

Part 2

☒ Full B/D Exam

25 35E 19

☒ Call Gil Dwyer 1000 For Fur Installation
346-4841
10-22-1974

A35-10376
B. J. LIVINGSTON, INC.
C/O GIL DWYER
P.O. BOX 246
FIRTH
IN 83236



A3510376

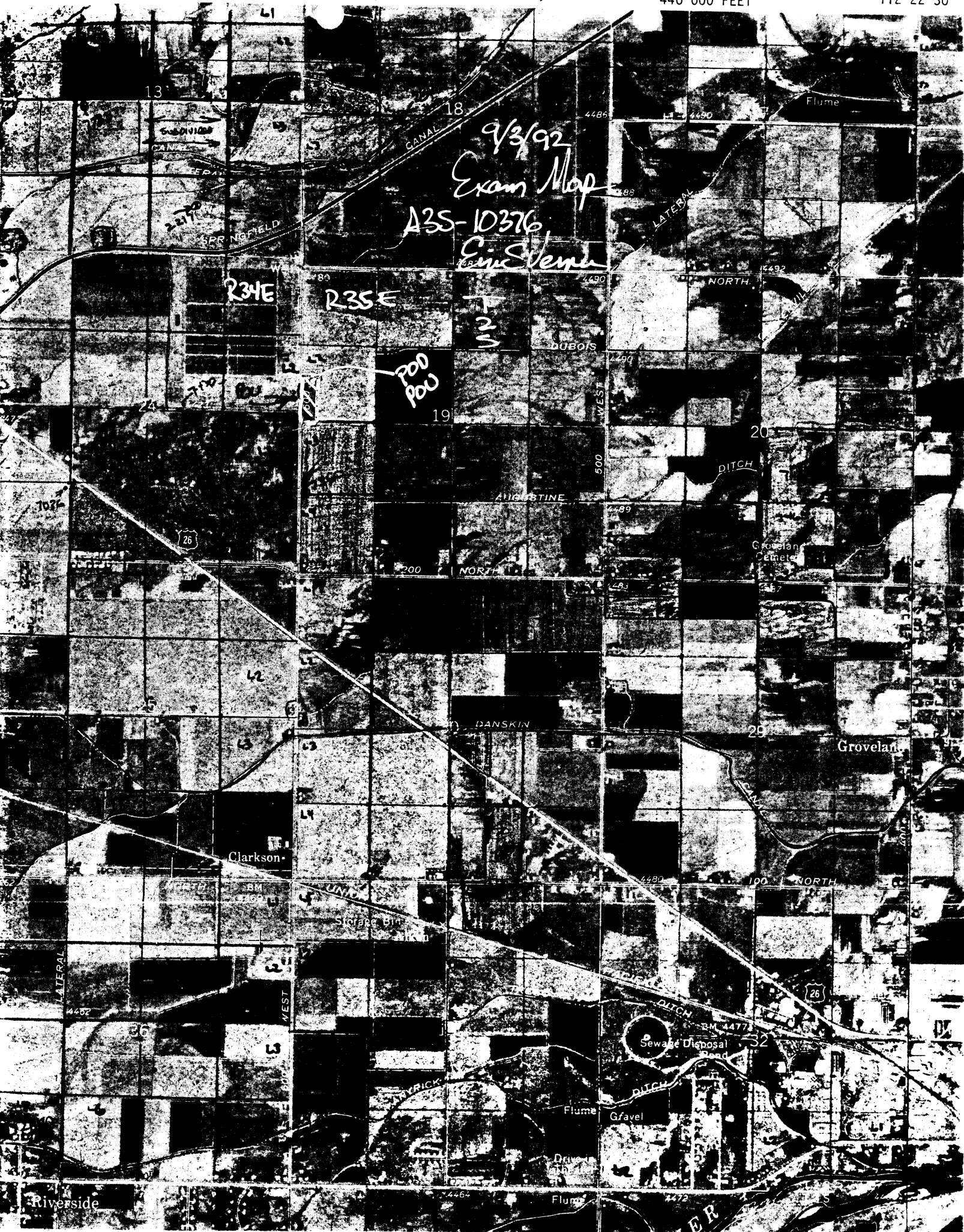
A3510376

5/10/93
BS1

A35-10376

440 000 FEET

112°22'30"



Idaho Supreme Potatoes Inc.

P.O. Box 246
Firth, Idaho 83236



Worlds Finest Potatoes

FRESH PACK DIVISION
PROCESS DIVISION

Phone (208) 346-6841

FAX (208) 346-4104

29 July 1991

State of Idaho
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

RE: Evidence of priority A35-10376

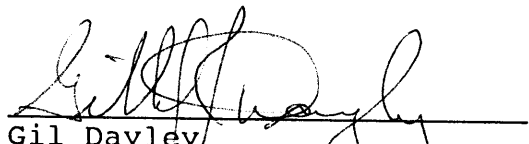
Dear Sirs:

Per your request we are furnishing personal statements as evidence of priority of claim # A35-10376. To the best of our knowledge a license, decree or permit does not currently exist for this well water. In researching this well's history we found that it has been in use since some time prior to 1943. The Merrill C. Boyle family who owned the property prior to 1943 used the well but have all passed away. The Lim's purchased the farm from the Boyle's in 1943. Gale Lim was too young to remember the well at the time his parents purchased the farm, but has given us a statement of his earliest personal recollection. The well, however, was in existence before Mr. Lim's recollection.

We believe it is unreasonable to require personal knowledge to establish a priority date when history and second hand knowledge of the living is all that is available of the actual first use date.

We believe 1 June 1943 is a fair and reasonable priority even though it is obvious the well was in existence long before this.

Sincerely,


Gil Dayley
Technical Service Manager

MICROFILMED

DEC 10 1992

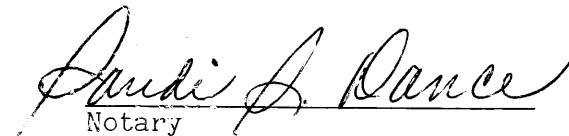
To Whom It May Concern:

I have been contacted by people representing B J Livestock, Inc. for the purpose of establishing a well priority date for the house/yard/stock watering well. My parents were previous owners of the property at 263 North 600 West, Moreland, Idaho (T02S, R35E, S19, NWSWNW).

They purchased the above described farm in 1943. My earliest personal recollection of the well is in 1948.


Gale Lim

Date: 7/26/91


Notary

7/26/91
Date

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DEC 10 1992

28-Jun-1991

B J LIVESTOCK INC
PO BOX 246
FIRTH, ID 83236

RE: **Evidence of Priority** A35-10376

Dear Claimant:

The Notice of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". 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.

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"**.

It is our goal to recommend this 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. **But, 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 JULY 29, 1991, 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.

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DEC 10 1992

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

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DEC 10 1992

-28-89

G.I.:

Additional information obtained on the well at the small house on the farm near the feedlot.

Pearl Lim and her husband purchased that farm about 1943. The well was dug previous to that and the house that had previously been there had been removed. The Lims built the house that is there now after they bought the farm from Merrill C. (Tubby) Boyle.

(Boyle died and his widow, Lucy married a man by the name of Ashenhurst.)

Dale

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DEC 10 1992

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAIM NUMBERS 35-10376

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 5GEOGRAPHIC INFO SYSTEM 3

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	25	35E	19							12	3								
GIS										3									
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP () 487

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

B.J. LivestockP.O.D./SOURCE 334 # G.W.% Gil DAYLEYT. 25. R. 35E SEC. 19 Lot 2 (NW1/4NW1/4)PO Box 246FIRTH ID 83236

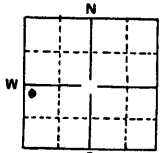
P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

WELL DRILLER REPORT

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

WELL OWNER Name <u>HARDING LIOESTOCK</u> Address <u>U. H. S. - Blackfoot</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>48'</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature <u>53°</u> F. Quality <u>GOOD</u> Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☒ Cap ☐ Plug																																									
NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Other Discharge G.P.M. <u>70</u> Draw Down <u>6</u> Hours Pumped <u>2</u>																																									
PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		9. LITHOLOGIC LOG																																									
METHOD DRILLED ☐ Cable ☒ Rotary ☐ Dug ☐ Other		<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>6"</td><td>0</td><td>3'</td><td>TOP SOIL</td><td></td><td>X</td></tr><tr><td></td><td>3'</td><td>25'</td><td>GRAVEL</td><td></td><td>X</td></tr><tr><td></td><td>25'</td><td>39'</td><td>GRAVEL + SAND</td><td></td><td>X</td></tr><tr><td></td><td>39'</td><td>98'</td><td>LAUA ROCK</td><td>X</td><td></td></tr><tr><td></td><td>98'</td><td>104'</td><td>RED CINDERS</td><td>X</td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	6"	0	3'	TOP SOIL		X		3'	25'	GRAVEL		X		25'	39'	GRAVEL + SAND		X		39'	98'	LAUA ROCK	X			98'	104'	RED CINDERS	X	
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	39'	98'	LAUA ROCK	X																																							
	98'	104'	RED CINDERS	X																																							
WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>104'</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness <u>250</u> inches Diameter <u>6</u> inches From <u>18'</u> feet To <u>39'</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet 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? ☒ Yes ☐ No To what depth <u>18</u> feet Material used in seal ☐ Cement grout ☒ Pudding clay		RECEIVED SEP 28 1973 Department of Water Administration Eastern District Office																																									
LOCATION OF WELL Sketch map location must agree with written location.  County <u>Bingham</u> NW 1/4 SW 1/4 Sec. <u>19</u> , T. <u>2</u> N, R. <u>35</u> E																																											
10. Work started <u>9-9-73</u> finished <u>8-9-73</u>		11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>JACK CUSHMAN WELL DRILLING</u> Driller's or Firm's Name Number <u>1405 S. BROADWAY BLACKFOOT, IDA</u> Address Signed By <u>Jack Cushman</u> Date <u>5/9/73</u>																																									

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

435-10376

NEW ~~WELL~~
REPLACEMENT
WELL.

WELL DRILLER'S REPORT

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

[illegible]

A35-10386

FOR THEOR.
Q CALC. ?

$$H = 48'$$

RECEIVED

~~MAR~~ 6 1974

Department of Water Administration
Eastern District Office

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT