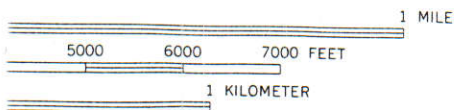
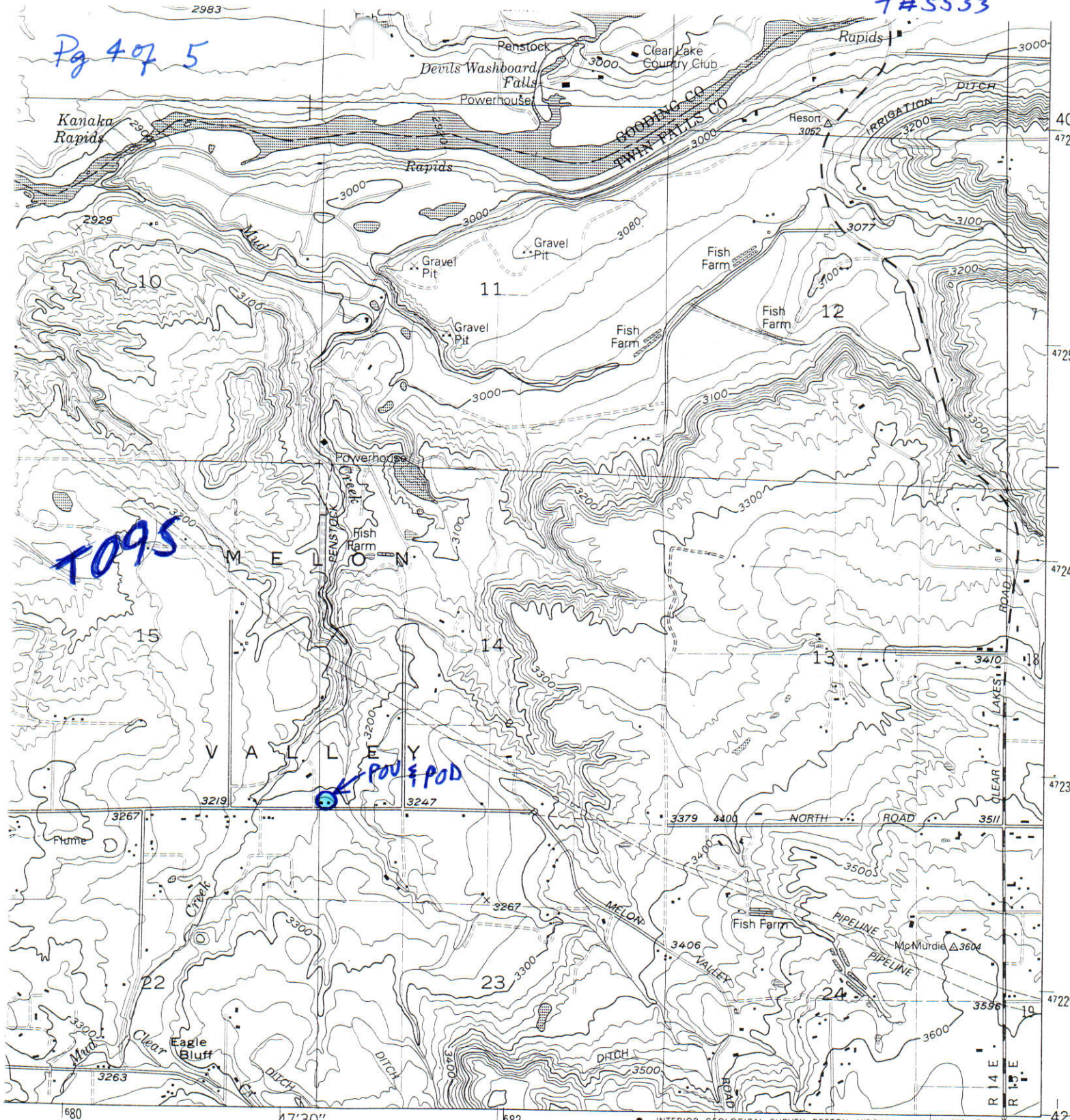


Pg 4 of 5



EET
AL 10 FEET
ACES 5 FEET
JM OF 1929

FOR SPATIAL ACCURACY-CLASS 2
AL SURVEY

R14E

MICROFILMED

APR 18 2000



QUADRANGLE LOCATION

ROAD CLASSIFICATION

- | | |
|------------------------------------|--|
| Primary highway,
hard surface | Light-duty road, hard or
improved surface |
| Secondary highway,
hard surface | Unimproved road |
| ○ Interstate Route | ○ U. S. Route |
| | ○ State Route |

THOUSAND SPRINGS, IDAHO
42114-F7-TF-024

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 3/11/00

Trans # 5533 WR No(s) 47-11786
Resulting Splits NA

Name: Proff Correct Fee Pd ☒ Ad ok ☒

AREA OF CONCERN: No/Yes TF Moratorium GWMA XFER TYPE: B - Change p/d F - Change use period
C - Add p/d G - Other
D - Change p/u H - Change p/d & add p/d
E - Change use I - Change p/d & p/u SWSW
J - Add p/d & change p/u

GROUNDWATER:

DRILLING PERMIT

All wells - 046
Basin 34 - 085
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081
FISH PROP - 029(70'S only)-007-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T09 - on-going Snake River Basin Adjudication
T17 - measure all p/d's (used with WB4)

Protested - 020-W19
Multiple pd's per 1/4 - W32
Non-consumptive - 027
Water Quality - 081-R07
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Single p/d intended - 076
Zoning ord. (dairys only) - 082

SURFACE WATER:

WD - R04 (WD#)
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (cons uses or non-cons. > 1.0 cfs)

USES:

POWER - 17H-17K (+uses)-025--081
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

W51 - 2+ yrs to develop
W54 - forfeited ac/rate (used rarely)
W55 - (transfer shrinks total water to less ac)
W57 - no right-of-way
W58 - pending claim (statutory or AJ b/u claim)
W59 - measure p/d's (source changed to original trib)
WB4 - + p/ds, cfs & afa (used with T17)
WD5 - remaining right (only if specifically requested, i.e. protest)
WD6 - measure & report "
WD7 - irr ac removed "

Special T17 & R43 combined - multiple pds in WD

IRRIGATION SEASON - (Per updated map) IRRIGATION VOLUME/AC

OTHER CONDITIONS/REMARKS 13,000 gpd Nil? volume?

COMMENTS Proof of ownership not rec'd - no change in owner, legal verified by region w/ assessors office
T files created/updated ☒ Approval form printed Transfer Memo
Post approval update

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5533
WATER RIGHT NO. 47-11786

This is to certify that: **ARNOLD D PRUETT**
1298 E 4400 N
BUHL ID 83316

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

SOURCE

GROUNDWATER

Priority: 03/20/1967

LOCATION OF POINT(S) OF DIVERSION:

SWSWSW , Sec. 14, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 14E 14

SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
5. Domestic use is for 1 home.
6. Place of use is also known as RP 09S14E146010.

Dated this 3rd day of

April

, 20

00

J. Glen Saylor

Chief, Water Allocation Bureau

MICROFILMED

APR 18 2000

Transfer No. 5533

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

PART 1

JUL 29 1999

Department of Water Resources
South Region

Name of applicant MARLENE D. RUELL Phone 543-4098
Post Office address 1298 E 4400 N Buhl Idaho 83316

PURPOSE OF TRANSFER

RECEIVED

NOV 4 1959

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Department of Water Resources

2. Describe the reason for the proposed changes. Water right in wrong place
Application filed in S.E. S.W. Should be in
S.W. S.W.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|------------|-----------------------|------------------|----------------|
| 47-11786 | 03/20/1967 | 0.040 CFS | DOMESTIC | 01-01 to 12/31 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>0.040 CFS</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Groundwater</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

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APR 18 2008

Total acres

PART 1

6. General Information:

a. Description of diversion system Existing Well and Pump

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:

Pepper Change only

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:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

APR 18 2000

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 47-11786

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

SOURCE

GROUNDWATER

Priority: 03/20/1967

LOCATION OF POINT(S) OF DIVERSION:SWSESW , Sec. 14, Township 09S, Range 14E
TWIN FALLS CountyPLACE OF USE: DOMESTICTWN RGE SEC

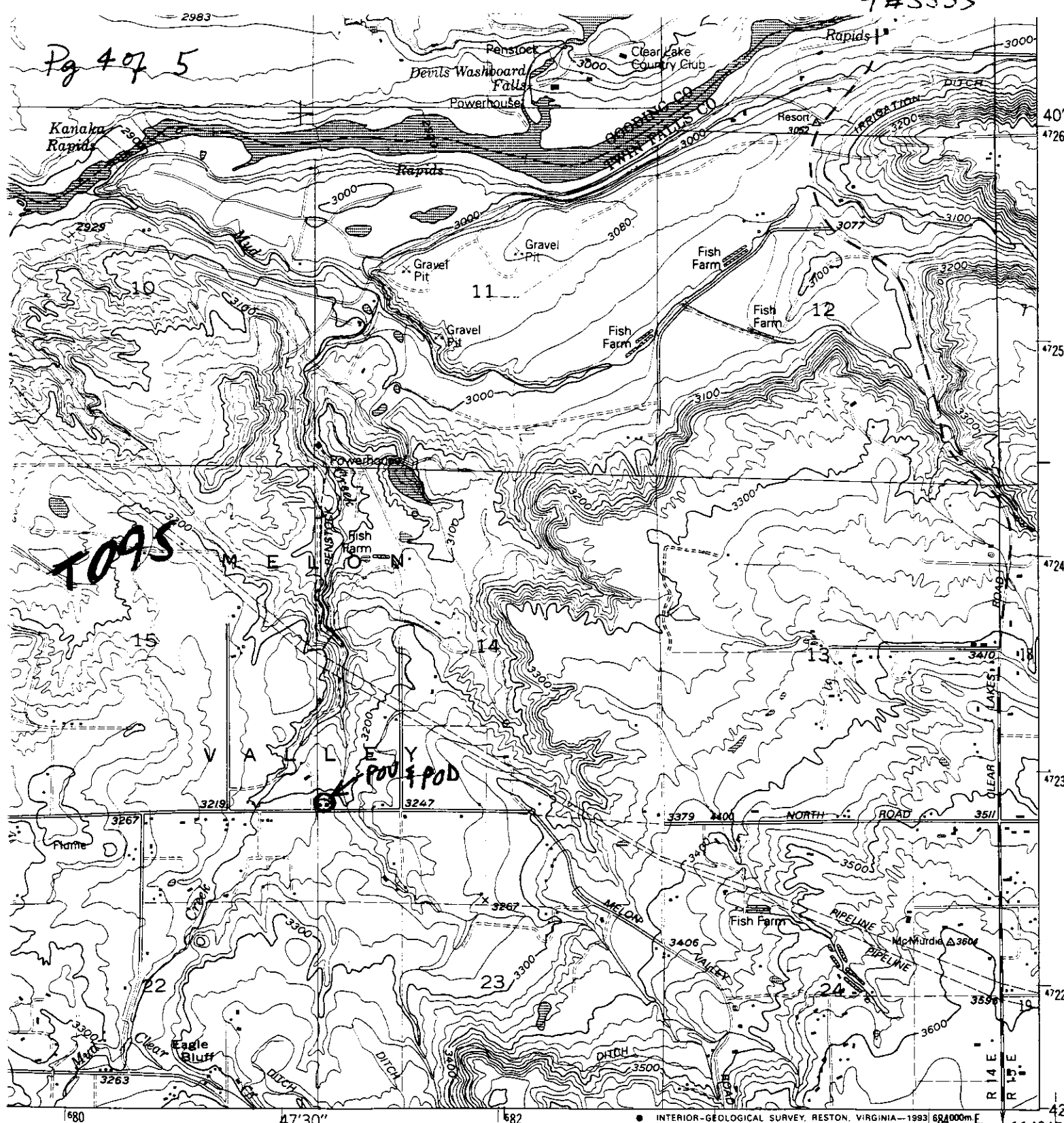
09S 14E 14

SESWCONDITIONS/REMARKS:

1. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. RP 09S14E146010

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APR 18 2000

Pg 4 of 5



● INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1993 684,000m E. 114°45'

R14E

MICROC

SEP 18 2000



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____

 Interstate Route  U. S. Route  State Route

THOUSAND SPRINGS, IDAHO

42114-F7-TF-024

EET
AL 10 FEET
ACES 5 FEET
IM OF 1929

FOR SPATIAL ACCURACY-CLASS 2
AL SURVEY

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Arnold D. Luett
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of July, 19 99.

Kelly K. Christensen
(Notary Public)

My commission expires 3-11-04

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachments

Received by P. SKINNER Date 7/29/99 Protest filed by None

Prelim. check by P. SKINNER Fee \$100.00 5022408

Receipted by P. SKINNER Date 7/27/99

Published in Times News Copies of protest forwarded by _____

Pub. dates 10/7 & 10/14/99 Hearing held by _____ Date _____

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

_____ rec'd. _____ by ADW

Copy of transfer sent to lien holder _____

MICROFILMED
APR 18 2002

GERALD R BOWDEN, ASSESSOR
TWIN FALLS COUNTY
PO BOX 265
TWIN FALLS ID 83303-0265

RETURN SERVICE REQUESTED

CATEGORY DESCRIPTION

12 RURAL RES TR
34 BLDG RES TR

ASSESSMENT NOTICE

1999

Tax Code

LOTS/ACRES

62-00

MARKET VALUE

2.000 AC

17,028
60,228

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
TWIN FALLS ID 83301
PERMIT NO 5

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
JANESBORO OFFICE BEFORE

TOTAL:
LESS HOMEOWNERS:

2.000

77,256
30,114

PARCEL #
RP 09S14E146010 A

SEC 14 T 9 R 14
SW 2A IN SW SW

PROPERTY ADDRESS 1298
PRIOR YEAR

VALUE:

47,142
PRIOR YEAR

TAX:

619.10

4400
CURRENT YEAR

47,142
ESTIMATED

619.10

Mail To:

N
PRUETT ARNOLD D
& PRUETT CLARICE J H/W
1298 E 4400 N
BUHL ID 83316

See back for details.

DO NOT PAY ESTIMATE

MICROFILMED
APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

April 4, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ARNOLD D PRUETT
1298 E 4400 N
BUHL ID 83316

RE: Water Right 47-11786 (Transfer 5533)

Dear Mr. Pruett:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5533). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Sharla Curtis

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
APR 18 2000

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of **April, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 47-11786 (Transfer 5533)

**ARNOLD D PRUETT
1298 E 4400 N
BUHL ID 83316**


**Karl Lynn Townsend
Secretary**

MICROFILMED
APR 18 2005

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

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APR 18 2006

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

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

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

MICROFILMED

SEP 18 2008

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 3/11/00

Trans # 533 WR No(s) 47-11786
Resulting Splits N/A

Name: Buell Correct Fee Pd ✓ ✓

AREA OF CONCERN: No/Yes IF Moratorium WMA XFER TYPE: B - Change p/d F - Change use period
C - Add p/d G - Other
D - Change p/u H - Change p/d & add p/d
E - Change use I - Change p/d & p/u SWSW
J - Add p/d & change p/u

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Basin 34 - 085
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≤ 0.24 cfs/5 acres - No MD
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WMD

Supp irr (irr = only use) - 065-104
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SURFACE WATER:

WD - R04 (WD#)
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
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FIRE PROT. - 077

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Surface water - WB5 (Big Wood or Boise above Star Bridge)
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> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

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Single p/d intended - 076
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WD5 - remaining right (only if specifically requested, i.e. protest)
WD6 - measure & report "
WD7 - irr ac removed "

Special T17 & R43 combined - multiple pds in WD

IRRIGATION SEASON - WMA (Per update map) IRRIGATION VOLUME/AC

OTHER CONDITIONS/REMARKS 13,000 gpd all volume?

COMMENTS Proof of ownership not rec'd no change in owner, legals verified
Tax assessment done ok by Region w/ assessors
T files created/updated ✓ Approval form printed Transfer Memo
Post approval update ✓ office

MEMO

FROM: Allen Merritt

AM

DATE: November 3, 1999

TO: Transfer File No. 5533
Water Right(s): 47-11786

R E C E I V E D

In the Name of: Arnold Pruett

NOV 16 1999

SUBJECT: Review and Recommendation

Department of Water Resources

This transfer changes the place of use and point of diversion of a recently decreed domestic right that was decreed in the wrong location but the error was only discovered after the right was decree. See Skinner's 8/5/99 memo.

Recommendation

I recommend that the transfer be approved subject to decree conditions.

MICROFILMED
APR 18 2000

T #5533

Amos D. Smith

47-11786

MICROFILMED
APR 18 2002

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Arnold H. Pruitt

TRANSFER NO.

5533

1. Right number(s)

47-11786

2. Type of right

☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☒ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim Decreed
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments:

TRANSFER FILED TO CORRECT INCORRECT
LEGAL DESCRIPTIONS ON DECREED SRBA RIGHT.

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred TAX NOTICE, ALSO CHECKED WITH TWIN FALLS COUNTY ASSESSORS' OFFICE.
- h. ☒ Expansion in use of right - Comments: _____

NONE

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

SRBA CLAIM 447-04235 (IRRIGATION)

j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

TRANSFER FILED TO CORRECT SRBA DECREE.

k. ☒ Comment letters _____ Yes ☒ No
 If yes _____ Water District # _____
 _____ Lienholder, others, see #2
 below for name and address

INITIAL ALLOCATION REVIEW BY P. SKINNER DATE 8/5/99
 SRBA SUPERVISOR REVIEW BY _____ DATE _____
 PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ☒ Yes 9/20/99
 2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ☒ Yes ☐ No
 4. Affidavit of publication received? ☒ Yes ☐ No
 5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
 6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve
 2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

☒ Also see attached memo for recommendation dated: 11/3/95

4. By AD Date 11/3/95

**NOTICE OF APPLICATION FOR WATER PERMIT
AND PROPOSED CHANGES TO WATER RIGHTS**

Notice is hereby given that one application for water right permit and three transfer applications have been filed with the Department of Water Resources as follows:
Application for Permit No. 47-08433 filed 2/10/1999 by

the US Bureau of Land Management (15 E 200 S, Burley, ID 83318) requests development of a spring which sinks. Intended uses are for stockwater and wildlife purposes at a rate of 0.02 cfs. The spring is located in the SW¼ of Section 33 and uses will be from troughs located in Sections 31 and 32, all T12S, R17E, Twin Falls County.

Transfer No. 5527 by Alvin & Patricia Harris (2932 E 3400 N, Twin Falls, ID 83301) requests modification of right 47-11769 (priority of 9/28/1915; 0.06 cfs) used for domestic and stockwater purposes. The right is currently diverted from a well within SESW Section 9 and used within SESW Section 4, all T11S, R17E, Twin Falls County. The transfer proposes to change the point of diversion to a well at the place of use (SESW Section 4).

Transfer No. 5533 by Arnold Pruett (1298 E 4400 N, Buhl, ID 83316) requests modification of right 47-11786 (priority of 3/20/1967; 0.04 cfs) used and diverted from a well for domestic purposes recorded within SESW Section 14, T09S, R14E, Twin Falls County. The transfer proposes to record the place of use and point of diversion within 3WSW Section 14. (No physical change to actual use will be made).

Transfer No. 5539 by C & B Cattle Co (4384 E 3500 N, Murtaugh, ID 83344) requests modification of rights 47-12396 (priority of 6/26/1964; 0.33 cfs) and A47-12335 (priority of 12/31/1950; 0.33 cfs). These rights are recorded as being diverted from a well and used at Independent Meat Co. within NENE Section 27, T10S, R17E, Twin Falls County for industrial purposes at the meat processing plant. The transfer proposes to move the rights so that new dairy may be developed. The rights are requested to be used for stockwater and commercial use (total of .66 cfs) to be diverted from two new wells within NWSW Section 28, T10S, R19E. Stockwater and commercial use of the dairy including land disposal of waste will be within Sections 27, 28, 33, 34, T10S, R19E and Sections 3 & 4, T11S, R19E, all in Twin Falls County. The meat processing plant will continue to be served by Twin Falls City municipal water works.

Any protest against the proposed applications must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 25, 1999 to be considered by the Department in decision to grant or deny any part of the proposed applications. (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

J. J. Dreher, Director

BLISH: October 7 and 14, 1999

RECEIVED

OCT 22 1999

Department of Water Resources
Southern Region

No 32288

Notice of Publication

IDAHO
OF TWIN FALLS } SS.

I, Ruby Anderson being first duly sworn upon oath, depose that I am Principal 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 attached, was published in the regular and entire issue of said newspaper, and not in any part thereof, for two consecutive weeks, beginning with the issue dated Oct 7, 19 99, and ending with the issue dated Oct 14, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Statesman, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Sunday, 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 its 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.

IDAHO
OF TWIN FALLS

21st day of Oct in the year of 1999, before me,
Ruby Anderson,
public, personally appeared Debra R. Feltman,
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.
Notary Public for Idaho
Residing at Twin Falls, Idaho. 5/19/2000
My commission expires:

OK
MB
11/1/99

MICROFILMED

APR 18 2000

REMITTANCE ADDRESS THE TIMES-NEWS - L AL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER RESOURCES	
AD NUMBER 240305	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 10/20/99
AD DESCRIPTION NOTICE OF APPLICATION FOR WATER PER		START DATE 10/07/99	LINES 114 * 2
PUBLICATION 4 THE TIMES NEWS LEGAL TOTAL AD CHARGE		INSERTIONS 2	STOP DATE 10/14/99
4 AFFIDAVIT CHARGE 47-08433 T# 5527, 5533, 5539		RATE LGL AFFID	NET AMOUNT 100.32 100.32 2.00
DAYS RUN		GROSS AMOUNT	
PURCHASE ORDER legal		PAY THIS AMOUNT	
		102.32	102.32*

RECEIVED
OCT 22 1999
Department of Water Resources
Southern Region

TOTAL AMOUNT DUE
102.32
ENTER AMOUNT ENCLOSED

[illegible][illegible]

**NOTICE OF APPLICATION FOR WATER PERMIT
AND PROPOSED CHANGES TO WATER RIGHTS**

Notice is hereby given that one application for water right permit and three transfer applications have been filed with the Department of Water Resources as follows:

Application for Permit No. 47-08433 filed 2/10/1999 by the US Bureau of Land Management (15 E 200 S, Burley, ID 83318) requests development of a spring which sinks. Intended uses are for stockwater and wildlife purposes at a rate of 0.02 cfs. The spring is located in the SW1/4 of Section 33 and uses will be from troughs located in Sections 31 and 32, all T12S, R17E, Twin Falls County.

Transfer No. 5527 by Alvin & Patricia Harris (2932E 3400N, Twin Falls, ID 83301) requests modification of right 47-11769 (priority of 9/28/1915; 0.06 cfs) used for domestic and stockwater purposes. The right is currently diverted from a well within SESW Section 9 and used within SESW Section 4, all T11S, R17E, Twin Falls County. The transfer proposes to change the point of diversion to a well at the place of use (SESW Section 4).

Transfer No. 5533 by Arnold Pruett (1298 E 4400 N, Buhl, ID 83316) requests modification of right 47-11786 (priority of 3/20/1967; 0.04 cfs) used and diverted from a well for domestic purposes recorded within SESW Section 14, T09S, R14E, Twin Falls County. The transfer proposes to record the place of use and point of diversion within SWSW Section 14 (No physical change to actual use will be made).

Transfer No. 5539 by C & B Cattle Co (4384 E 3500 N, Murtaugh, ID 83344) requests modification of rights 47-02396 (priority of 6/26/1964; 0.33 cfs) and A47-12335 (priority of 12/31/1950; 0.33 cfs). These rights are recorded as being diverted from a well and used at Independent Meat Co within NENE Section 27, T10S, R17E, Twin Falls County for Industrial purposes at the meat processing plant. The transfer proposes to move the rights so that a new dairy may be developed. The rights are requested to be used for stockwater and commercial use (total of 0.66 cfs) to be diverted from two new wells within NWSW Section 28, T10S, R19E. Stockwater and commercial use for the dairy including land disposal of waste will be within Sections 27, 28, 33, 34, T10S, R19E and Sections 3 & 4, T11S, R19E, all in Twin Falls County. The meat processing plant will continue to be served by Twin Falls City municipal water works.

Any protest against the proposed applications must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 25, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed applications. (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 10/7& 10/14/99

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APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

September 18, 1999

**KARL J. DREHER
DIRECTOR**

**ATTN LEGALS
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548**

Ladies and 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 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
Administrative Assistant**

Enclosure

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APR 18 2000

MEMORANDUM

TO: Transfer #5533 File

FROM: Corey Skinner *CS*

DATE: August 5, 1999

SUBJECT: Staff Review

The enclosed transfer application (#5533 filed by Arnold Pruett) seeks to change the recorded point of diversion and place of use for decreed water right 47-11786. The transfer is being filed to correct the legal descriptions of the point of diversion and place of use, since they were not decreed in the actual locations.

Mr. Pruett is in the process of selling his property to another party. During the buyers investigation of the property, it was discovered that the domestic right, 47-11786, for Mr. Pruett's property did not list the actual legal descriptions. Examination of the SRBA file reveals that the claim was originally claimed incorrectly, and ultimately decreed, as originally claimed. Mr. Pruett is filing the application to correct this situation.

The application should be extremely straightforward, and should probably be approved. I checked with the Twin Falls County Assessor's office and they only had record of the applicant owning the property described on part one of the application (the actual, correct place of use). There is a SRBA claim, A47-04235, appurtenant to the actual, correct, place of use. Claim A47-04235 is an irrigation claim from a surface water source.

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APR 18 2000

T# 5533

SD-0601-2 Last Name: PRUETT

AJQ1 05/05/99

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
PRUETT							
-	DONALD C	C	A47-11951	12/31/1948	GROUNDWATER	0.040	43 DOMEST
-	MARIE	C	A47-11951	12/31/1948	GROUNDWATER	0.040	43 DOMEST
-	DOYLE D	C	A47-13660	05/01/1978	GROUNDWATER	0.020	43 DOMEST
-	ARNOLD D	C	A47-11786	03/20/1967	GROUNDWATER	0.040	43 DOMEST
-	CLARICE J	C	A47-11786	03/20/1967	GROUNDWATER	0.040	43 DOMEST
-	DOYLE D	C	47-13660	05/01/1978	GROUNDWATER	0.020	43 DOMEST
-	DONALD C	C	47-11951	12/31/1948	GROUNDWATER	0.040	43 DOMEST
-	MARIE	C	47-11951	12/31/1948	GROUNDWATER	0.040	43 DOMEST
-	ARNOLD D	C	47-11786	03/20/1967	GROUNDWATER	0.040	43 DOMEST
-	CLARICE J	C	47-11786	03/20/1967	GROUNDWATER	0.040	43 DOMEST
-	ARNOLD D.	C	A47-04235	05/01/1963	UNNAMED STR	0.300	01 IRR

RIGHT BEING TRANSFERRED

OVERLAPPING RIGHT

AT ACTUAL PLACE OF USE

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

PER TWIN FALLS COUNTY ASSESSOR'S
OFFICE.

PARCEL #

09514E 146010