

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-08069

Priority: May 29, 1991

Maximum Diversion Rate: 0.16 CFS
Maximum Diversion Volume: 15.6 AF

This is to certify, that WILLIE HUNZEKER ENTERPRISES
DBA FLAGS WEST
I-15 EXIT 31
DOWNEY ID 83234

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 29, 1991; and has submitted Proof of Beneficial Use on June 8, 1994. An examination indicates that the works have a diversion capacity of 0.260 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.0 AF
COMMERCIAL	01/01 to 12/31	0.10 CFS	8.6 AF
	Totals	0.16 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 31, Township 11S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	37E	31	NWNE	2		2

Total number of acres irrigated: 2

PLACE OF USE:

COMMERCIAL, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-08069

CONDITIONS OF APPROVAL AND REMARKS

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
8. Commercial use is for a repair shop, laundromat, RV park, motel, trucker's sleeping rooms, apartments, restaurant and convenience store.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 19TH
day of FEBRUARY, 1997.

Acting for

KARL J. DREHER, Director

RECORDED

MAR 10 1997

RECEIVED
JUN 08 1994
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-08069 Telephone No. 897-5238

2. Name(s) of Permit Holder(s): Willie Hunziker ENTPIRIZES

3. Post Office Address: 1-15 EXIT 31 Downey ID 83234

4. Source of Water: Well

a. If ground water, well driller's name: LUNOSTROM Date drilled: 8/91

b. Pump horsepower: 5 Pressure (psi): 80 Dynamic pumping level (ft.):

5. Extent of Use:

Domestic (No. of households) Irrigation 2 (No. of acres)

Stockwater (No. and type of stock) Other Commercial

RESTAURANT - G-STORE - PUBLIC BATHROOMS - RV - Motel - LAUNDRY MAT

6. Total rate and/or volume for which proof is submitted 16 cfs acre/feet

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

Measuring device: Required? Yes X No Installed? Yes X No

OR

Flow Measurement Port: Required? Yes X No Installed? Yes X No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Rex E ANDERSON 897-5238
Name Telephone No.

1-15 EXIT 31 Downey ID 83234
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

6-3-94
Date

Rex E. Anderson Gen Manager
Signature (and title if on behalf of a company or organization)

JUN 28 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08069

Proposed Priority: May 29, 1991 Maximum Diversion Rate: 0.16 CFS
This is to certify, that **WILLIE HUNZEKER ENTERPRISES**

D.B.A. FLAGS WEST
I-15 EXIT 31
DOWNEY, ID 83234

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.06 CFS
COMMERCIAL	01/01 to 12/31	0.10 CFS
	Totals	0.16 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 31, Township 11S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	37E	31	NWNE	2		2

Total number of acres irrigated: 2

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

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JUL 31 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-8069

7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
8. Commercial use is for 130 seat restaurant, 20 unit motel, truck stop with convenience store, and 9 recreational vehicle spaces.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

29th day of July, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

JUL 31 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: WILLIE HUNZEKER ENTERPRISES 208-897-5238
Address: D.B.A. FLAGS WEST
I-15, EXIT 31
DOWNEY, ID 83234

2. Source: GROUNDWATER Trib. to:

3. Location of Point of Diversion: NWNE Sec. 31, Township 11S, Range 37E
BANNOCK County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	11/01	0.060		
COMMERCIAL	01/01	12/31	0.100		

5. Total quantity to be appropriated is:
0.160 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL/PUMP FOR TRUCK STOP, MOTEL, RV PARK, LAWN IRRIGATION.
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is 8 inches; proposed depth of well is 200
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

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

8. Description of proposed uses:
TRUCKSTOP, CAFE, RV SPACES, MOTEL, CONVENIENCE STORE.

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
11S	37E	31	NWNE 2			2

Total number of acres irrigated: 2

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JUL 31 1991

Place of Use: COMMERCIAL

TWN RGE SEC
11S 37E 31 NWNE

10. Describe any other water rights used for the same purposes.
N/A

11. 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.

12. Remarks:

Commercial use is for 130 seat restaurant, 20 unit motel, truck
stop with convenience store, 9 space RV park.
Irrigation is for lawn around buildings and RV spaces.

13. Map of proposed point of diversion and place of use attached? []

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.

Rocky Salveson Asst. Manager
Applicant

Received by PM Date 5/29/91 Time 1000 Preliminary check by PM

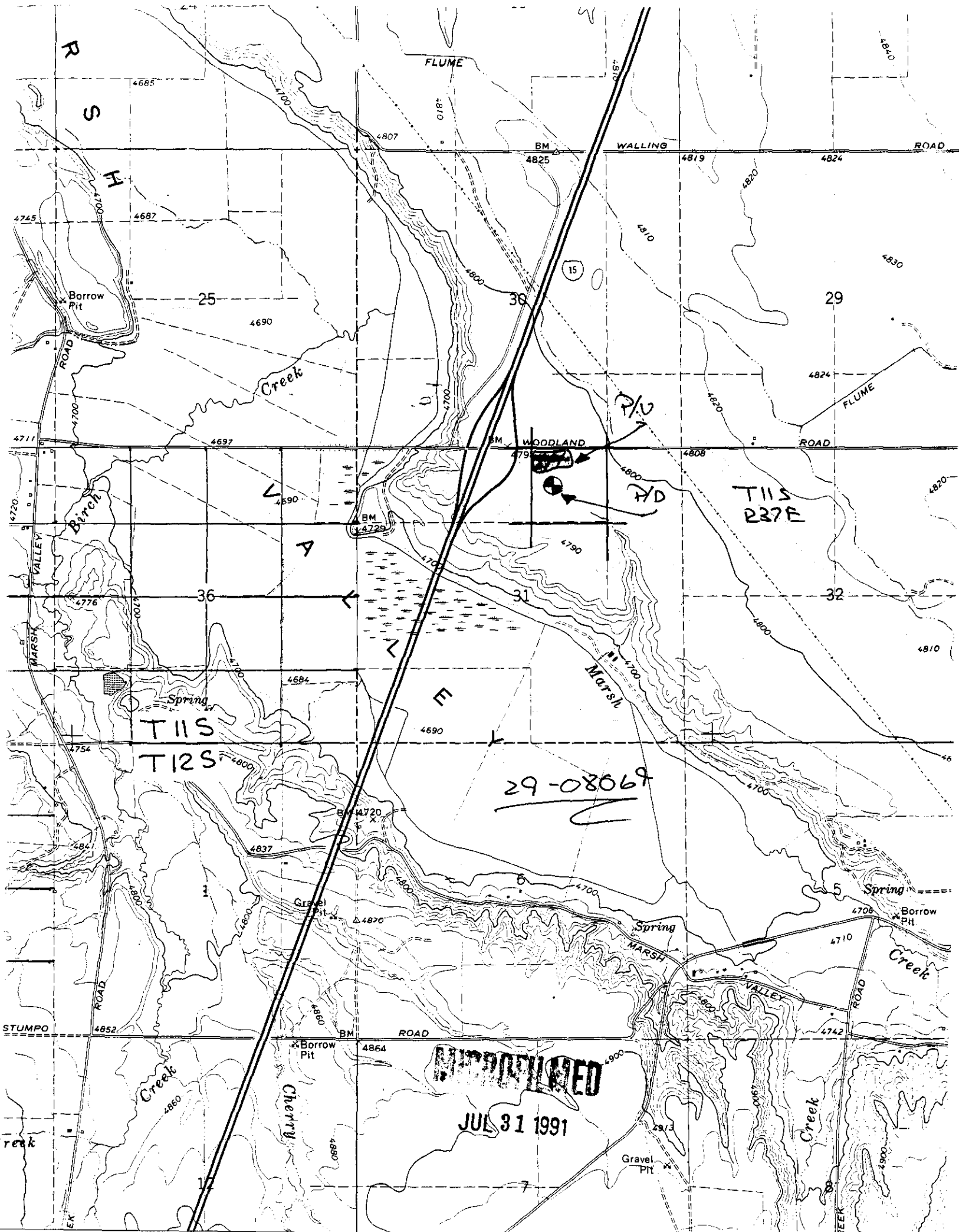
Fee \$ 30⁰⁰ Receipted by PM # E016128 Date 5-29-91

Publication prepared by RS Date 6-20-91 Published in 10 State Trn

Publication approved LB Date 6-28-91

MICROFILMED

JUL 31 1991



MIDPOINT

JUL 31 1991

OFFICERS:

1. DANIEL WILLIE > PARTNERS
2. MIKE HUNZEKER
3. REX ANDERSON - GEN. MGR.
4. ROCKY SALVESEN - ASST. MGR.

RECORDED

JUL 31 1956

HARPER - LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS & LAND SURVEYORS

985 No. Capitol Ave
Idaho Falls, Idaho 83402
(208) 524-0212

800 W. Judicial St.
P.O. Box 866
Blackfoot, Idaho 83221
(208) 785-2977

JOB FLAG WEST TRUCK STOP
JOB NO. 900 SCALE _____
CALCULATED BY JH DATE 6-13-90
CHECKED BY _____ DATE _____
SHEET 1 OF _____

DESIGN OF WATER SYSTEM
TO PROVIDE ADEQUATE DISINFECTION

EXPECTED FLOW

CAFE 50 gal/day/seat
MOTEL 125 Gal/day/room
SHOWERS ETC. 10 Gal/min
LAWN WATERING 15 Gal/min

PRESENT WATER SUPPLY SYSTEM HAS 2-5HP SUBMERSIBLE
PUMPS IN WELL CASINGS OPERATING ONE AT A TIME

130 Seat Restaurant $130 \times 50 = 6500 \text{ gal/day}$
20 Room Design Size For Motel $20 \times 125 = 2500 \text{ gal/day}$
9000 gal/day

$$9000 \text{ gal/day} / 24 = 375 \text{ gal/hr}$$

$$\text{Peak Hour Flow} = 2 \times \text{daily Rate} = 750 \text{ gal/hr}$$
$$750 / 60 = 12.5 \text{ gal/min}$$

Cafe & Motel

USE 15 gal/min For Design

$$15 \text{ gal/min} + 15 \text{ gal/min (motel)} + 10 \text{ gal/min (showers)}$$
$$= 40 \text{ gal/min Design Flow}$$

5 HP pump and 5 diaphragm pressure units
Now Serve This System

PROVIDE STORAGE TANK TO PUMP
THE PROVIDE BOOSTER PUMPS TO PUMP FROM STORAGE TANK
BOOSTER Pump 40 gal/min @ 60 psi $\approx 2.5 \text{ HP Req'd}$
USE 2 Pumps In Parallel So They Can be Used
Together For Additional Flow or one could be
Removed For Service with The System Still Working.
Storage Tank. Vertical Polyethylene Tank $40 \times 60 = 2400 \text{ gal}$
 $2400 \times 2.5 \text{ HR} = 6000 \text{ gal}$ - USE 6500 gal TANK
Allows For Doubling Size of System

PROOF OF PUBLICATION

RECEIVED

JUN 28 1991

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Erin E. Jones

NOTICE OF APPLICATION

29-08069
WILLIE HUNZEKER ENTERPRISES
D.B.A. FLAGS WEST
I-15, EXIT 31
DOWNEY, ID 83234
Source: GROUNDWATER
Diverson Pt: NWNE Sec 31 T 11S R
37E
Use: COMMERCIAL (.100 CFS)
IRRIGATION (.080 CFS)
Total Diverson: (.180 CFS)
Date Filed: 5/29/1991
In: T11S R37E S31 NWNE
2.0 ACRES TOTAL
29-08070
PARKER, LYNN
PARKER, DON
8364 N. RAPID CREEK RD.
INKOM, ID 83245
Source: UNNAMED STREAM
Tributary: NORTH RAPID CREEK
Diverson Point: SENE Sec 21 T 06S R
36E
Use: IRRIGATION (.500 CFS)
Total Diverson: (.500 CFS)
Date Filed: 5/22/1991
In: T06S R36E S21 SENE
25.0 ACRES TOTAL
The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public inter-
est criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before JULY 8,
1991.
R. Keith Higginson, Director
June 20, 27, 1991
Ln641

being first duly sworn on oath deposes and says: That _____ she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

_____ 20 June _____, 1991	_____ 19 _____
_____ 27 June _____, 1991	_____ 19 _____
_____ _____, 19 _____	_____ 19 _____
_____ _____, 19 _____	_____ 19 _____
_____ _____, 19 _____	_____ 19 _____

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Erin E. Jones

STATE OF IDAHO

COUNTY OF Bannock

On this 27th day of June in the year of 1991, before me,
a Notary Public, personally appeared Erin E. Jones,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

John L. Hansen
Notary Public for Idaho

Residing at Pocatello

My commission expires: July, 1991

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JUL 31 1991

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

1. WELL OWNER Name <u>Flags West + Rex Anderson</u> Address <u>Downey Idaho</u> Owner's Permit No. <u>29-91-E0028-00</u> <u>WR 29-08069</u>		7. WATER LEVEL Static water level <u>161</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Baller ☒ Air ☐ Other _____																																																																	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		<table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>20-30</u></td><td><u>202</u></td><td><u>1hr.</u></td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>20-30</u>	<u>202</u>	<u>1hr.</u>																																																										
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td><u>8</u></td><td><u>0</u></td><td><u>3</u></td><td><u>Clay Brown</u></td><td> </td><td> </td></tr><tr><td><u>8</u></td><td><u>3</u></td><td><u>21</u></td><td><u>Rock + SAND + GRAVEL</u></td><td> </td><td> </td></tr><tr><td><u>8</u></td><td><u>21</u></td><td><u>40</u></td><td><u>1</u></td><td> </td><td> </td></tr><tr><td><u>6</u></td><td><u>40</u></td><td><u>90</u></td><td><u>Clay Blue</u></td><td> </td><td> </td></tr><tr><td> </td><td><u>90</u></td><td><u>103</u></td><td><u>White</u></td><td> </td><td> </td></tr><tr><td> </td><td><u>103</u></td><td><u>170</u></td><td><u>Gray Clay</u></td><td> </td><td> </td></tr><tr><td> </td><td><u>170</u></td><td><u>180</u></td><td><u>"</u></td><td> </td><td> </td></tr><tr><td> </td><td><u>180</u></td><td><u>202</u></td><td><u>Brown Sandstone</u></td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td><u>with gravel</u></td><td> </td><td> </td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	<u>8</u>	<u>0</u>	<u>3</u>	<u>Clay Brown</u>			<u>8</u>	<u>3</u>	<u>21</u>	<u>Rock + SAND + GRAVEL</u>			<u>8</u>	<u>21</u>	<u>40</u>	<u>1</u>			<u>6</u>	<u>40</u>	<u>90</u>	<u>Clay Blue</u>				<u>90</u>	<u>103</u>	<u>White</u>				<u>103</u>	<u>170</u>	<u>Gray Clay</u>				<u>170</u>	<u>180</u>	<u>"</u>				<u>180</u>	<u>202</u>	<u>Brown Sandstone</u>						<u>with gravel</u>		
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5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness <u>350</u> inches Diameter <u>6</u> inches From <u>1</u> feet To <u>202</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>40</u> Material used in seal: ☐ Cement grout ☒ Puddling clay ☐ Well cuttings Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____		RECEIVED MAR 07 1997 Department of Water Resources																																																																	
6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td colspan="2">N</td></tr><tr><td> </td><td>X</td></tr><tr><td>W</td><td>E</td></tr><tr><td colspan="2">S</td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County _____		N			X	W	E	S		10. Work started <u>5-27</u> finished <u>6-4</u>																																																									
N																																																																			
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11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Flags West</u> Firm No. <u>118</u> Address <u>POC Td A 120</u> Date <u>7-1-97</u> Signed by (Firm Official) _____ and (Operator) _____		MICROFILMED JUL 10 1997 11E 1/4 Sec. 31, T. 11 N/S, R. 37 E/W.																																																																	



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1997

WILLIE HUNZEKER ENTERPRISES
DBA FLAGS WEST
I-15 EXIT 31
DOWNEY ID 83234

RE: WATER RIGHT NO. 29-08069

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

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

RECEIVED

MAR 10 1997

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The 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

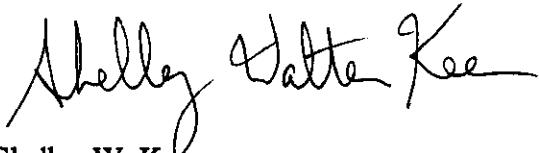
100807-11123
MAR 10 1997

- 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.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley W. Keen
Water Rights Supervisor

c: Eastern Region

Enclosures

RECEIVED
MAY 15 2007

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 29-08069

**WILLIE HUNZEKER ENTERPRISES
DBA FLAGS WEST
I-15 EXIT 31
DOWNEY ID 83234**



Sharla Curtis
Water Resource Agent

RECORDED

MAR 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 20, 1997

Arnold Lundstrom
Lundstrom Well Drilling
PO Box 146
Pocatello, ID 83204

Dear Mr. Lundstrom:

Our records indicate that a well driller's report was not submitted for the following well:

Legal Description:	Township 11 South, Range 37E, Section 31
Owner:	Willie-Hunzeker Enterprises dba Flags West I-15 Exit 31 Downey, ID 83284
Drilling Permit:	29-91-E-0028-000
Water Right Permit:	29-08069

If you drilled this well, please submit the well driller's report to my attention by March 7, 1997.

If you did not drill this well, it is imperative that you let me know by the above date. If we do not hear from you by March 7, 1997, we will transfer this request to the Eastern Region office for further action.

Sincerely,

MARK SLIFKA, Manager
Groundwater Protection Section

MS:ldt

CC: IDWR - E. Region

NONO-111000

MAR 13 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 29-08069

DATE 1/28/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	—	✓	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	—	✓	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	—	✓	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.16</u> cfs
Fee limit	<u>.20</u> cfs <u>\$50⁰⁰</u>
Measured	<u>—</u> cfs
Theoretical	<u>.26</u> cfs

Recommended Total Div Rate .16 cfs

ANNUAL VOLUME/
NATURE OF USES —

✓	Use		Volume Calculation
		<u>Mr. .06</u>	<u>2 x 3.5 = 7.0</u> af
		<u>Comm. 10</u>	<u>8.6</u> af
			af
			af
		SUBTOTAL	<u>15.6</u> af

Flow rate .10 cfs X 365 days X 1.98 ~~af~~ = 72.3 af
Total volume recommended 15.6 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

C/repair shop, laundromat,
RV park, motel, truckers sleeping
rooms, apartments, restaurant, & conv. store.

CONDITIONS — Watermaster Control WD# —

R50 GW Measurement/Measuring Device

R50 Overlap

— Use-specific conditions 048, 049, R50

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo —

1st Amend Letter NA
2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 11 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-08069

1. Owner: Willie Hulseker Enterprises D.B.A. Flags West

Phone No. (208) 897-5238

Current Address: I-15 Exit 31, Downey, ID 83234

2. Accompanied by: Rocky

EXAM DATE: 9-19-95

Address: _____

Phone No. _____

Relationship to Permit Holder: Manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NW	NE	31	11S	37E	BADWATER	USGS, CUSI RE, NAPP

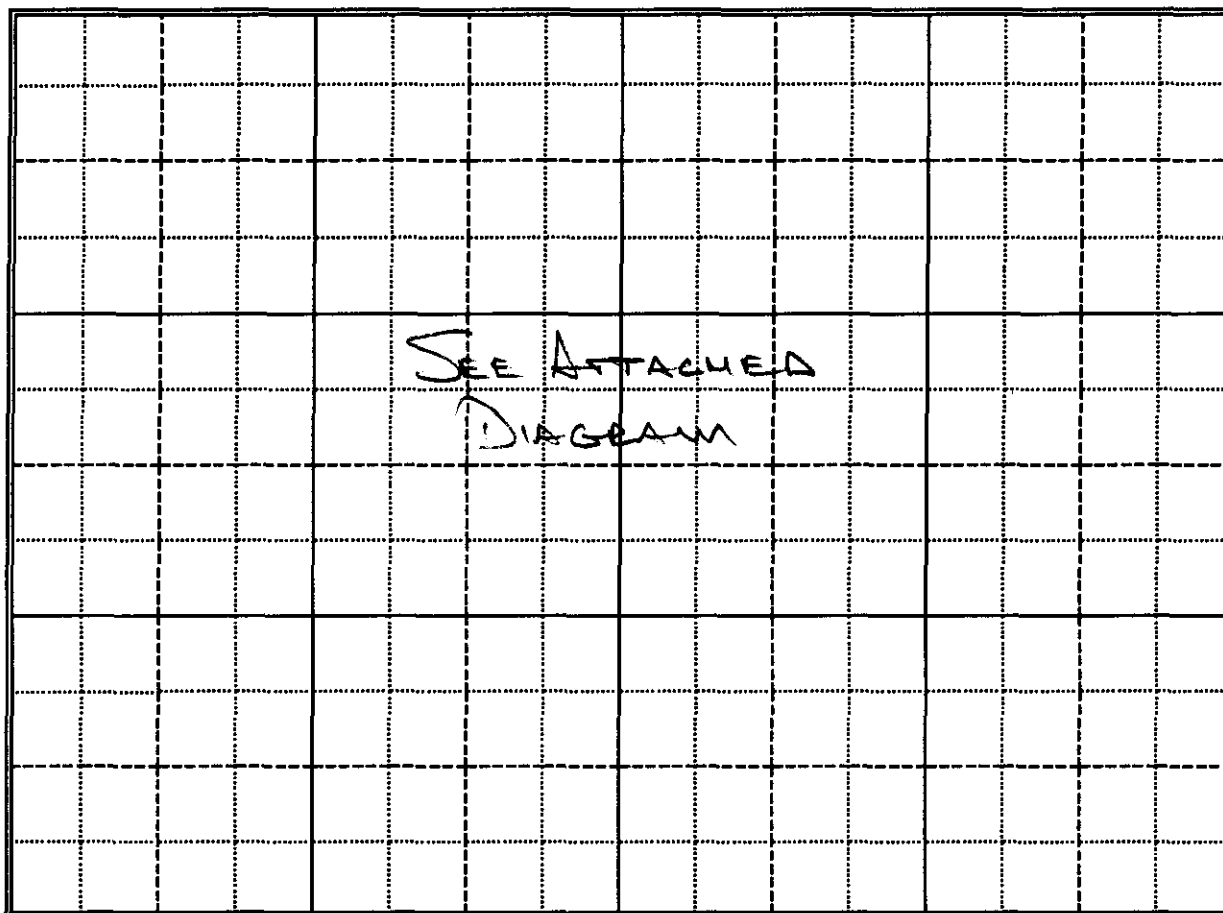
2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	31		C															
				ZAC															2
															TOTAL = 2				2

NOV 10 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Unknown	5			

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: ESTIMATED STATIC WATER AT 50' ESTIMATED PRESSURE
IS 30-35 PSI MISCELLANEOUS

MAR 10 1937

E. NARRATIVE/REMARKS/COMMENTS

WELL WITH SUBMERSIBLE PUMP TO FLAGS WEST TRUCKSTOP. SEVERAL
SMALLER USES INCLUDING IRRIGATION OF 2 ACRE LAWN AND
PARK AREAS. COMMERCIAL USE INCLUDES GENERAL SHOP USE
IN REPAIR SHOP, LAUNDRY WITH ~20 CUSTOMERS PER DAY,
RV PARK WITH 18 HOOKUPS, 6 SLEEPING ROOMS, MOTEL WITH
12 UNITS (18 BEDS), 2 FULL TIME APARTMENTS, FLAGS WEST
RESTAURANT WITH ~300 PATRONS PER DAY AND CONVENIENCE
STORE WITH 2 BATHROOMS. PLEASE SEE ATTACHED "DOCTORATE
THESIS" FOR Q AND VOL CALCULATIONS.

APPLICANT ESTIMATED 30 PSI OPERATING PRESSURE
STATIC WATER AT 50 FEET, AS PER APPLICANT

* NOTE: WELL DRILLING PERMIT IS ON FILE, BUT NO WELL LOG!

Have conditions of permit approval been met?

Yes RECEIVED

MAR 10 1937

F. FLOW CALCULATIONSX Additional Computation Sheets Attached

Measured Method:

*SEE ATTACHED CALCULATIONS***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

*SEE ATTACHED CALCULATIONS***H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Commercial</u>	<u>1-1</u>	<u>12-31</u>	<u>0.10</u>	<u>8.6</u>
<u>Irrigation</u>	<u>4-15</u>	<u>10-15</u>	<u>0.06</u>	<u>7.0</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.16</u>	<u>15.6</u>

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above X None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATIONField Examiner's Name *[Signature]* Date 4-5-96

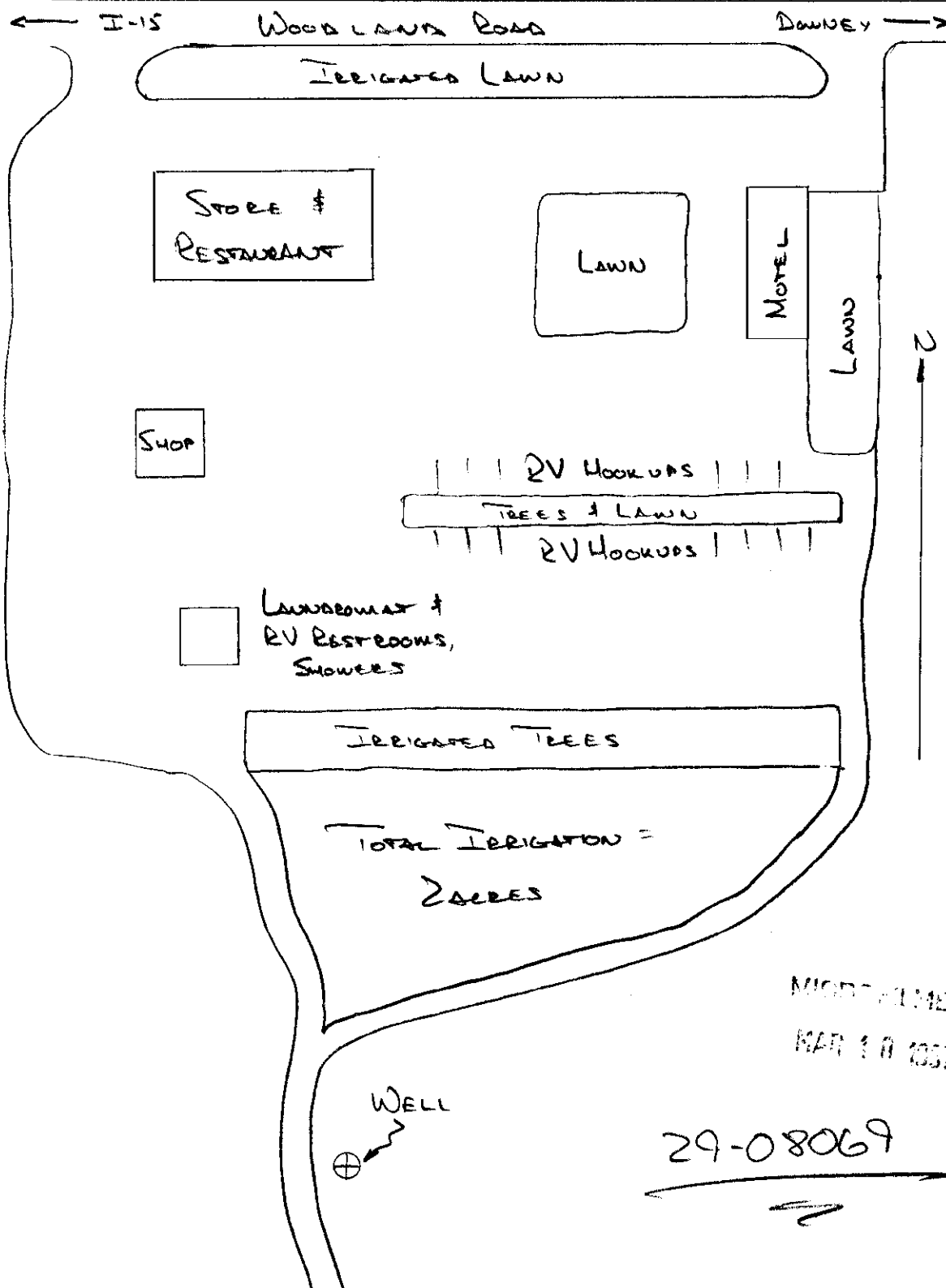
Reviewer _____ Date _____

SEAL

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MAR 10 1996

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



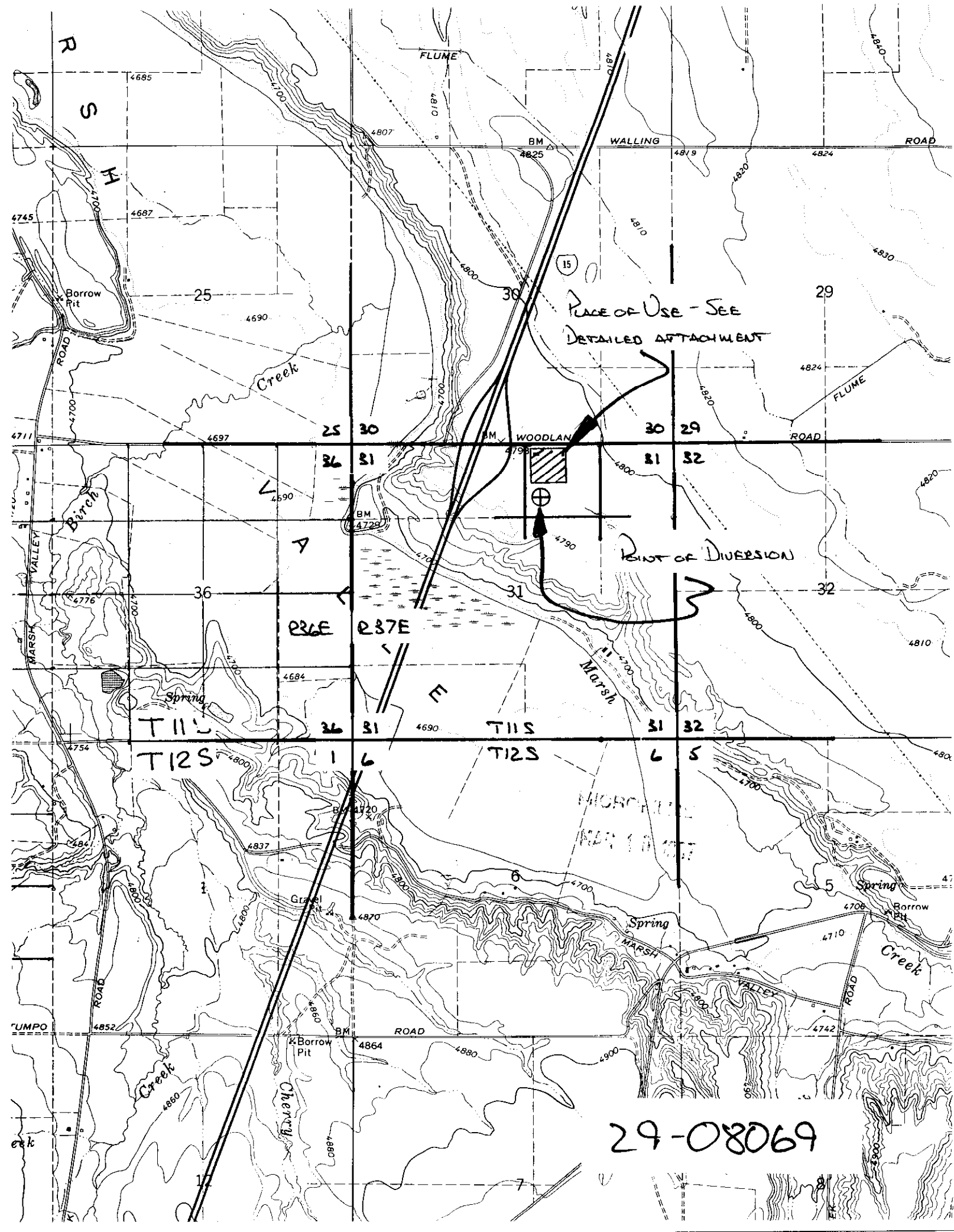




Plate 1 - Place of use for Flags West store and restaurant.



Plate 2 - Shop and laundromat buildings behind Flags West.

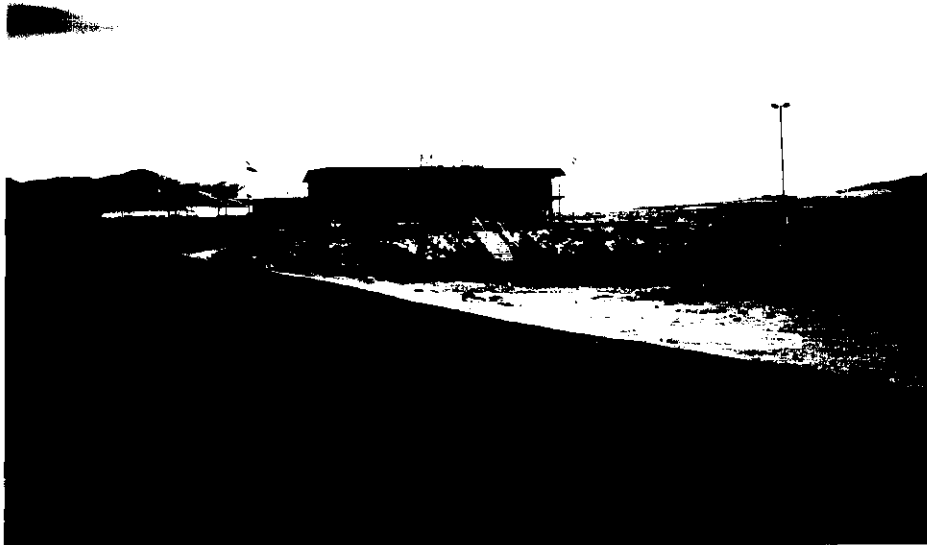


Plate 5 - Motel and small park area.



Plate 6 - Irrigated lawn behind motel.



Plate 3 - Irrigated lawn in front of Flags West
along Woodland Road.



Plate 4 - RV hookups, lawn and drip-irrigated trees.

Flow Rate and Volume Computations:

I. Commercial uses: (all uses are all year long)

1. Shop water for repair shop:

a. de Minimus use <2500 gallons per day

1. $Q = 0.01 \text{ cfs}$ (by definition)

2. $VOL = 0.2 \text{ afa}$

2. Laundromat:

a. Estimate 20 patrons @ 50 gpd/patron with 4 hr/day diversion.

1. $Q = \frac{\text{gpd}(\text{number of units})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{50(20)}{4(60)} = 4.2 \text{ gpm}$

2. $VOL = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$

$VOL = \frac{4.2(60)(4)(7)(52)}{325982} = 1.1 \text{ afa}$

3. Recreational Vehicle Park:

a. 18 RVs (4 patrons ea.) @ 25 gpd/camper with 4 hr/day diversion.

1. $Q = \frac{\text{gpd}(\text{number of campers})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{25(72)}{4(60)} = 7.5 \text{ gpm}$

2. $VOL = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$

$VOL = \frac{7.5(60)(4)(7)(52)}{325982} = 2.0 \text{ afa}$

4. Truckers' Sleeping Rooms:

a. 6 rooms with 2 patron ea. @ 25 gpd/patron with 2 hr/day diversion.

1. $Q = \frac{\text{gpd}(\text{number of patrons})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{25(12)}{2(60)} = 2.4 \text{ gpm}$

2. $VOL = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$

$VOL = \frac{2.4(60)(2)(7)(52)}{325982} = 0.2 \text{ afa}$

5. Motel:

a. 12 rooms (total of 18 beds) @ 40 gpd/bed with 2 hr/day diversion.

1. $Q = \frac{\text{gpd}(\text{number of beds})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{40(18)}{2(60)} = 6.0 \text{ gpm}$

2. $VOL = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$

$VOL = \frac{6.0(60)(2)(7)(52)}{325982} = 0.8 \text{ afa}$

MICROFILMED
MAR 10 1987

Flow Rate and Volume Computations: (continued)

6. Apartments:

a. 2 rooms (total of 10 beds) @ 50 gpd/bed with 4 hr/day diversion.

$$1. Q = \frac{\text{gpd}(\text{number of beds})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{50(10)}{3(60)} = 2.8 \text{ gpm}$$

$$2. \text{VOL} = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$$

$$\text{VOL} = \frac{2.8(60)(3)(7)(52)}{325982} = 0.6 \text{ afa}$$

7. Restaurant:

a. 300 patrons per day @ 10 gpd/patron with 4 hr/day total diversion.

$$1. Q = \frac{\text{gpd}(\text{number of patrons})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{10(300)}{4(60)} = 12.5 \text{ gpm}$$

$$2. \text{VOL} = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$$

$$\text{VOL} = \frac{10.4(60)(4)(7)(52)}{325982} = 2.8 \text{ afa}$$

8. Convenience Store:

a. 2 bathrooms @ 400 gpd/bathroom with 4 hr/day diversion.

$$1. Q = \frac{\text{gpd}(\text{number of bathrooms})}{(\text{hrs per day}) 60 \text{ min per hr}} = \frac{400(2)}{4(60)} = 3.3 \text{ gpm}$$

$$2. \text{VOL} = \frac{\text{gpm}(60 \text{ min/hr})(\text{hrs/day})(\text{days/wk})(52 \text{ wks/yr})}{325982 \text{ gal per acre-foot}}$$

$$\text{VOL} = \frac{3.3(60)(4)(7)(52)}{325982} = 0.9 \text{ afa}$$

10. Totals for commercial:

$$Q_{\text{commercial}} = \Sigma Q \text{ gpm values 2 thru 9 above} + Q \text{ cfs value 1 above}$$
$$448.8$$

$$= \frac{(4.2 + 7.5 + 2.4 + 6.0 + 2.1 + 12.5 + 3.3)}{448.8} + 0.01$$

$$= 0.09 \text{ cfs} + 0.01 \text{ cfs}$$

$$= 0.10 \text{ cfs}$$

$$\text{VOL}_{\text{commercial}} = \Sigma \text{VOL values 1 thru 9 above}$$

$$= (0.2 + 1.1 + 2.0 + 0.2 + 0.8 + 0.6 + 2.8 + 0.9)$$

$$= 8.6 \text{ afa}$$

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MAR 10 1969

Flow Rate and Volume Computations: (continued)

II. Irrigation Use:

1. Given:
 - a. IDWR recognizes 0.03 cfs/acre max. for places of use <5 acres.
 - b. IDWR recognizes 3.5 afa/acre for location of place of use.
 - c. IDWR recognizes period of use of 183 days (4-15 through 10-15) for place of use.
 - d. Two (2) acres recommended for irrigation on premises.

2. Calculations:

$$\begin{aligned} Q_{\text{irrigation}} &= \text{acres}(0.03 \text{ cfs/acre}) \\ &= 2.0 \text{ acres}(0.03 \text{ cfs/acre}) \\ &= \underline{0.06 \text{ cfs}} \end{aligned}$$

$$\begin{aligned} VOL_{\text{acre limited}} &= \text{acres}(3.5 \text{ afa/acre}) \\ &= 2.0 \text{ acres}(3.5 \text{ afa/acre}) \\ &= \underline{7.0 \text{ afa}} \end{aligned}$$

$$\begin{aligned} VOL_{\text{flow limited}} &= \text{cfs}(\text{days/year})(1.9835) \\ &= 0.06 \text{ cfs}(183 \text{ days/year})(1.9835) \\ &= \underline{21.8 \text{ afa}} \end{aligned}$$

$$\begin{aligned} VOL_{\text{irrigation}} &= \text{Lesser of the above} = AFA_{\text{acre limited}} \\ &= \underline{7.0 \text{ afa}} \end{aligned}$$

III. Theoretical Flow:

1. Given:
 - a. Motor horsepower is 5 hp (provided by applicant).
 - b. Depth to water is 50 ft (provided by applicant).
2. Assumed:
 - a. Operating pressure is 30 psi (estimate).
 - b. Pump efficiency is 70% (estimate).
3. Calculations:

$$\begin{aligned} Q_{\text{theoretical}} &= \frac{\text{hp}(8.814)(\text{efficiency})}{\text{lift in ft} + (\text{psi} * 2.308)} \\ &= \frac{5 \text{ hp}(8.814)(.70 \text{ eff})}{50 \text{ ft lift} + (30 \text{ psi} * 2.308)} \\ &= \underline{0.26 \text{ cfs}} \end{aligned}$$

10/10/2000
10/10/2000

Flow Rate and Volume Computations: (continued)

IV. Recommendations:

1. Flow Rate:

$$\begin{aligned}Q_{\text{theoretical}} &= 0.26 \text{ cfs} \\Q_{\text{commercial}} &= 0.10 \text{ cfs} \\Q_{\text{irrigation}} &= 0.06 \text{ cfs} \\Q_{\text{total}} &= Q_{\text{commercial}} + Q_{\text{irrigation}} \\&= 0.10 \text{ cfs} + 0.06 \text{ cfs} \\&= \underline{0.16 \text{ cfs}}\end{aligned}$$

Note: As $Q_{\text{theoretical}}$ is greater than Q_{total} , system is not limited by capacity.

2. Volume:

$$\begin{aligned}\text{VOL}_{\text{commercial}} &= 8.6 \text{ afa} \\\text{VOL}_{\text{irrigation}} &= 7.0 \text{ afa} \\\text{VOL}_{\text{total}} &= \text{VOL}_{\text{commercial}} + \text{VOL}_{\text{irrigation}} \\&= 8.6 \text{ afa} + 7.0 \text{ afa} \\&= \underline{15.6 \text{ afa}}\end{aligned}$$

3. Final Summary:

Use	From	To	Amount	Volume
Commercial	01/01	12/31	0.10 cfs	8.6 afa
Irrigation	04/15	10/15	0.06 cfs	7.0 afa
Totals			0.16 cfs	15.6 afa

June 23, 1994

WILLIE HUNZEKER ENTERPRISES
D.B.A. FLAGS WEST
I-15 EXIT 31
DOWNEY ID 83234

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08069

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
JUN 28 1994

May 31, 1994

WILLIE HUNZEKER ENTERPRISES
D.B.A. FLAGS WEST
I-15 EXIT 31
DOWNEY ID 83234

PROOF DUE NOTICE

RE: PERMIT NO. 29-08069

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

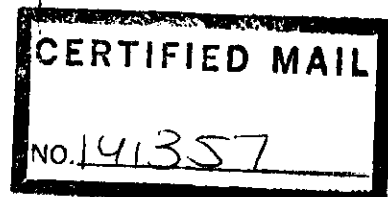
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



JUN 28 1994



July 30, 1991

WILLIE HUNZEKER ENTERPRISES
DBA FLAGS WEST
I-15 EXIT 31
DOWNEY, ID 83234

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08069

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not

RECORDED

JUL 31 1991

diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosure

JUL 31 1991

APPLICATION FOR PERMIT REVIEW

Application #: 29-8069
Date: 7-24-91

Reviewer: Pam Skaggs *PS*

Existing:

☒ No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23 (All GW, even existing wells)

Location:

☒ Water Districts - WD No. 2911
Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)

☒ Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
☒ Swan Falls Flag - / (1, Blank or Other)
Trust - 051-052-053-P74 (Consumptive Uses)
☒ Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 05A & 11E
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
Power - Use Power Review
Mining - 06A or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

☒ Beneficial Use Due Date: - 08-01-1994
Other Conditions Recommended

JUL 31 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 11, 1991

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JULY 8, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

JUL 31 1991

29-08069

WILLIE HUNZEKER ENTERPRISES
D.B.A. FLAGS WEST
I-15, EXIT 31
DOWNEY, ID 83234

Source: GROUNDWATER

Diversion Pt: NWNE Sec 31 T 11S R 37E

Use: COMMERCIAL (.100 CFS)
 IRRIGATION (.060 CFS)
 Total Diversion: (.160 CFS)

Date Filed: 5/29/ 1991

In: T11S R37E S31 NWNE

2.0 ACRES TOTAL

RECORDED

JUL 31 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

07-Jun-1991

WILLIE HUNZEKER ENTERPRISES
DBA FLAGS WEST
I-15 EXIT 31
DOWNEY ID 83234

RE: Application No. 29-8069

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Idaho State Journal on June 20 & 27, 1991. The advertisement will be published for two consecutive 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

JUL 31 1991