

01/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-10526

NAME AND ADDRESS: GOLDEN EAGLE RANCH
PO BOX 519
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2,500 GALLONS PER DAY.

PRIORITY DATE: 04/01/1968

POINT OF DIVERSION: T07N R36E S15 SESW Within JEFFERSON County
T07N R36E S15 SESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC Within JEFFERSON County
T07N R36E S15 SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
DOMESTIC USE WITHIN OFFICE OF POTATO PROCESSING PLANT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10526
Date Received: 12/05/1988
Receipt No: E004578
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GOLDEN EAGLE RANCH 208-662-5511
Address: P.O. BOX 247
HAMER, ID 83425

2. Date of Priority: APR 01, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	15	SE	SW			JEFFERSO.

5. Description of diverting works:
2 WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
COMMERCIAL	01/01	12/31	0.100		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - OFFICE, COMMERCIAL - POTATO PROCESSING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	35E	15	SE	SW		DOMEST	
			SE	SW		COMMER	

A31-10526

Page 1

Date: 12/08/88

A310526



MICROFILMED

NOV 17 1992

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A31-10526

Date Received

11-28-88

Receipt Number

E004578

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Golden Eagle Ranch Phone (208) 662-5571Mailing Address P.O. Box 247 Homer Id Zip 834252. Date of Priority (Only one (1) per claim) 4-1-19683. Source of water supply (a) Groundwater.
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7N Range 36E Section 15
1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of T Jefferson

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.2 Wells & Pumps.

MICROFILMED

NOV 17 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For domestic purposes from 1-1 to 12-31 amount 0.04 or _____
 For Commercial purposes from 1-1 to 12-31 amount 0.11 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - office, Commercial - Potato Processing.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
<u>TW</u>	<u>3SE</u>	<u>15</u>												<u>D/C</u>					

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Jefferson

12. Do you own the property listed above as place of use? Yes 1 No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 _____ or None (1)

14. Remarks:

MICROFILMED

Last Name Golden Eagle Ident No. A31-10526

NOV 17 1992
 Copies: White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A large grid of graph paper, consisting of 20 columns and 20 rows of squares. Each square contains a small crosshair pattern. In the center of the grid, the text "See attached Map" is written in a cursive, handwritten style. The text is positioned approximately between columns 7 and 13 and rows 7 and 13.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am MANAGER

Title

of Golden Eagle Ranch, that I have signed the foregoing

Organization

document in the space below as MANAGER of Golden Eagle Ranch

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Mgr. Golden Eagle Ranch Date 11-28-88

State of Idaho/or _____)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 28 day of Nov 19 88

SEAL

Notary Public Betty J. Thompson

Residing at Idaho Falls

My Commission Expires 6-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

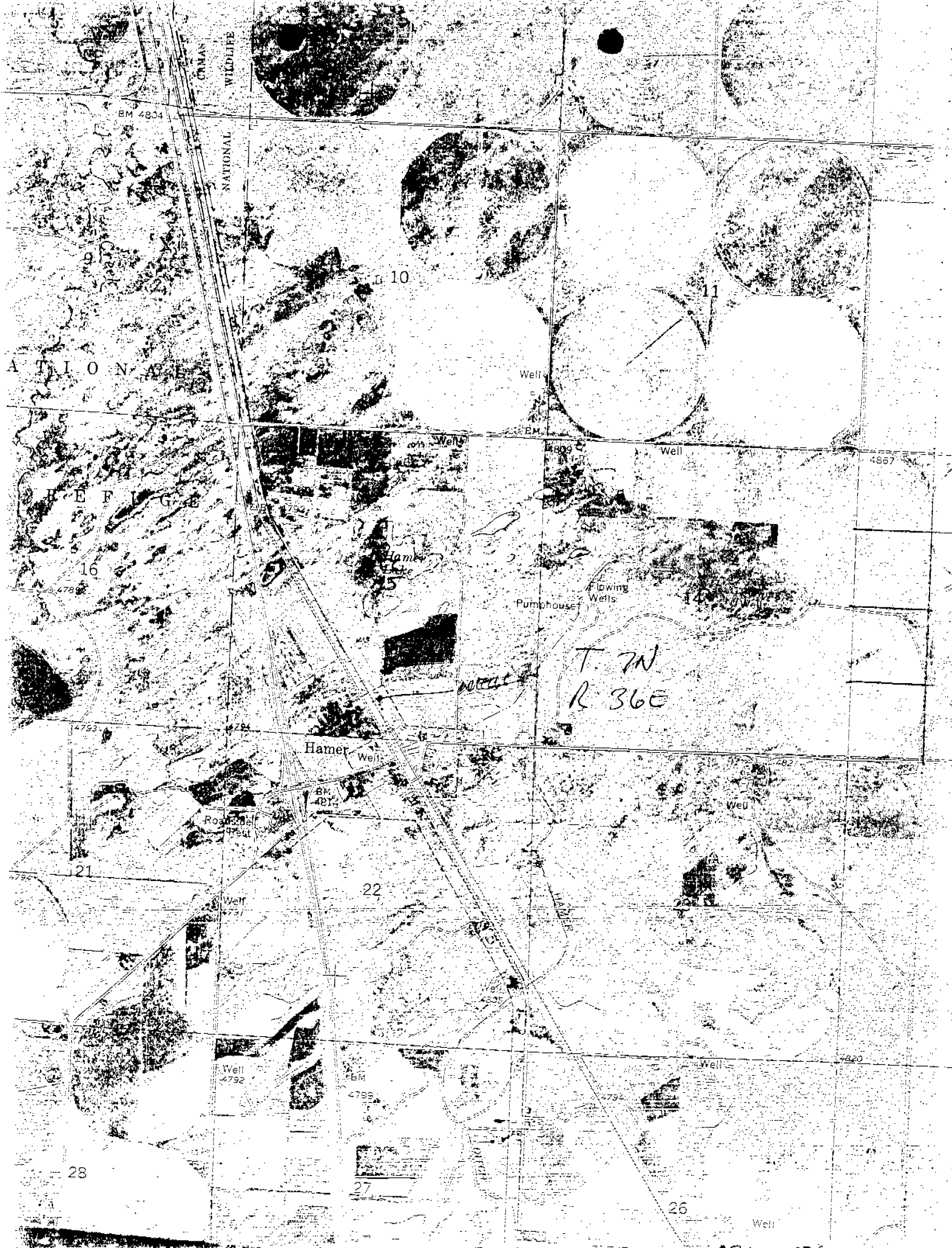
Date _____

MICROFILMED

NOV 17 1992

Last Name Golden Eagle Ident. Number A31-10526

Copies White-State, Yellow-Claimant



01/19/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-10526

GOLDEN EAGLE RANCH
PO BOX 519
REXBURG, ID 83440

Daytime Telephone Number: (208)356-3716
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

3/9/01

SIGNATURE:

Robert Ferguson

Please print your name:

ROBERT FERGUSON

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

MEMORANDUM

INCLUDE IN

A31-10526

TO: SHELLEY KEEN

December 2, 1998

FROM: KEITH C. WILSON

RE: RECOMMENDATION TO CANCEL PERMIT 31-07490

Since I have not received, as of this date, a response to November 6, 1998, letter, and based on the information, or lack of information, in this file I recommend that permit 31-07490 be **CANCELED!**

In case adjudication claim A31-10526 is for the same plant all information will be included in the adjudication claim file.



Keith C. Wilson
Senior Resource Agent

A31-10526

Memorandum

To: File 31-07490/A31-10526

November 6, 1998

From: Keith C. Wilson

Include in A31-10526

RE: Ownership of permit 31-07490

07-14-1994 Located p/d & p/u under permit. While on site a truck driver opened the locked gate around plant to park truck. The driver said that he thought that Walker Farms had bought the plant.

Date? Researched files & made copy of drilling permit & well log.

Date? In conversation with Blair Walker of Walker Farms, and research with Jefferson County Assessor office it appeared that ownership of the plant was confirmed to be Walker Farms.

08-12-1994 Talked w/Blair Walker about getting assignment/bill of sale agreement.

Date? Several attempts were made to obtain bill of sale/warranty deed or proof of possessory interest in the plant from Walker Farms i.e. Blair Walker.

01-14-1997 Assignment still has not been received made several attempts to reach Roger Ferguson by phone. All Failed.

07-02-1997 Letter to Blair Walker % Walker Farms (copy attached) NO RESPONSE

10-29-1997 Letter mailed & faxed to Blair Walker % Walker Farms (copy attached) NO RESPONSE

02-12-1998 Several copies of attached letter sent to any address that I had found for Roger Ferguson. The only letter not returned was addressed to 1900 N 6000 W, Rexburg, ID 83440. NO RESPONSE

09-01-1998 Second letter to Roger Ferguson (copy attached) NO RESPONSE

11-05-1998 Referenced adjudication data base and found A31-10526 that appears to be for the same processing plant as 31-07490. Adjudication claim A31-10526 filed the name "Golden Eagle Ranch" & permit 31-07490 is in the name of "Roger Ferguson dba Golden Eagle Produce."

11-06-1998 Letter to Golden Eagle Ranch (copy attached)

NOTE: After 20 Nov 1998, depending on outcome of this last letter, this information may end up being included in A31-10526


Keith C. Wilson
Senior Resource Agent

A31-10526



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 6, 1998

**Include in
A31-10526**

Golden Eagle Ranch
P.O. Box 247
Hamer, ID 83425

RE: Adjudication Claim A31-10526 for Golden Eagle Ranch
Permit 31-07490 for Roger Ferguson dba Golden Eagle Produce

Dear Sir:

From department records it appears that adjudication claim A31-10526, and permit 31-07490, have been filed on the same potato processing plant in Hamer, ID. If this is correct, Roger Ferguson will need to assign the permit 31-07490 either to Golden Eagle Ranch or to the new (current) owner. The assignment needs to be signed in front of a notary, and returned to this office with the \$25.00 filing fee. Included for your convenience are copies of adjudication claim A31-10526, permit 31-07490, and an assignment form.

Assuming that A31-10526 and 31-07490 do describe the same processing plant, information about the operation of the plant, will be appreciated. Information such as the following

1. Pump horsepower, manufacturer, serial/model number(s). NOTE: Adjudication claim A31-10526 indicates two pumps and two wells.
2. Number of hours the pump(s) operated per day
3. Period of use (i.e. August 15 through September 15)
4. Number of days/week & hours/day that the plant operated
5. Maximum number of employees
6. Water uses (i.e. bathroom facilities, washing potatoes, cleanup of facilities...)
7. Name or individual or company that designed/installed the system
8. Name, phone number, and address of the contact person that could answer any additional questions.

Your prompt response on or before November 20, 1998 will be appreciated.

Thank you,

Keith C. Wilson
Senior Resource Agent

A31-10526



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 1, 1998

Roger Ferguson
1900 N 6000 W
Rexburg, ID 83440

Include in
A31-10526

RE: Water Permit 31-07490 for Roger Ferguson dba Golden Eagle Produce

Dear Mr Ferguson:

The Jefferson County Assessor records indicate that at one time you were the owner of a potato warehouse/packing plant in Hamer, ID. Application for permit to appropriate water (31-07490) for that property was filed and approved in the name Roger Ferguson dba Golden Eagle Produce.

A permit is considered personal property until the permit is licensed. Therefore, since the permit is in the name Roger Ferguson dba Golden Eagle Produce, an assignment of the permit needs to be filed with the Idaho Department of Water Resources. An assignment form is included for your convenience. Please complete the form, sign in front of a notary, and return to this office, "Attention Keith C. Wilson". I will then contact the current owner and have the current owner submit the \$25.00 filing fee.

I would like any information about the operation of the plant while in the name Roger Ferguson dba Golden Eagle Produce. Please provide as much of the following information as possible:

1. Horsepower, manufacturer, serial/model number of pump.
2. Number of hours the pump operated per day
3. Period of use (i.e. August through September)
4. Number of days/week & hours/day that the plant operated
5. Maximum number of employees
6. Water uses (i.e. bathroom facilities, washing potatoes, cleanup of facilities...)
7. Name or individual or company that designed/installed the system

The information that you can supply will assist in the licensing of the permit for the new owner. Your respond on or before February 26, 1998, will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

A31-10526



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1998

Roger Ferguson
1900 N 6000 W
Rexburg, ID 83440

INCLUDE IN A31-10526

RE: Water Permit 31-07490 for Roger Ferguson dba Golden Eagle Produce

Dear Mr Ferguson:

The Jefferson County Assessor records indicate that at one time you were the owner of a potato warehouse/packing plant in Hamer, ID. Application for permit to appropriate water (31-07490) for that property was filed and approved in the name Roger Ferguson dba Golden Eagle Produce.

A permit is considered personal property until the permit is licensed. Therefore, since the permit is in the name Roger Ferguson dba Golden Eagle Produce, an assignment of the permit needs to be filed with the Idaho Department of Water Resources. An assignment form is included for your convenience. Please complete the form, sign in front of a notary, and return to this office, "Attention Keith C. Wilson". I will then contact the current owner and have the current owner submit the \$25.00 filing fee.

I would like any information about the operation of the plant while in the name Roger Ferguson dba Golden Eagle Produce. Please provide as much of the following information as possible:

1. Horsepower, manufacturer, serial/model number of pump.
2. Number of hours the pump operated per day
3. Period of use (i.e. August through September)
4. Number of days/week & hours/day that the plant operated
5. Maximum number of employees
6. Water uses (i.e. bathroom facilities, washing potatoes, cleanup of facilities...)
7. Name or individual or company that designed/installed the system

The information that you can supply will assist in the licensing of the permit for the new owner. Your respond on or before February 26, 1998, will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

A31-10526



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

INCLUDE IN

A31-10526

EASTERN REGION

October 29, 1997

Blair Walker
% Walker Farms
108 N Railroad
Menan, ID 83404

Post-It™ brand fax transmittal memo 7671 # pages 5	
To Blair Walker	From KEITH C WILSON
Co. Walker Produce	Co. IDWR
Dept.	Phone # (208) 525 7166
Fax # 208 754-4778	Fax # (208) 525 7177

MAILED & FAXED

RE: Potato Warehouse, Hamer, ID, purchased from Roger Ferguson
water permit 31-07490

Dear Blair:

In order to have Walker Farms name added to permit 31-07490, the department will need an assignment of the permit from Roger Ferguson. The assignment may be either an assignment form or any document that contains the language to assign the permit to Walker Farms.

In addition to the assignment, I need the following information:

1. Horsepower, manufacturer, serial/model number of pump.
2. Number of hours pump operates per day.
3. Number of days used per year
4. Period of use (i.e. August through September)
5. List of uses for the water. (i.e. bathroom facilities for 20 employees, washing potatoes, cleanup of facilities...)

This information will assist in completing the licensing exam for the warehouse.

Your prompt attention to this matter will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

A31-10526



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 2, 1997

INCLUDE IN

A31-10526

Blair Walker
% Walker Farms
108 N Railroad
Menan, ID 83404

RE: Potato Warehouse, Hamer, ID, purchased from Roger Ferguson covered under water permit 31-07490.

Dear Blair:

In order to have your name added to permit 31-07490, the department needs an assignment of the permit from Roger Ferguson. The assignment could be either an assignment form or sometimes the bill of sale may contain the language to assign the permit to Walker Farms.

In addition to the name change on the permit, I need the following information:

1. Horsepower of pump on the well.
2. Number of hours pump operates per day
3. Number of days per year, and period of time i.e. from what month to what month plant is operated.
4. A list of uses for the water (i.e. bathroom facilities for 20 employees, washing potatoes, cleanup of facilities...)

Once this information is received, the field exam can be completed and sent to Boise for licensing. For your information I have enclosed a copy of the permit.

Your prompt attention to this will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

A31-10526

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

INCLUDE IN
A31-10526

A. GENERAL INFORMATION

Permit No. 31-7490

1. Owner: Roger Ferguson dba Golden Eagle Produce Phone No. _____

Current Address: _____

2. Accompanied by: _____ EXAM DATE: 14 July 1994

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

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
			SE	SW	15	7N	36E	JEFF.	ON SITE

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	36E	15												C					

A31-10526

EXAM FOR 31-07490
INCLUDE IN A31-10526

Photo of Diversion and System Attached

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

1.

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

2. Measurements: _____

A31-10526

E. NARRATIVE/REMARKS/COMMENTS

Exam for 31-07490

INCLUDE IN

A31-10526

Have conditions of permit approval been met? ☐ yes ☒ no

A31-10526

F. FLOW CALCULATIONS

Measured Method:

____ Additional Computation Sheets Attached

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:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

2. Recommended Amendments

☐ Change P.D. as reflected above☐ Add P.D. as reflected above☐ None☐ Change P.U. as reflected above☐ Add P.U. as reflected above☒ Other

Cancel Permit!

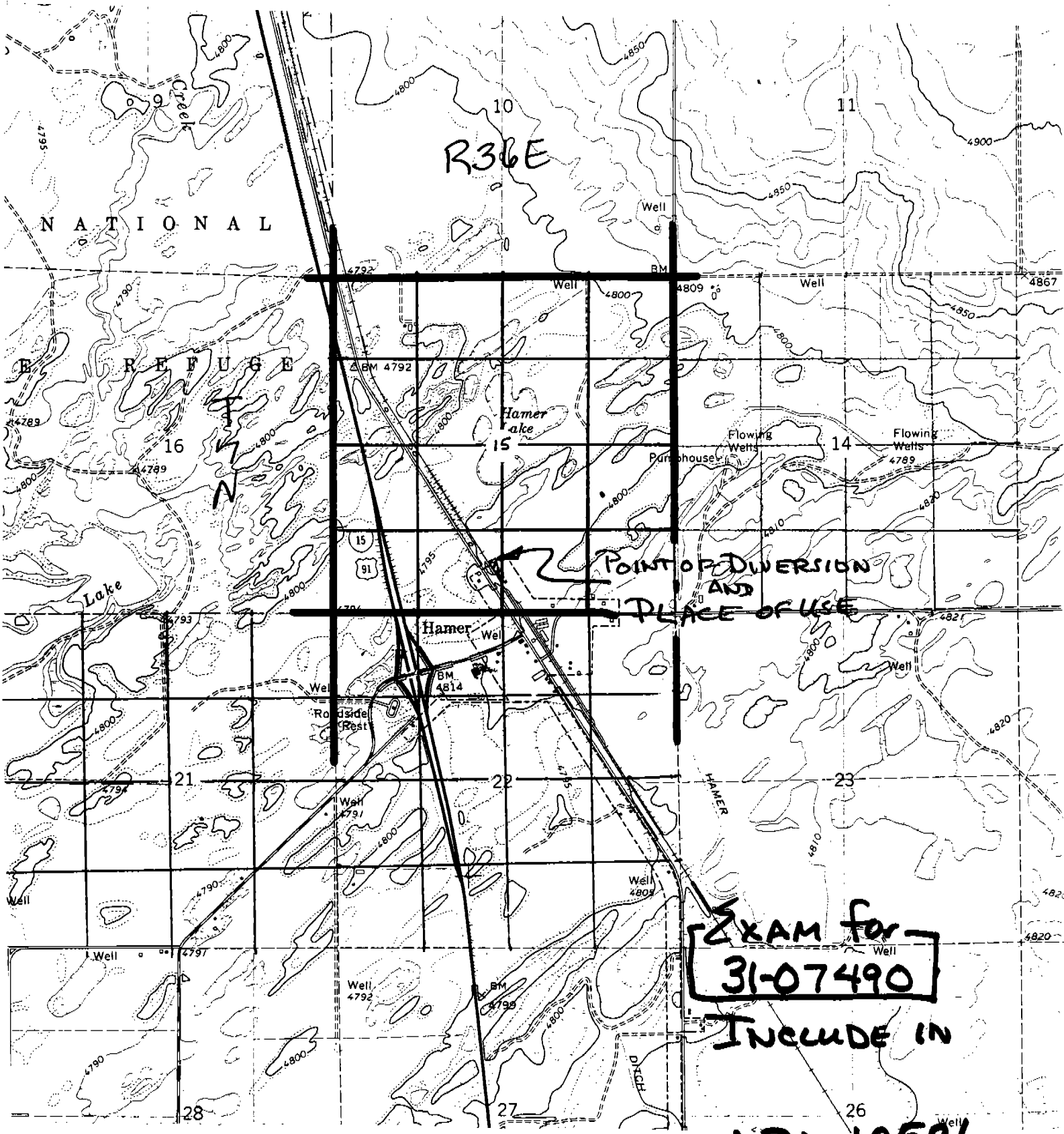
I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 14 July 94

Reviewer _____ Date _____

SEAL

A31-10526

EXAM for 31-07490
include in A31-10526CANCEL PERMIT !!
KOW



R36E

NATIONAL

REFUGE

Hammer Lake

Flowing Wells

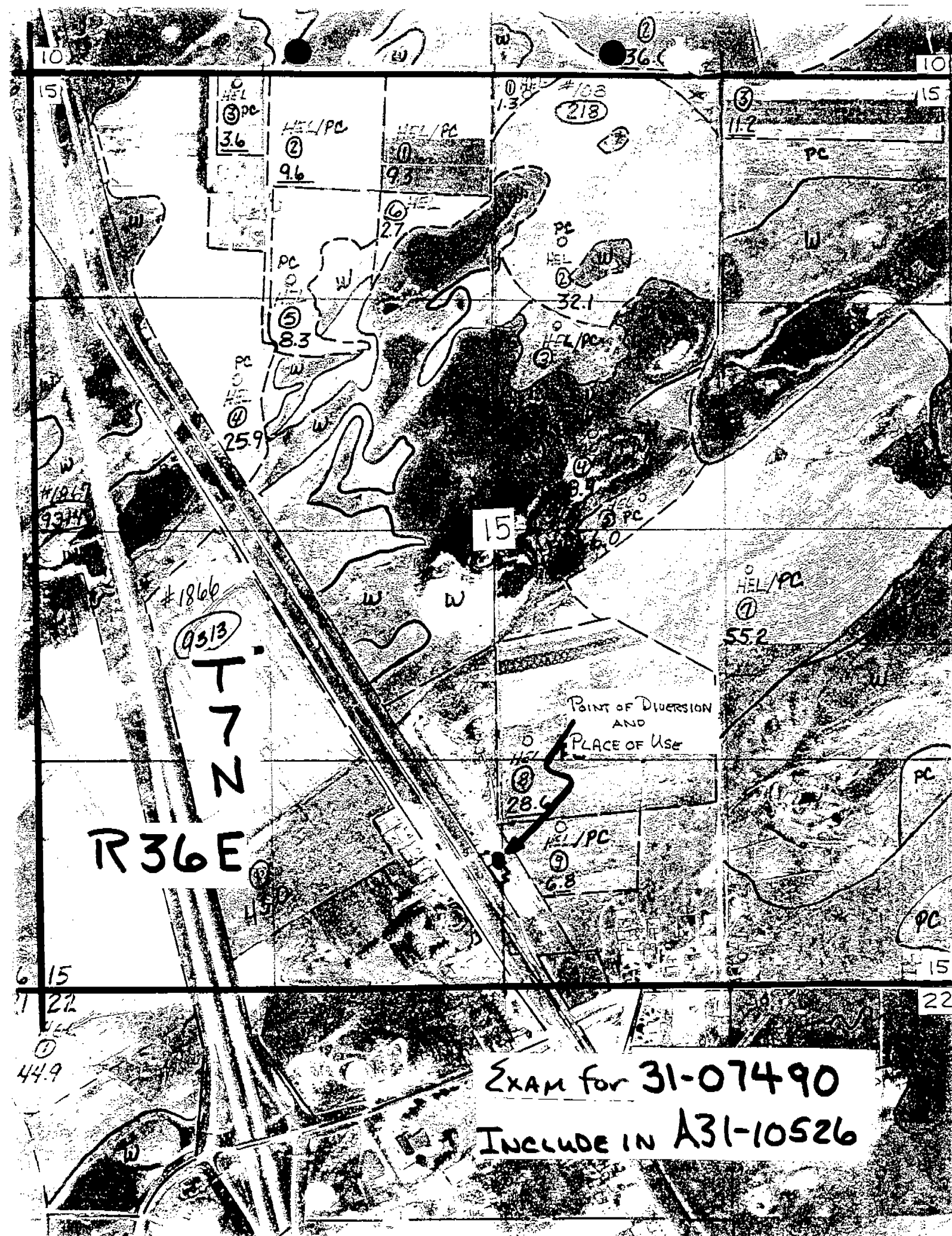
Flowing Wells

POINT OF DIVERSION
AND
PLACE OF USE

EXAM for
31-07490

INCLUDE IN

A31-10526





Exam for
31-7490

7-14-1994

Include in A31-10526



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

POOR ORIGINAL

EASTERN REGION
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 14 1994

Form 202
6/85

RECEIVED

MAR 16 1988

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 31-7490

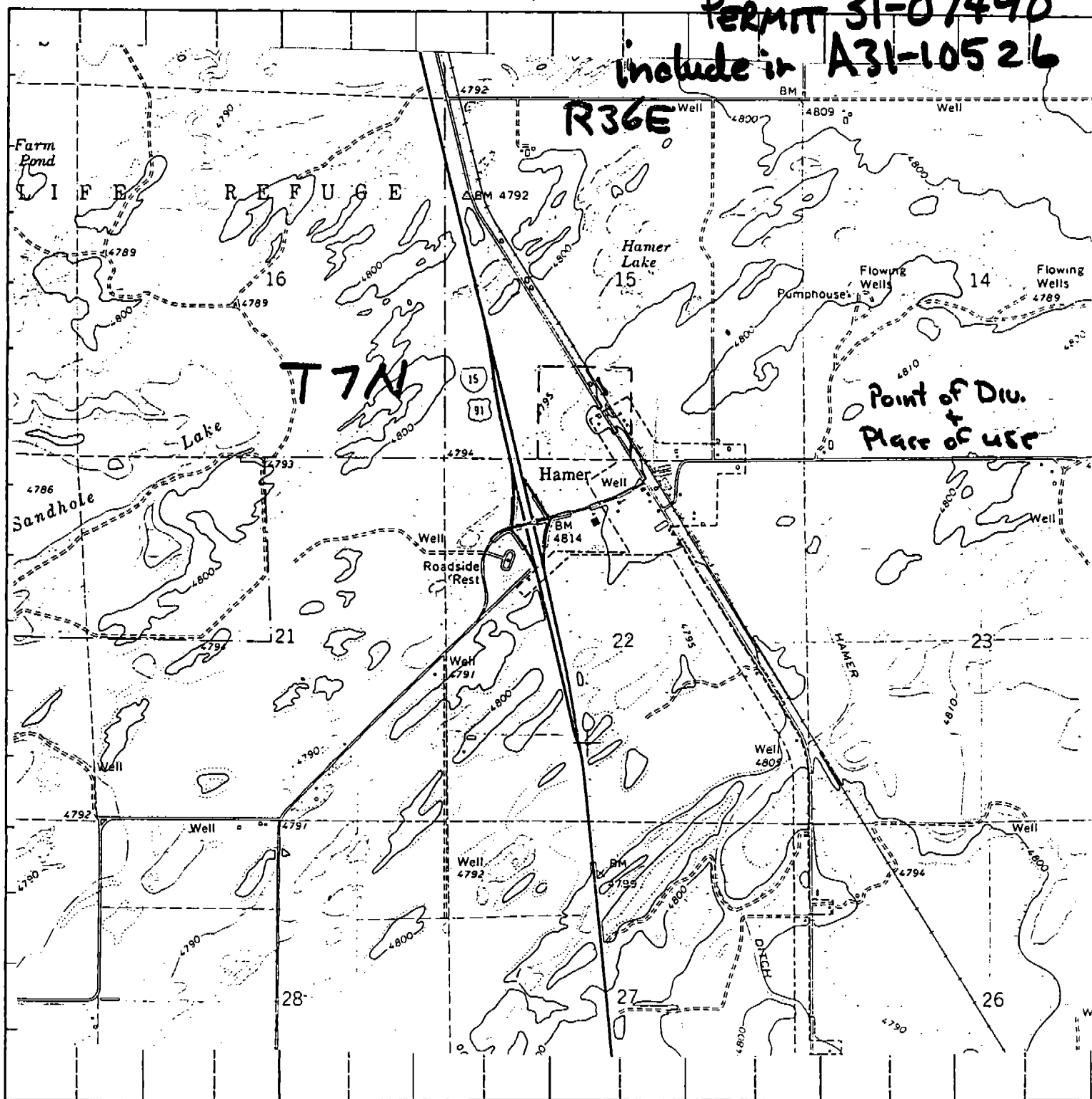
APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Roger Ferguson dba Golden Eagle Produce Phone 208-662-5511
Post office address P.O. Box 237, Hamer, ID 83425
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 7N Range *35E 36E B.M. Jefferson County; additional
points of diversion if any: _____
4. * per telecon with Mike Webster 11-25-87 SM
Water will be used for the following purposes:
Amount 0.20 cfs for commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well/pump to potato wash area
 - b. 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.
 - c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

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



Scale: 2 inches equal 1 mile.

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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.

Robert Ferguson
X Robert Ferguson
(Applicant)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Commercial Potato Warehouse

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9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	15												C					

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Roger Ferguson dba Golden Eagle Produce

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

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: _____

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Proposed Date 11/17/87

Received by OW Date 11-17-87 Time 12:20 Preliminary check by SM

Fee \$ 30.00 Receipted by dg # 42141 Date 11-25-87
12-3-12-10-87

Publication prepared by dg Date 11-25-87 Published in Big Sky Star

Publication approved OW Date 12-15-87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7490, 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 March 1, 19 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 29th day of February, 1988.

[Signature]
Director

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