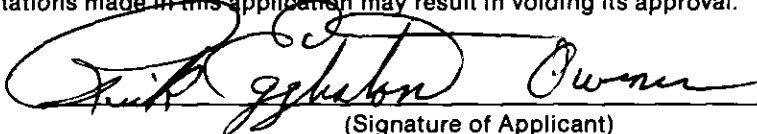
1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	to _____
_____	_____	_____	to _____
2. Quantity and quality of return flows and location of discharge:

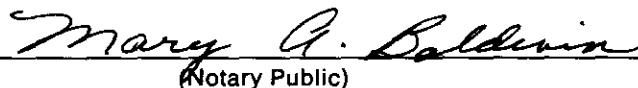
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.


 (Signature of Applicant)

Subscribed and sworn to before me this 25th day of May, 19 88.


 (Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J. Gallant Date 5-25-88 Protest filed by _____

Prelim. check by YB Fee \$20, \$5000258

Receipted by JA Date 5-25-88

Published in Times News Copies of protest forwarded by _____

Pub. dates 8/18 & 8/25/88 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by Jim

Copy of transfer sent to lien holder _____

MICROFILMED

MAR 31 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

A large grid of dashed lines covering the majority of the page, intended for drawing a map or attaching a USGS map. The grid is composed of horizontal and vertical dashed lines forming a series of squares.

MICROFILMED

MAR 31 1989

CLASSIFIED ADVERTISING INVOICE
TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83301

RECEIVED

SEP 13 1988

Department of Water Resources
Southern Region Office

RETURN POSTAGE GUARANTEED

INVOICE NO.		CLASS		BILLING DATE	
18974		343		09/31/88	
INDEXING TERM					
447-7092					
START DATE		TELEPHONE NO.		ORDER NO.	
8/18/88		734-0871			
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
66	2		\$6.96	\$6.96	
OK MB 11/21/88					
PAY THIS AMOUNT			\$6.96	\$6.96	

RETURN THIS PORTION WITH YOUR REMITTANCE

18974

1898

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST
TWIN FALLS ID

83301



The Times-News

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

September 2, 1988

RECEIVED

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

Department of Water Resources
Southern Region Office

LEGAL NOTICE #47-7092

Two Times

August 18, 1988, 66 lines @ .32- - \$21.12
August 25, 1988, 66 lines @ .24- - \$15.84

TOTAL DUE

\$36.96

OK
MB
11/21/88

MICROFILMED

MAR 31 1989

AGE PTS.

INVOICE
18974

NOTICE OF AMENDED
WATER RIGHT

Notice is hereby given that Tri-West Enterprises, Inc. has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.
Water right No. 47-7082
Basis of right: License
Source: "E" Coulee tributary to Lateral 11
Priority Date: March 2, 1890
Amount of Water: 33.0 cfs
Water use: Fish Propagation
Point(s) of diversion: Lot 4 (NW1/4NW1/4), Sec. 1, T10S, R10E, Twin Falls County.
Place of use: NW1/4NW1/4, Sec. 1, T10S, R10E.
TO BE CHANGED AS FOLLOWS
Water right No.: 47-7082
Amount: 33.0 cfs
Total amount being transferred: 33.0 cfs
Source: "E" Coulee tributary to Cedar Creek, Peavey Tunnel tributary to "E" Coulee.
Change: Bear Tunnel tributary to "E" Coulee.
Point of diversion: Lot 4 (SE1/4NW1/4), Sec. 1, T10S, R10E/Original headgate in East C o u n t y
NW1/4NW1/4, Sec. 1, T10S, R10E/Pipeline from Peavey Tunnel; SE1/4SE1/4NW1/4, Sec. 1, T10S, R10E/Pipeline from unnamed tunnel & existing pipeline; Twin Falls County; 1 mile North & 2 miles West of Filer.
Place of use: NW1/4NW1/4, Sec. 1, T10S, R10E.
Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2146 4th Ave. East, Twin Falls, ID 83301 on or before September 8, 1988.
PUBLISH: Thursday, August 18 & 25, 1988.

OK
MB
11/21/88

Affidavit of Publication

Nº 18974

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

I, Linda Capps McQuinn being first duly sworn upon oath, depose and say that I am Paula 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 August 18, 1988, and ending with the issue dated August 25, 1988.

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 of the editorial column of said combined newspapers, and in each issue thereof, Thursday has been announced as the day on which said legal notices will be published.

MICROFILMED

MAR 31 1989

Linda Capps McQuinn
Subscribed and sworn to before me on this 31 day of August, 1988.
Dianna Kruse

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3374

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Tri-West Enterprises, Fish Division Phone 543-6675
Post Office address 101 4th Ave. South Buhl, ID 83316

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To pipe seep water directly to ponds to avoid
mixing with waste water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 47-7092 Priority March 2, 1970 Amount (cfs/ac-ft) 33 cfs Nature of Use Fish Prop. Period of Use 01/01 to 12/31

2. Total amount of water being transferred 33 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water E Coulee ~~E Coulee~~ tributary to Lateral 11 ~~Lateral 11~~ Cedar Draw Cr.
4. Point(s) of Diversion: Unnamed stream (Peavey tunnel) tributary to Cedar Draw Cr. E Coulee

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
4	SE	NW	NW	1	10S	15E	Twin Falls	Original headgate in E Coulee
	NW	NW	SW	1	10S	15E	Twin Falls	pipeline from Peavey tunnel

5. Lands irrigated or place of use: No change

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	
10S	15E	1						H											

MICROFILMED
MAR 31 1989

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Concrete check dam diverts water into 20" plastic pipeline.
Old diversion: concrete & cinderblock diversion structure into earth ponds.
Only Peavey Tunnel will be used unless waste water is running fairly clear.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

I will improve the quality of water into the ponds during the irrigation season.

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

MICROFILMED**MAR 31 1989**

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 47-7092 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water E Coulee tributary to Lateral 11

4. Date or priority March 2, 1970

5. Water is used for the following purpose:

amount 33 cfs for fish prop. purposes from 01/01 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 33 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
4		NW	NW	1	10S	15E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10S	15E	1						H											

MICROFILMED

MAR 31 1989

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

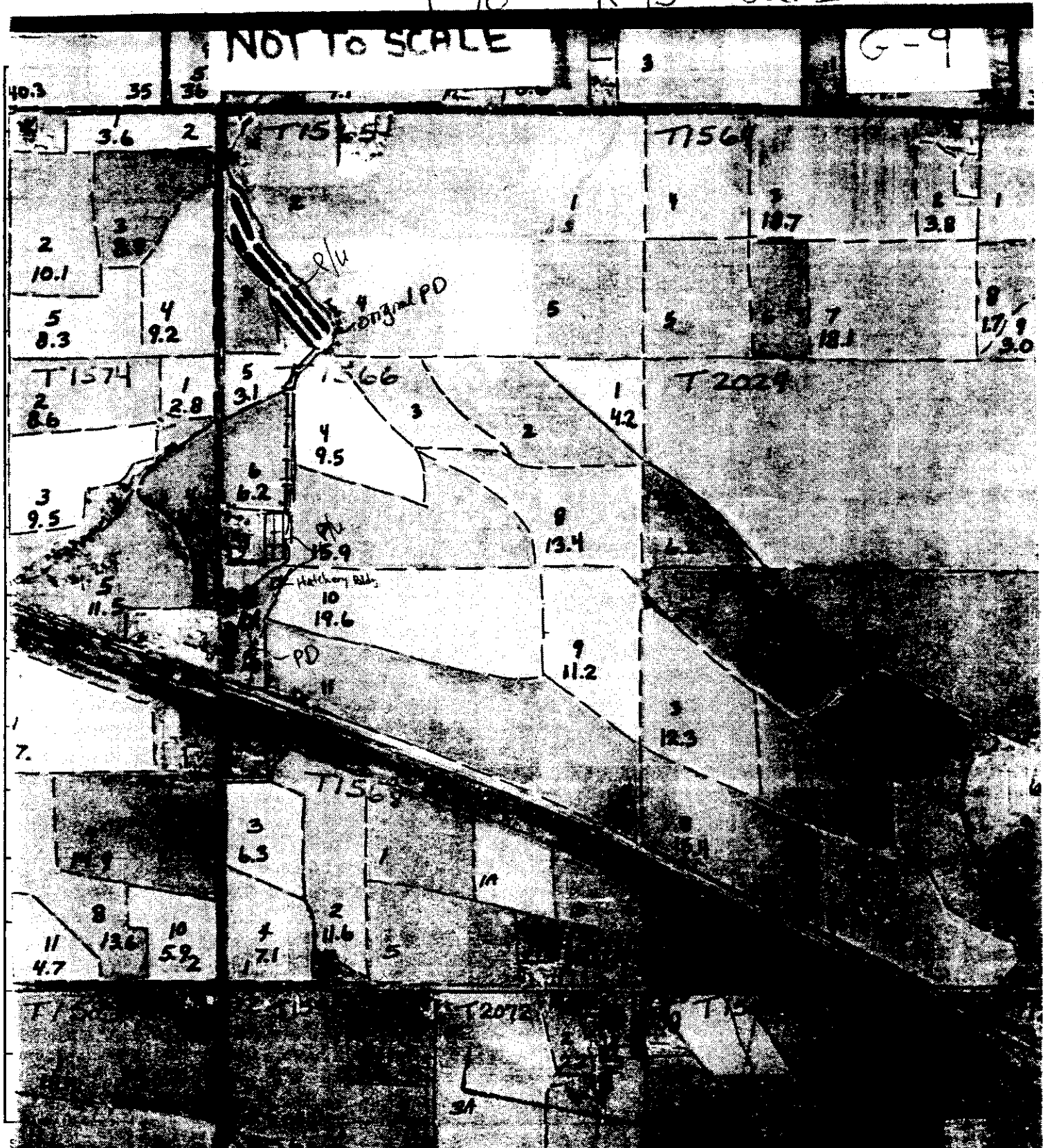
Total acres _____

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MAR 31 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

T 10 R 15 Sec. 1



PART 3**B. CHANGES IN NATURE OF USE**

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|------------------------------|------------------------|----------------------|
| | _____ | _____ | _____ | _____ to _____ |
| | _____ | _____ | _____ | _____ to _____ |
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

T. W. Enterprises By Richard E. Eggleston
(Signature of Applicant) Owner

Subscribed and sworn to before me this 2nd day of December, 19 87.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by <u>T. Blau</u>	Date <u>12-2-87</u>	Protest filed by _____
Prelim. check by <u>JD</u>	Fee <u>50⁰⁰</u>	_____
Receipted by <u>T. Blau</u>	Date <u>12-2-87</u> # <u>44379</u>	_____
Published in <u>Times News</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/17 & 12/24/87</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>N/A</u>	Recommended for ☐ approval ☐ denial	
_____ rec'd.	by _____	
Copy of transfer sent to lien holder _____		

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MAR 31 1989

RECEIVED
DEC 17 1987
MICROFILMED
MAR 31 1989

CONSOLIDATED TAX NOTICE AND RECEIPT

TWIN FALLS COUNTY TREASURER 1986

JUANITA STETTLER, BOX 88

TWIN FALLS, ID 83303 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
63,303	14-00	RP10S15E013000A	20710

SEC 1 T 10 R 15
SW 10.53A OF LOT 4

L 11,928
I 51,375

WAC .800 YDDER, WILLIAM J ET UX ET AL
AC 9.730 X EGGLESTON, RICHARD E ET UX

DELINQUENT CERT.

101 4TH AVE S
BUHL, ID 83316

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.004377	277.08	TAX 777.30
SCHOOL DIST 413	.006376	403.62	PEN.
FILER - HIGHWAY	.001195	75.66	SUB TOT.
FILER RECREAT	.000288	18.24	INT.
			TOT.
			1ST INSTALLMENT
			TAX 388.65
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 388.65
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.012236	777.30	

AM FALLS RES.

ADDRESS CHANGE:

PAID BY

CHECK

DATE

CASH

6-11-87 JM

R.R. Tracks

Hwy

SEAP

NEW DAM
+ RASHES

SEAP
Peggy

H.B.

House

House

County Road

Attachment #1 TR. of WATER RT H 47-7092

SEAP STREAM

SEAP

SEAP STREAM

PROPERTY LINES

House

MICROFILMED

MAR 31 1989

Pole Line Road

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS

132 3RD ST W.

P. O. BOX 548

TWIN FALLS

ID 83303

RECEIVED

DEC 30 1987

Department of Water Resources

INVOICE NO.	PLAZA	BILLING DATE
18134	343	12/24/87
47-7792		
START DATE	TELEPHONE NO.	ORDER NO.
12/17/87	734-3578	
TIME	RATE	NET AMOUNT
51	2	23.56
		28.56
OK MB 12/31/87		
		23.56
		28.56

GROSS AMT DUE AFTER 31/0

18134

2856

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST

TWIN FALLS

ID

83301



The Times-News

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

December 29, 1987

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

RECEIVED

DEC 30 1987

Department of Water Resources
Southern Region Office

RIGHT #47-7092

Two Times

Dec. 17, 1987, 51 lines @ .23- - \$16.32

Dec. 24, 1987, 51 lines @ .24- - \$12.24

TOTAL DUE

\$28.56

MICROFILMED

MAR 31 1989

ACE PTE.

INVOICE

18134

OK MB 12/30/87

Affidavit of Publication

RECEIVED

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

DEC 30 1987

No 18134

I, *Linda Capps McQuinn* ^{Deputy of Water Resources} ~~being first~~ ^{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 *December 17*, 19 *87*, and ending with the issue dated *December 24*, 19 *87*.

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

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

Subscribed and sworn to before me on this *24* day of

December, 19 *87*.

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

OK
MB
12/30/87

RECEIVED

MAR 31 1989

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 47-7092 Priority March 2, 1970 Amount 33.0 cfs

THIS IS TO CERTIFY, that WILLIAM J. YODER
of Filer, Idaho, has complied with the terms and conditions of Permit
No. 47-7092 issued pursuant to Application for Permit dated March 2, 1970,
and has submitted proof to the Department of Water Administration on August 29, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 33.0 cfs of water from E. Coolie,
tributary to Lateral 11, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>33.0</u> cfs and	<u>23,849</u> acre feet
Propagation	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 33.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
23,849 acre feet per year, and waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4) of
Sec. 1, Twp. 10 S, Rge. 15 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S	15 E	1					X												

Total number of acres irrigated _____

Measuring devices of a type approved by this Department shall be permanently
maintained at both the point of diversion and point of return into E. Coolie.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 5 day of
March, 19 74.

Director

17 7092

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

Department of Water Administration

State of Idaho)
County of Twin Falls)

Permit No. 47-7092

William J Yoder of Route # 1 Filer, Idaho
(name) (address)

State of Idaho, being first duly sworn, upon his oath 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. 47-7092.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before October 1, 19 72.

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

Completed five (5) Fish ponds which makes it 50% completed.

Costing \$,000.00

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

freeze of last winter and the shortage of labor I was unable to

progress with the work as desired, therefore I have several/more ponds to
complete.

WHEREFORE, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to October 1 1973.

William J Yoder
(signature)

Subscribed and sworn before me this 30th day of August, 19 72.

E. Carl Swinsted
(notary public)

My commission expires 5-1-75

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time
for Permit No. 47-7092 to October 1, 1973.

Witness my hand this 18 day of September, 19 72.

APPROVED

R. Keith Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are obtainable through the Department of Water Administration, Statehouse-Annex 2, Boise, Idaho.

47 7092

Identification No. 47-7092
Application No. _____

STATE OF IDAHO

LICENSE ISSUED FOR 330 SEC. FT. DEPARTMENT OF RECLAMATION
LICENSE FEE NO. _____

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant William J. Yoder
post office address Rt. 1 Filer, Idaho 83328
2. Source of water supply E. Coolie which is a tributary of Lateral 11
3. a. Location of point of diversion is Lot 4 NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 10 S.
Range 15E. B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into E. Coolie at a point in Lot 4 NW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 1 Township 10 S. Range 15E. B.M. Twin Falls County
4. Water will be used for the following purposes:
Amount 35 c.f.s. fish propagation purpose from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 35 c.f.s. cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Concrete headbox with dirt or
concrete ditch from point of diversion to proposed fish ponds to
be situated in the NW of the NW, 1,10,15.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
(allow 2 years)
is 5 years.
b. Estimated construction cost is \$ 4,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 10S.
Range 15E. 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: Fish propagation
All water in E. Coolie will be diverted to run water through
fish ponds, and returned to E. Coolie after running through
ponds.

47-7092

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_____

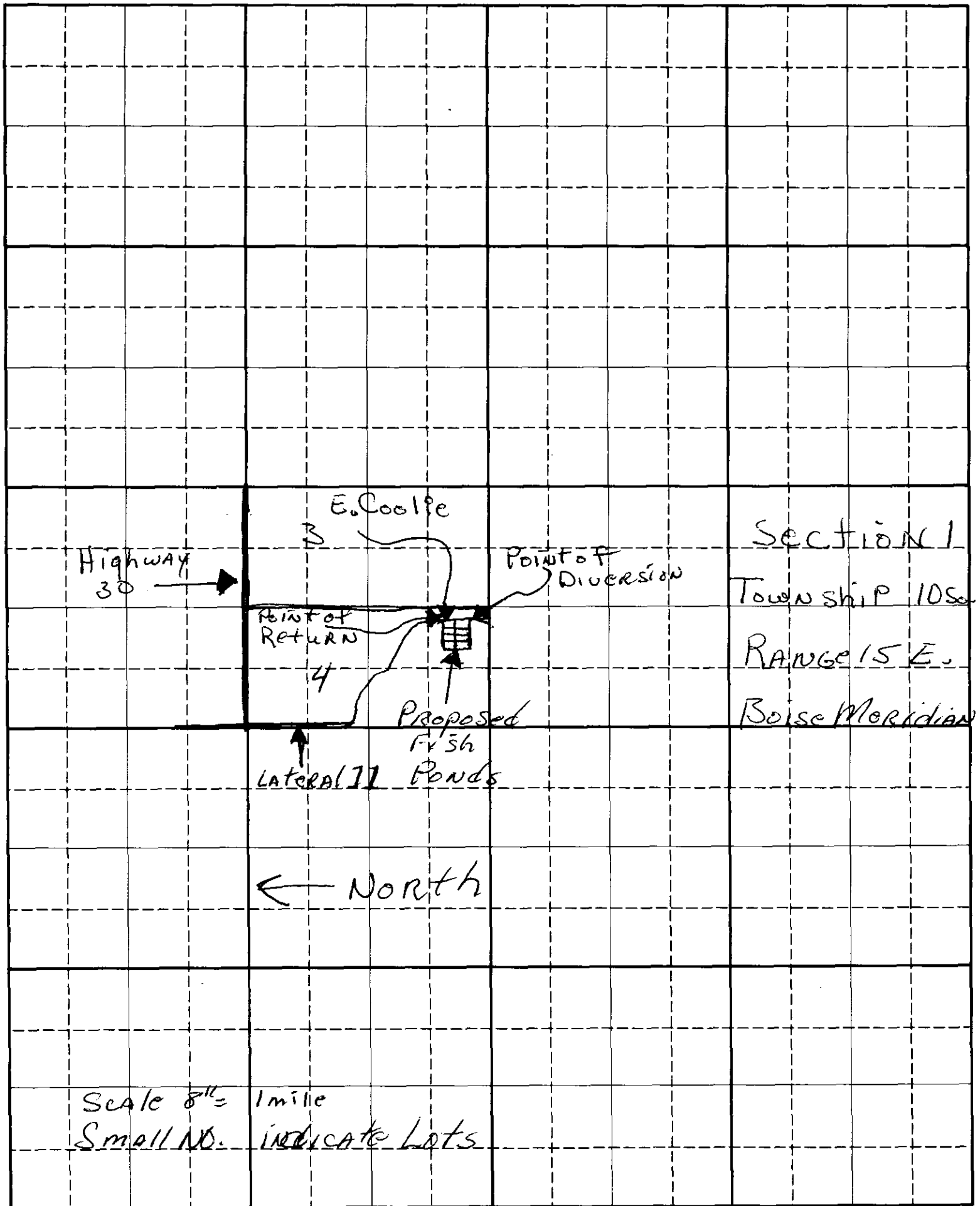
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks _____

11. Map of proposed project:



Scale: 8 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.

William J. J. J.
(Applicant)

47-7092

Received by EVA Date 3/2/70 Time 9:00 AM
Preliminary check by ... Fee \$ 100.00
Received by ... Date 2-2-70
Publication prepared by ... Date 1-8-70
Published in Lincoln News
Publication dates 4-16-23-70
Publication approved ... Date 4-28-70
Priority reduced to _____ Reason _____

Protests filed by: _____

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

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7092, 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 October 1, 19 72.
- c. Other: The permit holder shall permanently install and maintain measuring devices of a type approved by the department at both the point of diversion and point of return into E. Coolie as part of the diverting works. That the permit cannot be assigned or sold without the written consent of the Department of Water Administration, and that failure to receive such consent will be deemed by the Department to be an admission that the permit was obtained for speculative purposes and as such will be subject to cancellation. The applicant will be given a period of two years within which to construct the facility and apply the water to a beneficial use, with the understanding that an extension of time can be granted if requested at the end of that period and conditioned upon the permit holder making reasonable and diligent progress.

Witness my hand this 15th day of September, 19 70.

C. Stephen Cullen
Deputy State Reclamation Engineer

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No. <u>47-7092</u>		Name <u>William J. Yoder</u>	
Source <u>E. Coolie, tributary of Lateral 11</u>			
Point of Diversion <u>Lot 4, NW$\frac{1}{4}$NW$\frac{1}{4}$, Sec. 1, T. 10S, R. 15E, B.M.,</u> <u>Twin Falls County</u>			
Quantity <u>35.0</u>	Use <u>fish prop.</u>	Period <u>Jan. 1 - Dec. 31</u>	
Quantity _____	Use _____	Period _____	
Quantity _____	Use _____	Period _____	
Well Size _____	Diameter _____	Proposed Depth _____	Feet _____
Use <u>Fish propagation</u>			
Date Forwarded <u>3-27-70</u>		Date Returned <u>5-1-70</u>	Received by <u>Boh</u>

RECOMMENDATIONS: _____				

Qty. _____	Use _____	Period _____	AF _____	AFA _____
Qty. _____	Use _____	Period _____	AF _____	AFA _____
Qty. _____	Use _____	Period _____	AF _____	AFA _____
ACTION: Approved ☒ Denied _____				
Conditions of approval or reason for denial: <u>Examine in one</u> <u>year to determine that adequate progress is being</u> <u>maintained. Permit subject to cancellation if not</u> <u>progressing satisfactorily or delay is due to circumstances beyond</u> <u>applicant's control as determined by State Recl. Engr.</u>				
ENGINEERING		By <u>A. H. Quinn</u>	Title <u>Asst. State Engr</u>	
Date <u>5-1-70</u>				

47-7092

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No.	47-7092		Name	William J. Yoder	
Source	E. Coolie, tributary of Lateral 11				
Point of Diversion	Lot 4, NW 1/4, Sec. 1, T. 10S, R. 15E, B.M., Twin Falls County				
Quantity	35.0	Use	fish prop.	Period	Jan. 1 - Dec. 31
Quantity		Use		Period	
Quantity		Use		Period	
Well Size		Diameter		Proposed Depth	
Use	Fish propagation				
Date Forwarded		Date Returned	5-13-70		Received by

RECOMMENDATIONS: LOCATED @ 2 MILES WEST AND 2 MILES NORTH OF FILOR - WATER SUPPLIED BY DIVERSIONS BY TWIN FALLS CANAL CO. THIS USE IS SUBJECT TO REGULATION OF WASTE AND DIVERSIONS UPSTREAM BY THE CANAL CO. - NEEDS TO JUSTIFY HIS QUANTITY OF WATER

Qty.	Use	Period	AF	AFA
Qty.	Use	Period	AF	AFA
Qty.	Use	Period	AF	AFA

ACTION: Approved X Denied

Conditions of approval or reason for denial: IF HE CAN JUSTIFY HIS DIVERSION RATE

INVESTIGATION By [Signature] Title Date

47-7092

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

No. 14768

1, Carolynne Jennings, being first duly sworn upon oath, depose and say that I am from Idaho 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 apr. 16, 1970, and ending with the issue dated apr. 23, 1970.

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.

Carolynne Jennings
Subscribed and sworn to before me this 27th day of April, 1970.

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

47-7092

County of Twin Falls, Idaho, ss.
I, Carolynne Jennings, being first duly sworn upon oath, depose and say that I am from Idaho 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 apr. 16, 1970, and ending with the issue dated apr. 23, 1970.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application shall be filed with the Idaho Department of Reclamation on or before May 4, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Times-News, Twin Falls, Idaho, on April 16 and April 23, 1970.



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

March 20, 1989

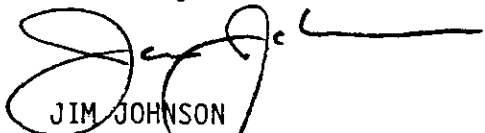
RE: Transfer of Water Right No. 47-7092

Tri-West Enterprises, Fish Division
101 4th Ave. South
Buhl, ID 83316

Dear Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right(Transfer No. 3455)

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:hm
Enclosure

RECEIVED

MAR 31 1989

MEMORANDUM

TO: File no. 47-7092
FROM: Gary Spackman *Gary*
DATE: March 14, 1989
RE: Transfer no. 3455

At first glance, this transfer appears to propose diversion of water from different sources. Generally, a transfer proposing addition of diversion points located in other streams could result in an enlargement of use and injury to other water users. I have reviewed the USGS quad map, however, and find that Peavey Tunnel and the unnamed tunnel (presumably the Rector Tunnel) are tributaries to the East Coulee above the point where license no. 47-7092 authorizes diversion of water. The application for transfer proposes diversion at the upstream end of these tributaries for better quality water. As a result, the application is not objectionable, and will not result in an enlargement of use.

MICROFILMED

MAR 31 1989

MEMORANDUM

DATE: 01-Feb-1989

FROM: Loren Holmes *LH*

TO: Files 47-7092, 47-8074

SUBJECT: Relationship between applications

License 47-8074 has its original diversion point in the Twin Falls Canal Co. E Coulee. The water comes from sources locally known as the Peavey Tunnel, Rector Tunnel, and Lateral 4.

The Transfer proposes to pipe water directly from the Rector Tunnel and commingle it with the discharge from the Peavey tunnel and then pipe the combined flow to the existing fish farm.

Application 47-8074 is to appropriate water from the Peavey Tunnel for use in a new hatchery.

The Applicant has indicated that the Rector tunnel water will not join the Peavey Tunnel water until after it is discharged from the hatchery.

RECORDED

MAR 31 1989

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NOTICE OF AMENDED PROPOSED CHANGE OF WATER RIGHT

NO. 47-7092

Notice is hereby given that Tri-West Enterprises have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 47-7092

Basis of right: License

Source: "E" Coulee tributary to Lateral 11

Priority Date: March 2, 1970

Amount of water: 33.0 cfs

Water use: Fish Propagation

Point(s) of diversion: Lot 4 (NW1/4NW1/4), Sec. 1, T10S, R15E; Twin Falls County.

Place of use: NW1/4NW1/4, Sec. 1, T10S, R15E.

TO BE CHANGED AS FOLLOWS

Water right No.: 47-7092

Amount: 33.0 cfs

Total amount being transferred: 33.0 cfs

Sources: "E" Coulee tributary to Cedar Draw Creek; Peavey Tunnel tributary to "E" Coulee; Seep Tunnel tributary to "E" Coulee.

Point of diversion: Lot 4 (SE1/4NW1/4NW1/4), Sec. 1, T10S, R15E/Original headgate in East Coulee; NW1/4NW1/4SW1/4, Sec. 1, T10S, R15E/Pipeline from Peavey Tunnel; SW1/4SE1/4NW1/4, Sec. 1, T10S, R15E/Pipeline from unnamed tunnel & existing pipeline; Twin Falls County; 1 mile North & 2 miles West of Filer.
Place of use: NW1/4NW1/4, Sec. 1, T10S, R15E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before September 6, 1988.

R. Keith Higginson, Director

Published in Times News on 8/18 & 8/25/88

RECEIVED
MAR 31 1989

181-203102

~4~NOTICE OF AMENDED~
~PROPOSED CHANGE~
~OF WATER RIGHT~
~NO. 47-7092~

Notice is hereby given
that Tri-West Enter-
prises have applied to
the Department of Water
Resources to change
the following described
water right(s) pursuant
to Section 42-222 of the
IDaho CODE. ~

Water right No. 47-7092~
Basis of right: License~
Source: "E" Coulee
tributary to Lateral 11~
Priority Date: March 2,
1970~

Amount of Water: 33.0
cfs~

Water use: Fish Pro-
pagation~

Point(s) of diversion: Lot
4 (NW1/4NW1/4), Sec. 1,
T10S, R15E, Twin Falls
County. ~

Place of use:
NW1/4NW1/4, Sec. 1,
T10S, R15E. ~

~TO BE CHANGED AS
FOLLOWS~

Water right No.: 47-7092~
Amount: 33.0 cfs~

Total amount being
transferred: 33.0 cfs~

Sources: "E" Coulee
tributary to Cedar Draw
Creek; Peavey Tunnel
tributary to "E"
Coulee; Seep Tunnel
tributary to "E" Coulee. ~

Point of diversion: Lot 4
(SE1/4NW1/4NW1/4), Sec.
1, T10S, R15E/Original
headgate in East
Coulee;

NW1/4NW1/4SW1/4, Sec. 1,
T10S, T15E/Pipeline
from Peavey Tunnel;
SW1/4SE1/4NW1/4, Sec. 1,
T10S, R15E/Pipeline
from unnamed tunnel &
existing pipeline; Twin
Falls County; 1 mile
North & 2 miles West of
Filer. ~

Place of use:
NW1/4NW1/4, Sec. 1,
T10S, R15E. ~

Any protest against
approval of the applica-
tion for transfer must be
filed with the Depart-
ment of Water

Resources, 2148 4th
Ave. East, Twin Falls, ID
83301 on or before
September 6, 1988. ~

PUBLISH: Thursday,
August 18 & 25, 1988. ~

OK
DQ 8/16/88

RECORDED

MAR 31 1989



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

01-Aug-1988

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

Re: Notice of Amended Proposed Change to Permit No. 47-7092

Gentlemen:

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

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

MAR 31 1989



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

29-Jul-1988

Rick Eggleston, Owner
Tri-West Enterprises
Fish Division
101 4th Ave. South
Buhl, ID 83316

Re: Application for Amended Transfer No. 47-7092

Dear Mr. Eggleston:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Times News on 8/18 and 8/25/88. The advertisement will be published for two weeks, and 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.

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

Very truly yours,

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

LH:MB

MICROFILMED

MAR 31 1989



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

10-Aug-1988

Jack H. Eakin
Twin Falls Canal Co.
Box 326
Twin Falls, ID 83301

Re: Application for Transfer No. 47-7092

Dear Mr. Eakin:

Please find enclosed a copy of the above referenced
Application for Transfer for your information and files.

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

Very truly yours,

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

LH:MB

Enclosure

RECEIVED

MAR 31 1989

Tri-West

STAFF ANALYSIS SUPPLEMENT

1) Water District _____ *Basin #* _____

2) Local Description: (of one P/D)

☐ At the above street address

☒ _____ miles N/S *N* and _____ miles E/W *W*
of *Filer* (City or landmark).

☐ Other (describe) _____

INTER-DEPARTMENT MEMO — 1

FROM Loren Holmes - Southern

DATE 2/5/89

TO Gary Spackman

SUBJECT Application for Transfer - 47-7092 - TH-1-west.

This letter apparently arrived after the transfer application was forwarded.

The application should be reviewed against the Director's Memo dated 9/8/81 - Appropriation of water within Irrigation District of Canal Co. Agents.

RECEIVED

MAR 31 1989

SIGNATURE

net to region



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326
TWIN FALLS, IDAHO, 83303-0326

January 18, 1988



RECEIVED

JAN 20 1988

State of Idaho
Department of Water Resources
214B 4th. Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Subject: Change of Water Right No.47-7092

Dear Sirs:

The Twin Falls Canal Company considers it has the right to the consumptive use of all water from the Peavey Drain.

Any proposed alteration or modification of the flow or distribution of water from the Peavey Drain must be approved by the Twin Falls Canal Company prior to any construction.

Very Truly Yours,

Jack H. Eakin
Jack H. Eakin
General Manager

JHE:cs

RECEIVED

FEB 10 1988

Department of Water Resources

MICROFILMED

MAR 31 1989

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-7092

Notice is hereby given that Tri-West Enterprises, Fish Division of Buhl, ID has applied to the Department of Water Resources for addition of diversion points to surface water rights.

The right sought to be changed is evidenced by License No. 47-7092 and is recorded as follows:

Amount: 33 cfs

Priority: March 2, 1970

Point of Diversion: Lot 4 (NW1/4NW1/4), Sec. 1, T10S, R15E, Twin Falls County.

Used for fish propagation from 1/1 to 12/31 within NW1/4NW1/4, Sec. 1, T10S, R15E.

TO BE CHANGED AS FOLLOWS

Amount: No change

Point of Diversion: Unnamed stream (Peavey tunnel) tributary to Cedar Draw; Lot 4 (SE1/4NW1/4NW1/4), NW1/4NW1/4SW1/4, Sec. 1, T10S, R15E, Twin Falls County; 2 miles NW of Filer.

Use: No change

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, ID 83301 on or before January 4, 1988.

R. Keith Higginson, Director

Published in Times News on 12/17 & 12/24/87

MICROFILMED

MAR 31 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

Cecil Andrus
Governor

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

R. Keith Higginson
Director

December 10, 1987

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

Re: Application for Permit 47-8074 & Transfer 47-7092

Gentlemen:

Enclosed you will find legal notices 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 notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices 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

Enclosures

MICROFILMED

MAR 31 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 10, 1987

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

Tri-West Enterprises
c/o Richard E. Egglegton
101 4th Ave. South
Buhl, ID 83316

RE: Application for Transfer No. 47-7092

Dear Mr. Egglegton:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Times News on 12/17 and 12/24/87. The advertisement will be published for two weeks, and 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.

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

Very truly yours,

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

LOH:MB

MICROFILMED

MAR 31 1989

INTER-DEPARTMENT MEMO — 1**FROM** Jim Stanton**DATE** 12-9-87**TO** File**SUBJECT** Water Source, License 47-7092

The original source of this right is E Coulee. At the P/D, several seepage/wastewater streams have already joined E Coulee. One of the streams ~~includes~~ ^{includes} includes seepage from Peavey Tunnel. E Coulee continues on, emptying into Cedar Draw Creek. Lateral 11 flows out of E Coulee in the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 T. 10S R. 15E below the fish ponds now owned by Tri-West Enterprises. Lic. 47-7092 shows the source as E Coulee tributary to Lateral 11, but the correct source is E Coulee tributary to Cedar Draw Creek.

MICROFILMED**MAR 31 1989****SIGNATURE**

STAFF ANALYSIS SUPPLEMENT

1) Water District Basin 47

2) Local Description: (of one 2/2)



At the above street address

☒ X

_____ 2 _____ miles N/S NW and _____ miles E/W _____
of Fiber, sd (City or landmark).



Other (describe): _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 6, 1974

Re: Permit No. 47-7092

William J. Yoder
Route 1
Filer, Idaho 83328

Dear Mr. Yoder:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

47 7092

February 20, 1974

William J. Yoder
Route 1
Filer, Idaho 83328

Dear Mr. Yoder:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7092 and has found the following:

Quantity of water diverted: 33.0 cfs Source: E. Coolie

Amount of water that can be recognized as beneficially used under Idaho law: 33.0 cfs

The maximum quantity diverted shall not exceed 23,349 acre feet per year.

Beneficial use: For fish propagation within the NW¹/₄, Sec. 1, Twp. 10 S. Rge. 15 E

Point of diversion: NW¹/₄ (Lot 4), Sec. 1, Twp. 10 S, Rge. 15 E, B.M.

Priority date established: March 2, 1970

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

17 7092

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder William J. Yoder 326-5167
Post office address Route #1, Filer, Idaho 83328 Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ E. Coolie
(name spring, stream, etc.)
Tributary to Lateral 11

3. Water will be used for the following purposes:

Amount 35 c.f.s. for fish propagation
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 47-7092
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 35 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

(Lot 4)
Township 10S N/S, Range 15E E/W, B.M., Section 1, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$, Twin Falls
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: Concrete headbox & concrete ditch to fish ponds.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	15E	1						(Lot 4) X											

47-7092

TOTAL ACREAGE _____

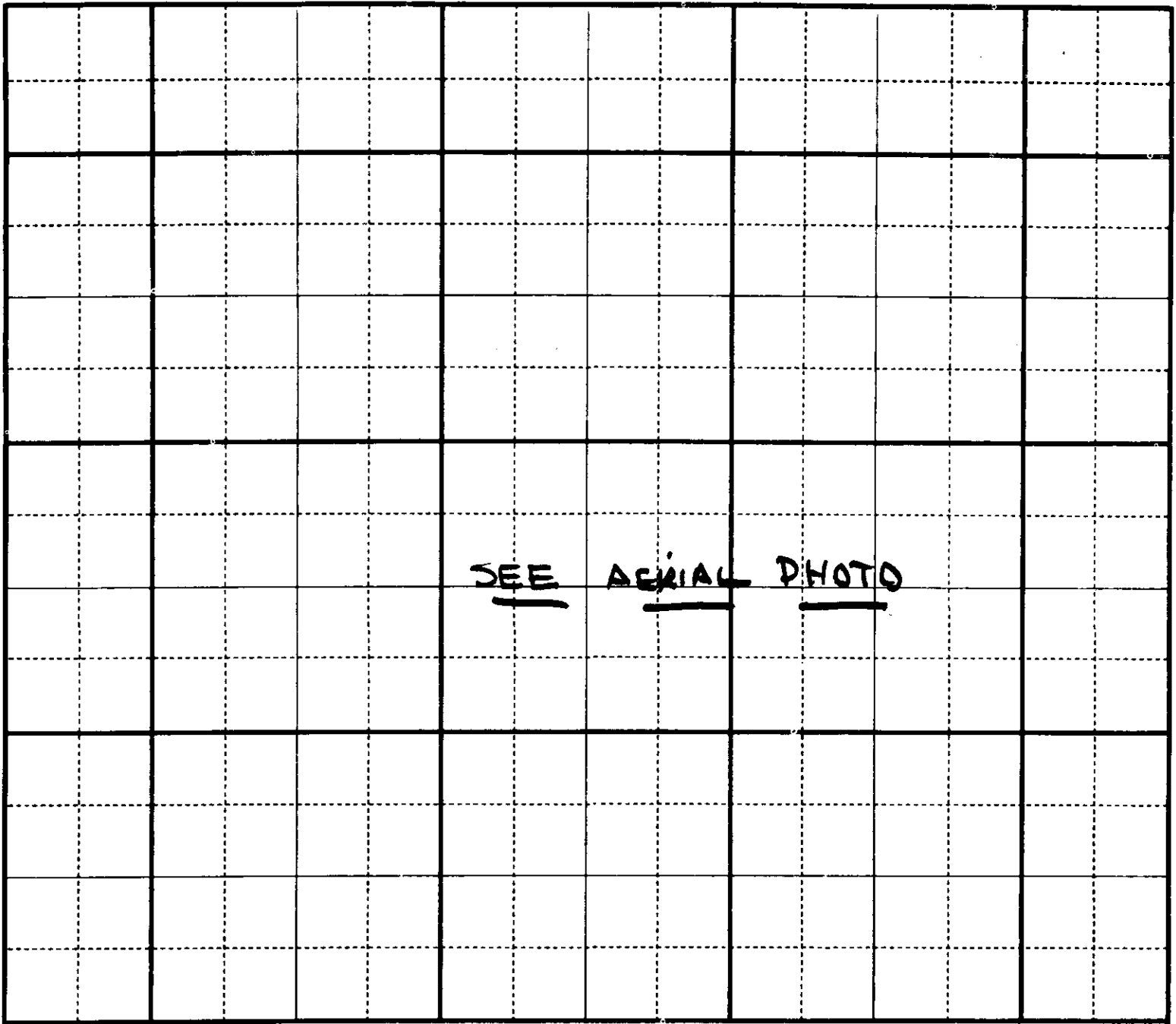


Diagram of System

DATE OF EXAM 10-18-73

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

FISH PROD Q = 32.94 cfs V = 23,805.3 AF/Ann from JAN-1 TO DEC-31

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 32.94 cfs Method of measurement Cipolletti Weir

Total Q recommended 32.94 cfs Meter No. _____ Type _____ Condition Good

Total V recommended 23,805.3

Recommended Amendments:

P.D. ok
Place of Use ok
Other -
None -

MEASUREMENT CALCULATION:

Three 4' Cipolletti Weir ARE ACROSS THE
OUTLET OF THE FINAL POND BEFORE THE WATER IS RETURNED
TO E. COOLIE EACH WEIR WAS MEASURED AND THE TOTAL ACRE
DISCHARGE WAS 32.94 cfs — $1.98 \times 32.94 \text{ cfs} = 65.22 \text{ cfs}$ FEET
PER DAY $65.22 \times 365 (\text{DAYS PER YEAR}) = 23,805.3 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

WATER FROM E. COOLIE IS DIVERTED INTO
OFFSTREAM PONDS THERE IS A TOTAL OF 10 PONDS
THE FOLLOWING IS THE APPROX. SIZE OF EACH POND,
3 PONDS 50' X 300' 1 POND 50' X 150' 6 PONDS 50' X 200'

REMARKS:

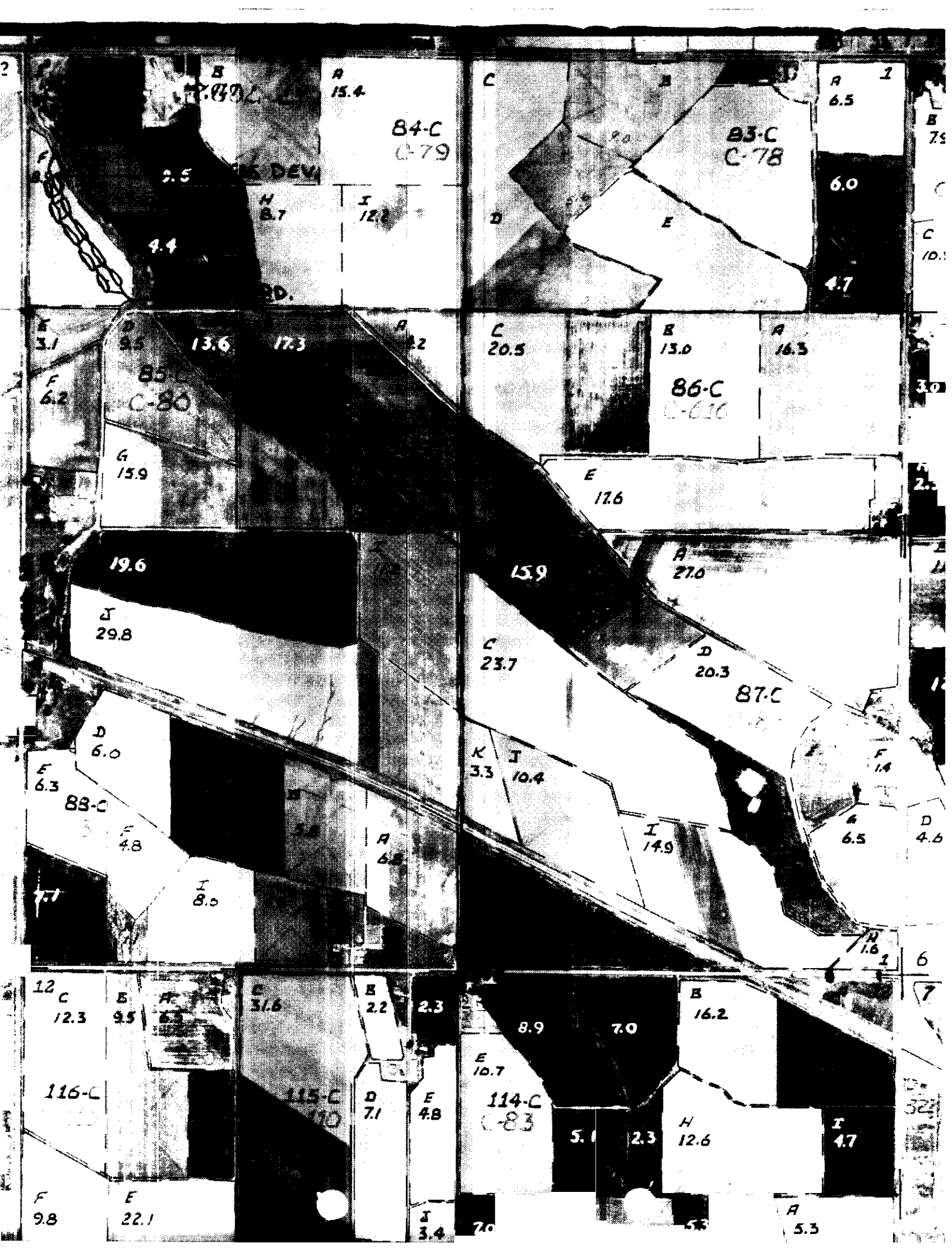
THE SCREENS
WERE REMOVED FROM THE OUTLET AND
THE PONDS WERE ALLOWED TO STABILIZE 10 MIN BEFORE
THE MEAS. WAS TAKEN.

Examiner's Signature Michael L. Stueh Date 10-18-73

Checked by _____ Date _____

Approved by _____ Date _____

17 7012



September 5, 1973

Re: Permit No. 47-7092

William J. Yoder
Route #1
Filer, Idaho 83328

Dear Mr. Yoder:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd. North, Twin Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

47 7092

Identification No. _____

Permit No. 47-7092

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

AUG 29 1973

Department of Water Administration

1. a) Name of Permit Holder William J Yoder
b) Post Office Address Rt. # 1 Filer, Idaho 83328
2. Permit Number 47-7092
3. Date of Priority that you are prepared to establish 3-2-70
4. a) Source from which water was appropriated E Coallie a tributary of Lateral 11
b) Location of the point of diversion: lot 4 NW 1/4 NW 1/4, Section 1
Township 10 S, Range 15 E Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 35 C.F.S. for fish propogation purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 35 C.F.S. cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give breif description of diversion structure and/or canal or ditch) Concrete Headbox and Concrete ditch to fish ponds
b) Describe the type and size of measuring device which you have installed at your point of diversion: 3--- 4 foot cipolletti weirs on outlet works
c) Give well drillers name and address and date the well was completed _____

Exam typed 8/4/73 by jc

17 7092

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use for fish propagation Jan 1 -- Dec 31

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

10. Remarks: _____

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

8-23-73 (Date) William J. Adams (Signature)

State of Idaho)
 County of Twin Falls) ss.

On this 23rd day of September, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Billy Williams
 Notary Public residing at Buhl, Idaho

My commission expires 11-15-76

August 1, 1973

CERTIFIED MAIL

#24716

Re: Permit No. 47-7092

William J. Yoder
Route #1
Filer, Idaho 83328

Dear Mr. Yoder:

One of the conditions of approval of your water Permit No. 47-7092 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit 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.

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

47-7092

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

1

Wm. Gaden

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

3

SHOW WHERE DELIVERED (*only if requested*)

8-3-73

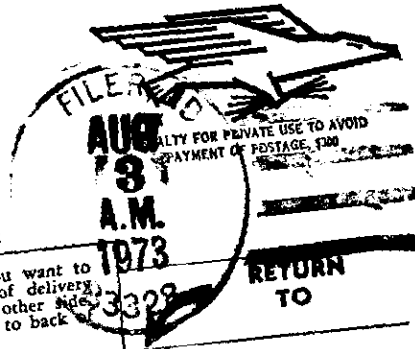
Special Agent
47 7092

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

POD Form 3811 Apr. 1968 e55-16-71548-11

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.



17 7092

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNE #2

ROME, IOWA 52702

September 18, 1972

Re: Permit No. 47-7092

Mr. William J. Yoder
Route # 1
Filer, Idaho 83328

Dear Mr. Yoder:

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

The time within which to submit proof of beneficial use has been extended to October 1, 1973.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

47-7092

INTER-DEPARTMENT MEMO — 1

FROM Mike Steele
Southern District

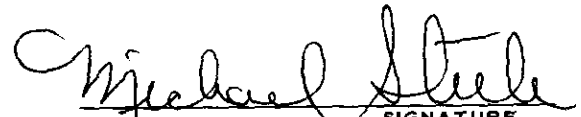
DATE Sept. 8, 1972

TO Bob Fleenor

SUBJECT Inspection for Extension of Time for 47-7092

William J. Yoder, fish ponds, T. 10S, R. 15E, Sec. 1, NW¹/₄NW¹/₄, Twin Falls County.
Concrete diversion and headgate installed in five (5) dirt ponds for fish propagation.

Ponds are now in operation. They appear to have room for additional construction.


SIGNATURE
47 7092

INTER-DEPARTMENT MEMO — 1

FROM Bob Fleenor

TO Bob Haynes

SUBJECT Permit No. 47-7092 - William J. Yoder

DATE Sept. 7, 1972

We have received an application for extension of time in connection with the above subject permit. Proof is due Oct. 1, 1972; the permit holder has requested an extension until Oct. 1, 1973, to submit proof of beneficial use.

Would you please have a field exam made of this project and advise us of your findings before we consider the extension request. It would be of great help if this could be accomplished before ~~the~~ October 1st.

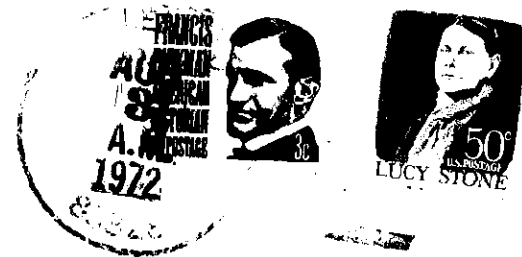
We have attached a copy of the permit for your reference. If you have any questions, please advise.

BDF:DR

17 7092

SIGNATURE

William J. J. J.
Reg 1 -
Filer. Idaho 83328



RETURN RECEIPT REQUESTED

CERTIFIED

No. 679086

MAIL

State of Idaho
Dept of Water Administration
Statehouse Annex 2
Lewiston, Idaho 83707

17 7092

August 21, 1972

Re: Application for Permit No. 47-7092

Mr. William J. Yoder
Route #1
Filer, Idaho 83328

Dear Mr. Yoder:

We have received your request for extension of time. We are enclosing the Department's Application for Extension of Time form which we are requesting you complete.

Please, submit as much detail as possible as to why you need the extension and list in detail the amount of development you have completed to date.

The information should be submitted prior to October 1, 1972.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor

DWM/cd

Enclosure

17 7092

RECEIVED

AUG 18 1971

Department of Water Administration
AUGUST 17, 1971

STATE OF IDAHO
DEPT. OF WATER ADMINISTRATION
STATEHOUSE ANNEX 2
BOICE, IDAHO 83707

DEAR SIR:

PLEASE GRANT AN EXTENTION OF ONE (1) YEAR ON WATER
PERMIT No 47-7092.

AT THE PRESENT TIME CONSTRUCTION IS APPROXIMATELY 50%
COMPLETED. SHORTAGE OF LABOR AND THE EXTREME WEATHER CON-
DITION OF LAST WINTER DELAYED OUR CONSTRUCTION.

YOURS TRULY,

William J Yoder
WILLIAM J YODER

47 7092

W. J. YODER
RT. # 1
FILER, IDAHO 83328

RETURN RECEIPT REQUESTED

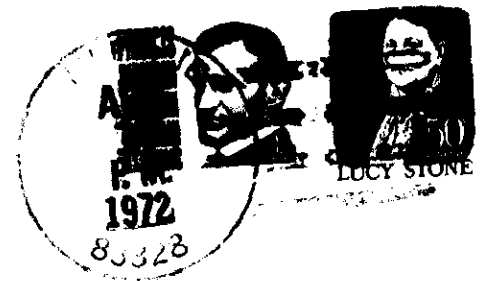
CERTIFIED

No. 679078

MAIL

47 7092

STATE OF IDAHO
DEPR. OF WATER ADMINISTRATION
STATEHOUSE ANNEX 2
BOISE, IDAHO 83707



SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

23866

①

Wm. J. Guder

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

②

INSURED NO.

8-2-72

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

③

8-2-72

17 7092

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PS Form 3811 Nov. 1970 e55-16-81277-1

PS Form 3811

SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
↓
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

Postmark of Delivering Office

AUG
2
P. M.
1972

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

47 7092

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

RETURN
TO

August 1, 1972

CERTIFIED MAIL

* 23866

Re: Permit No. 47-7092

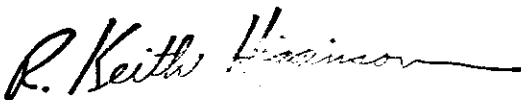
William J. Yoder
Route # 1
Filer, Idaho 83328

Dear Mr. Yoder:

One of the conditions of approval of your water Permit No. 47-7092 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

47 7092

September 17, 1970

Re: Permit No. 47-7092

Mr. William J. Yoder
Rte. 1
Filer, Idaho 83328

Dear Mr. Yoder:

Enclosed is a copy of your approved Application for Permit No. 47-7092. 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.

Very truly yours,

C. Stephen Allred
Deputy Director

CCA:kh

Enclosures: Copy of permit
Receipt No. 4269 for \$100
1 letter

47-7092

April 8, 1970

Re: Application for Permit No. 47-7092 - William J. Yoder

Times News
Box 548
Twin Falls, Idaho 33301

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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

*Bill submitted
4-28-70
ds*

47-7092

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that William J. Yoder, Route 1, Filer, Idaho,
_____ has on March 2, 1970,
submitted Application No. 47-7092 to appropriate the public waters of
E. Coolie, tributary of Lateral 11
~~/The/proposed/uses/are~~ _____

The application proposes a maximum diversion and appropriation of 35.0
cubic feet per second ~~/acre/feet~~ of water to be diverted by headbox and ditch
_____ within the NW¹/₄ (Lot 4),
Sec. 1, T. 10S, R. 15E, B.M., Twin Falls County,
_____ and is to be used within the NW¹/₄, Sec. 1, T. 10S, R. 15E, B.M. from January 1
to December 31 for fish propagation purposes

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before ~~April 27, 1970~~ May 4, 1970

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Times News, Twin Falls, Idaho,
on April 16 and April 23, 1970

47-7092

This installation will not be used to hatch fish. It will be used to rear fish that are fingerling size or larger. A concrete checkbox will be used to stop flow and divert into fish ponds. As soon as the water has run through raceways, it is returned to E. Coolie.

One pond will be completed in 1970.

One or two ponds will be completed in 1971.

One or two ponds will be completed in 1972.

One or two ponds will be completed in 1973.

Balance of ponds will be completed in 1974.

William J. Padon

TO: FIDELITY NATIONAL BANK

BRANCH AT FILER

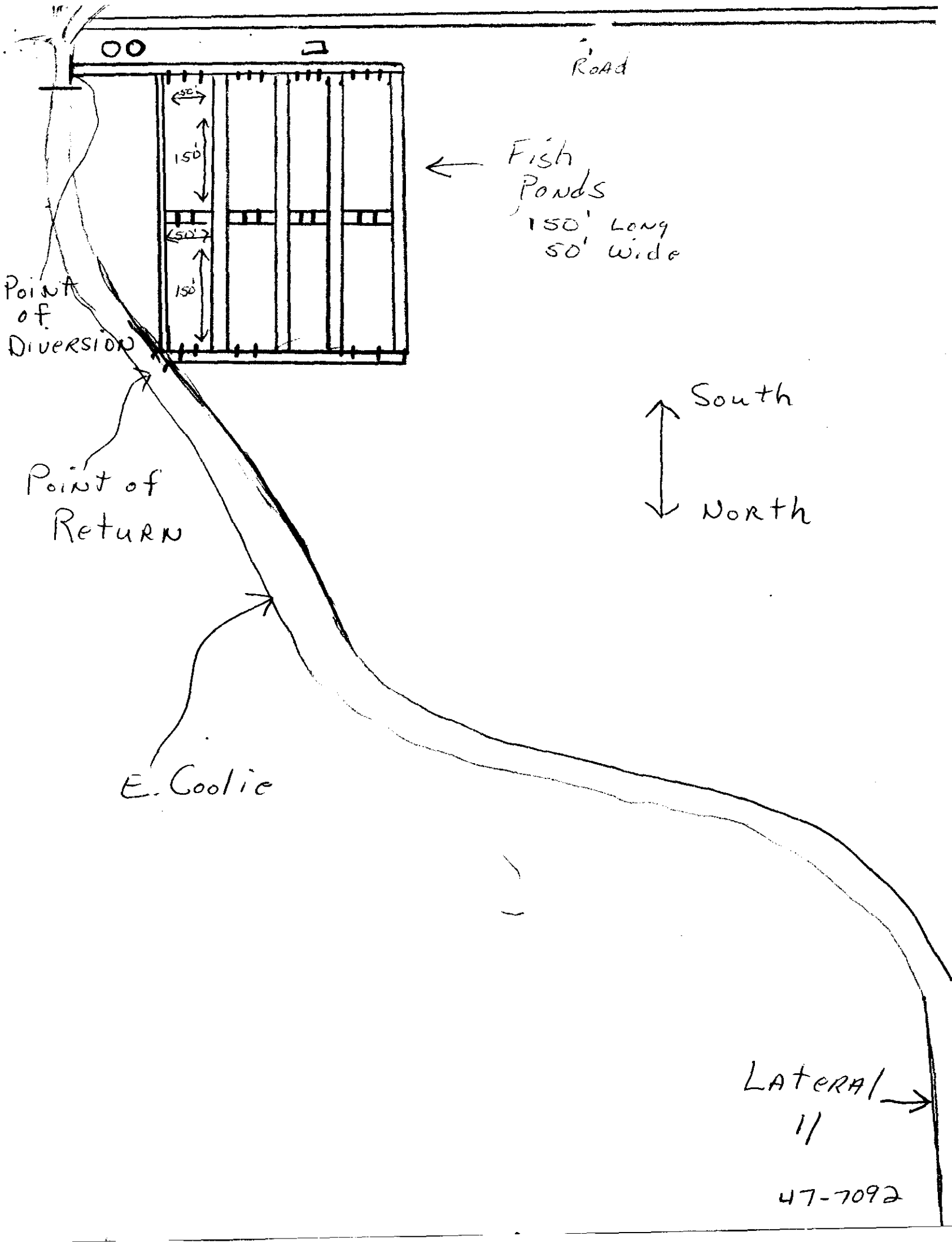
For the purpose of obtaining credit with you from time to time I herewith submit the following as being a fair and accurate statement of my financial condition on Nov 24, 1969.

1. Life Insurance in _____ Payable to _____
 2. Life Insurance in _____ Payable to _____
 3. Life Insurance in _____ Payable to _____
 4. For other: _____ Buildings \$ _____
 5. Carry Employee Liability Insurance \$ _____
 6. Declaration of interest filed: _____
 7. Have you ever taken Bankruptcy? _____
 8. Failed in Business? _____
 At the time desire to _____
 when and how _____

NOTES

SIGNALS

47-7092



00

Road

← Fish Ponds
150' Long
50' wide

Point of Diversion

Point of Return

E. Coolie

↑ South
↓ North

Lateral →
11

47-7092

CLEAR SPRINGS TROUT CO.

Ted Eastman, President and General Manager

Buhl, Idaho 83316

February 26, 1970

Department of Reclamation
Boise, Idaho

Gentlemen:

The water on the property Ken Ellis and
Duwayne Wilson have purchased is capable of
raising 250,000 pounds of rainbow trout
annually.

Sincerely,



CLEAR SPRINGS TROUT CO.
Ted Eastman, President

47-7092

February 18, 1970

Re: Application for Permit

Mr. William J. Yoder
Route # 1
Filer, Idaho 83328

Dear Mr. Yoder:

We are returning your check in the amount of \$13.50 and your application to appropriate water for fish propagation. Please be advised that the filing fee for 35 cubic feet per second of water is \$100.00. We are enclosing a set of instructions for your use in determining the fee.

You should also be advised that additional requirements will be made of an application for fish propagation purposes in order to justify the quantity of water requested. We are enclosing a supplemental letter showing the data that will be required when your application is returned.

If we can assist you in any way, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: App. w/check
Instructions
Information letter

47-7092