

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

7/22/2020

Water Permit 47-7807

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARION E PENDERGRAFT 2739 E 2500 N TWIN FALLS, ID 83301 (208) 655-4248

Status: Lapsed

Source

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD  
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A





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

CECIL D. ANDRUS  
GOVERNORR. KEITH HIGGINSON  
DIRECTOR

June 1, 1993

Marion E Pendergraft  
Rt 1 2739 E 2500 N  
Twin Falls, ID 83301

Re: Permit No. 47-07807

## LAPSE NOTICE

Dear Permit Holder:

Under the provisions of Section 42-218a of the Idaho Code, you are hereby notified that the above referenced permit has lapsed since the Department could not approve the request for extension of time you submitted.

You can file a new application within one year of the time you actually intend to develop a water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Should you wish to file a proof of beneficial use on that portion of the permit that you may have developed, you must do so within 60 days of the date of this lapse notice. However, your priority date is being penalized one day for every day the proof is received late.

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

Sincerely,

L. Glen Saxton  
Chief, Water Allocation Bureau

## CERTIFICATION OF MAILING

I hereby certify that on 6/1/93  
a ~~copy~~/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

47-07807



## 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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 28, 1993

RECEIVED

JUN 02 1993

Marion E Pendergraft  
Rt 1 2739 E 2500 N  
Twin Falls, ID 83301

Department of Water Resources  
Southern Region Office

RE: Permit No. 47-07807

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that only one extension of time based on due diligence can be granted. Please note that one extension has already been granted on June 1, 1993 for due diligence.

Within one year of the time you actually intend to develop and beneficially use the water, I suggest that you file a new application. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Please feel free to contact any of our regional offices if you wish assistance in completion of the new application.

Sincerely

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

47-07807

RECEIVED

MAY 24 1993

RECEIVED

MAY 26 1993

Department of Water Resources  
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 Fee Received by 82  
Date 5-24-93  
Receipt No. 505793

# REQUEST FOR EXTENSION OF TIME

## TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-07807  
Name(s) of Permit Holder: MARION E. Pendergraft  
Mailing Address: Rt. 1 2739E 2500N Twin Falls Idaho 83301  
Date Proof is Due JUNE 1 1993 Telephone No. 655-4248

Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

FIRST well Drilled - Not Enough water - 750ft  
Second well Still Being Drilled - Rig on site  
And presently Drilling - well tested not enough  
water (410ft 18") Costing \$ 25000<sup>100</sup>

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Severe weather - Snow Limiting Access - Major  
mechanical Break Downs

Permit holder(s) request an extension to JUNE 1, 19 94.

FEE: \$15.00

(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

### ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED pursuant to Section 42-204, Idaho Code, which only authorizes one extension of time based on due diligence.

Signed this 27<sup>TH</sup> day May, 19 93

R. Keith Higginson  
R. Keith Higginson, Director

RECEIVED

Form 204  
11-91

MAY 24 1993

Department of Water Resources  
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 Fee Received by 82  
Date 5-24-93  
Receipt No. 5015793

# REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-07807  
Name(s) of Permit Holder: MARION E. PENDERGRAFT  
Mailing Address: Rt. 1 2739E 2500N Twin Falls Idaho 83301  
Date Proof is Due JUNE 1 1993 Telephone No. 655-4248

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(This must be filled out! If no work has been completed, show "none".)

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The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Severe weather - Snow Limiting Access - Major  
mechanical Break Downs

Permit holder(s) request an extension to JUNE 1, 19 94

FEE: \$15.00

Marion Pendergraft  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this \_\_\_\_\_ day \_\_\_\_\_, 19 \_\_\_\_\_



# 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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 4, 1992

RECEIVED

JUN 08 1992

Department of Water Resources  
Southern Region Office

Marion e. Pendergraft  
Route 1  
Twin Falls, ID 83301

Re: Permit No. 47-07807

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1993. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

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

Sincerely,

*Karen L. Gustafson*

Karen L. Gustafson  
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

47-7807

RECEIVED  
MAY 28 1992

For Office Use Only  
\$15 Fee Received by 74  
Date 5-28-92  
Receipt No. 6024315

STATE OF IDAHO  
Department of Water Resources DEPARTMENT OF WATER RESOURCES

**REQUEST FOR EXTENSION OF TIME**  
**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF**  
**BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-07807  
Name(s) of Permit Holder: MARION E. Pendergraft  
Mailing Address: RT 1 Twin Falls Id. 83301  
Date Proof is Due June 1 1992 Telephone No. 655-4248

Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

Well Drilled 750 ft Not enough water - \$10,000  
Ditches and irrigation systems in, as is existing  
Farm - New well started, well rig on site  
And now Drilling \$50 per ft Costing \$ -

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Swan Falls moratorium - when we were more able to pursue  
completion of this permit. Severe Drought on Salmon falls water  
last 4-5 years (464 shares = 56 acre ft this yr) See enclosed sheet

Permit holder(s) request an extension to June 1, 19 93.

FEE: \$15.00

Marion E. Pendergraft  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED  
and the time within which to submit proof of beneficial use is extended  
to June 1, 1993.

Signed this 3rd day June, 19 92

A. Blum Saylor  
Chief, Water Allocation Bureau

47-7807

6.32

DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 47-7807  
Name(s) of Permit Holder(s): Marion Pendergast  
Post Office Address: Rt 1 Twin Falls, ID  
83301 Tel. No. 855-4244

☒ I hereby certify that construction of diversion works for the above referenced permit began on 3/17/82 (date) May 20 1981 and I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

\*Note: A financing difficulty is not an acceptable reason.

5/20/81  
Date

Marion Pendergast  
Signature of Permit Holder  
Marion Pendergast

Sent to SO 5-21-91



BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED

JUN 12 1990

Department of Water Resources  
Southern Region Office

IN THE MATTER OF EVALUATING )  
WHETHER DEVELOPMENT OF 20,000 ACRES )  
OF IRRIGATED LAND WOULD ) MEMORANDUM DECISION  
CAUSE A SIGNIFICANT REDUCTION ) & ORDER  
IN TRUST WATER AVAILABLE FOR )  
POWER PRODUCTION )

This matter having come before the Director of the Idaho Department of Water Resources (IDWR) as a result of the Swan Falls water right settlement, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. "Trust water" is that portion of an unsubordinated water right used for hydropower generation purposes which is in excess of a minimum stream flow established by state action.

2. Section 42-203C(1), Idaho Code, provides as follows:

If an applicant intends to appropriate water which is held in trust by the state of Idaho pursuant to subsection (5) of Section 42-203B, Idaho Code, the director shall consider, prior to approving the application, the criteria established in Section 42-203A, Idaho Code, and whether the proposed use, individually or cumulatively with other existing uses, or uses reasonably likely to exist within twelve (12) months of the proposed use, would significantly reduce the amount of trust water available to the holder of the water right used for power production that is defined by agreement pursuant to subsection (5) of Section 42-203B, Idaho Code, and, if so, whether the proposed reduction is in the public interest. (emphasis added).

3. The IDWR conducted a study to estimate the reduction in hydropower generation which would result from the development of the first 20,000 acres of newly irrigated land (new development) authorized under the Swan Falls settlement. The study included several steps as follows:

- a) Identify the location of the potential new development and the related water sources;
- b) Estimate the net depletion resulting from new irrigation development of these lands;

c) Route the reduced flows through the aquifer and surface flow systems to the affected power plants;

d) Compute the loss in potential generation at each plant resulting from the reduced flows.

4. Step a) in Finding of Fact No. 3. was accomplished by plotting land location as shown by the water right applications and permits being considered. The 20,000 acres are generally located as follows:

Acreage	General Location	Water Source
9,885	Snake River Plain	Snake Plain Aquifer
5,315	Valleys adjacent to the Plain	GW trib. to Snake Plain Modeled area
4,800	Scattered areas	GW and surface water from areas not trib. to Snake Plain Modeled area

20,000 acres

5. Step b) in Finding of Fact No. 3. was accomplished using simulation models which have previously established the "base" flows conditions.

6. Step c) in Finding of Fact No. 3. involved a groundwater component and a surface water component. Withdrawals from the Snake Plain aquifer and from the tributary valleys affect the water in storage in the aquifer. Storage changes alter the gradients which eventually reduce aquifer discharges. If a new withdrawal is continued long enough, the aquifer outflows will be reduced by an amount approaching the magnitude of the withdrawal and resulting depletion.

7. The IDWR digital model of the Snake Plain aquifer (groundwater model) was used to simulate this process and predict the outflow reductions after 15, 30, 45 and 60 years of annual withdrawals by new irrigation development at the assumed locations. The results of the groundwater model run indicate that aquifer outflows would be reduced by the following percentages of the annual depletion:

Year	Outflow Reduction (Acre Feet)	Percent of Annual depletion (%)
15	4,600	23
30	9,000	45
45	14,700	73
60	15,200	76

8. Significant reduction should be determined by evaluating the depletion when its effect on the river is fully felt. Incremental change in the percent of annual depletion is very small sixty (60) years after the first

depletion. The percent of annual depletion in the 60th year adequately represents the long-term effect of aquifer depletions on Snake River flows.

9. The groundwater model predicts that approximately eighty percent (80%) of the reduction in river flow would occur in the Milner to King Hill reach with the remainder (20%) occurring between Blackfoot and Minidoka Dam.

10. The IDWR routed the reduced flows through the aquifer and river system using a digital model of the Snake River system (river model). This model and its computed base conditions are described in "Stream Flows in the Snake River Basin, 1985 Conditions of Use and Management" Open-File Report, September 1986. The groundwater depletion was input to the river model assuming uniform depletions each month.

11. The river model computes flows at numerous points in the Snake Plain Basin including sites at, or near to, the power plants. These computed flows were used to compute power generation and were compared to similarly computed generation for base flow conditions.

12. The annual reduction in hydropower generation 60 years after the development of 20,000 new acres is estimated to be approximately 2.8 million KWH in power facilities upstream from the Murphy gage on the Snake River.

13. In cooperation with staff of the Idaho Public Utilities Commission (IPUC), IDWR determined the rate impact of lost hydropower generation caused by the new development in the trust water area of the Snake River basin assuming that new thermal generation capacity is obtained to replace the lost hydropower generation.

14. The cost impact to the rate base of replacing the lost hydropower generation with thermal generation capacity must be considered in the evaluation of any significant reduction in hydropower generation, but the statutes and Water Appropriation rules do not require consideration of impacts to the rate base resulting from other aspects of the new development such as new pumping loads.

15. Step d) of Finding of Fact No. 3. was determined using an IPUC power supply model (power model) associated with the rate making process. Data from the 1966-1985 period was used to establish a base flow. The depletions were then input to the power model and the difference in ability to meet firm load requirements and to make economic spot market sales and purchases was determined. A comparison of the output of the power model run to base conditions produced increased total IPCO power supply costs due to Snake River depletions.

16. The power model shows that the impact of reduced hydropower generation at IPCO's facilities on the Snake River above the Hell's Canyon complex as a result of the development of 20,000 new acres will result in an average increase in IPCO's power costs of \$159,553 per year which is approximately five one hundredths of one percent (0.05%).

17. During certain periods of each year there generally is unappropriated water in the Snake River. During these periods, a new

appropriation of water has no effect upon IPCO's water rights or ability to generate hydropower.

#### CONCLUSIONS OF LAW

1. The development of 20,000 new acres which results in an average increase in power rates of five one hundredths of one percent (0.05%) will not cumulatively cause a significant reduction in IPCO's hydropower generation capability at hydropower generation facilities upstream from the Hells Canyon complex on the Snake River.

2. The hydropower generating facilities of IPCO which are affected by reductions in river flow represent approximately 25% of IPCO's hydropower generating capacity as compared to the Hells Canyon complex facilities which represent approximately 75% of IPCO's hydropower generating capacity. The Hells Canyon facilities are subordinated to later in time consumptive uses and are not properly included as a part of the evaluation of significant reduction. (Water Appropriation Rule 5,3,1,4.).

3. The reduction in IPCO's hydropower generation capability caused by new development is such that the timing of the reduction, either on an annual basis or a long term basis, need not be considered by IDWR. The computer model studies show that it would take approximately 15 years for aquifer outflow to the Snake River to be reduced 23% of net new withdrawal. By the 60th year outflow would be reduced by 76% of the new depletion. Other factors present in a dynamic system as large as the Snake Plain aquifer will have more effect on the discharge of the Snake River than decreases caused by this amount of new development.

4. Staff of the IPUC advises that the effect of reduced hydropower production on "unit cost" is not a proper factor to consider when analyzing the effect of reduced flows to hydropower generating facilities. IPUC generally considers hydropower facilities to have zero unit or production costs. Thermal facilities on the other hand do have associated unit costs such as the cost of fuel.

5. The IDWR is unaware of any contract or regulatory permits including FERC licenses which require IPCO to produce or to maintain capability to produce hydropower at specific levels.

6. Approval of applications for permit or permits which propose the development of the first 20,000 acres of newly irrigated land with water from the Snake Plain aquifer will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

7. The development proposed by Permit No. 47-7807 will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.


8. Permit No. 47-7807 should be continued without special conditions related to Section 42-203C(2), Idaho Code.

ORDER

It is, therefore, hereby ORDERED that Permit No. 47-7807 is hereby continued subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before June 1, 1992.
2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.
3. The construction of diversion works must be commenced within one (1) year of the date of this order and shall proceed diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.
4. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.
6. All conditions of approval contained in Permit No. 47-7807 are incorporated into and made a part of this order.

Dated this 28<sup>TH</sup> day of May, 1990.

  
R. KEITH HIGGINSON  
Director

Form 204  
4/86  
**RECEIVED**  
MAY 5 1987  
Department of Water Resources  
Southern Region Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 FEE Received by 49  
Date 5-7-87  
Receipt # 44761

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof  
of beneficial use for a water right permit

**RECEIVED**  
MAY 07 1987

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-7807

Name(s) of Permit Holder: Marion E. Pendergraft

Post Office Address: Rte 1 Twin Falls, Ida

Box 647

Telephone No. 7655-4248

Date Proof is Due: June 1 1987

Describe what work has been completed toward the development of this water right: Well drilled  
(This must be filled out! If no work has been completed, show "none".)

500', Redrilled 250'. Still NOT enough water  
to gravity Irrigation Ditches & headgates are in

Costing \$ 10,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

NOT enough water yet.

Permit holder(s) request an extension to June 1, 1992.  
(1 yr. minimum)

Marion Pendergraft  
(Signature)\*

\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1992.

Signed this 28<sup>th</sup> day of May, 19 90.

J. Glen Saxton  
Chief, Water Allocation Bureau

RECEIVED

FEB 28 1990

Department of Water Resources  
Southern Region Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRUST WATER INFORMATION QUESTIONNAIRE

PERMIT NO. 47-7807

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,  
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as  
thoroughly as possible and submit the \$20.00 readvertisement  
fee if applicable.

1. Did irrigation occur on the lands identified under your  
permit prior to July 1, 1985? Yes X No ~~X~~

If yes, you are requested to submit clear evidence that shows the  
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area  
ASCS offices, are best forms of evidence. Photos submitted to the  
Department must be accompanied by a signed statement from an  
ASCS representative which verifies the photo date and that the  
lands were irrigated prior to July 1, 1985. If ASCS does not have  
photos for the land and/or time in question, you must have the ASCS  
provide the Department with a statement that photos are not avail-  
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this  
permit since July 1, 1985. 0

3. If you have not irrigated lands under this permit, please  
state the number of acres you plan to complete. 550

NOTE: You must submit the \$20.00 readvertisement fee if any or  
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other  
water rights which are used on the same land.

464 SHARES SALMON RIVER CANAL Co.

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the  
best of my knowledge. I understand that any willful misrepresentations  
may result in voiding of the application.

Permit Holder

William J. Budge

Date

2/28/90



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 20, 1990

RECEIVED

FEB 21 1990

RE: PERMIT NO. 47-7807

Department of Water Resources  
Southern Region Office

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

47-7807



Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720  
Attn: Tim Luke

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke", is written over a horizontal line.

TIM LUKE

Sr. Water Resource Agent

Enclosures

RECEIVED

MAY 29 1987

Department of Water Resources  
Southern Region Office

May 26, 1987

Marion E. Pendergraft  
Rt. 1 Box 647  
Twin Falls, ID 83301

Dear Mr. Pendergraft:

Re: Permit No. 47-7807

The department has reviewed the request for extension of time submitted in connection with the above referenced permit. The department will hold the request without action until the permit is reprocessed in compliance with the provisions of Sec. 42-203D, Idaho Code. Upon completion of reprocessing, an appropriate development period will be granted if the permit is to be continued.

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

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:rf

cc: Region

47-7807

Form 204D  
1/86  
**RECEIVED**  
MAY 5 1987  
Department of Water Resources  
Southern Region Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 FEE Received by \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt # \_\_\_\_\_

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof  
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 12-204, Idaho Code.

Permit No. 47-7807

Name(s) of Permit Holder: Marion E. Pendergraft

Post Office Address: Rte 1 Twin Falls, Ida

By 647 Telephone No. 755-4248

Date Proof Is Due: June 1 1987

Describe what work has been completed toward the development of this water right: Well drilled  
(This must be filled out! If no work has been completed, show "none".)

500' Redrilled 250'. Still NOT enough water  
gravity Irrigation Ditches & Headgates are in

Costing \$ 10,000<sup>00</sup>

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(1 yr. minimum)

Marion Pendergraft  
(Signature)\*

FEE: \$15.00

\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

47-7807

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

JUL 13 1982

1. Name of applicant MARION E. RUDOLPH Phone 655-4248

Post office address Rt. 1 Twin Falls Idaho 83301

2. Source of water supply G-DOUGL WATER which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW 1/4 of NW 1/4 of Section 32 Township 12S

Range 17E B.M. Twin Falls County, additional points of diversion if any: \_\_\_\_\_

SW 1/4 SW 1/4 Sec 29, NE 1/4 NE 1/4 Sec 31, SE 1/4 SE 1/4 Sec 30 T12

4. Water will be used for the following purposes: R178

Amount 5 cfs for IRRIGATION purposes from MAR 15 to NOV 15 (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:

a. 5 cfs cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pumps, Pipelines  
Ditches, sprinklers

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 12 inches; proposed depth of well is 2000 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

47-7807

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

[illegible]

Total number of acres to be irrigated 550

c. Describe any other water rights used for the same purposes as described above.

464 Shares of Salmon Falls River Canal Co.

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

MARION Pendergast

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

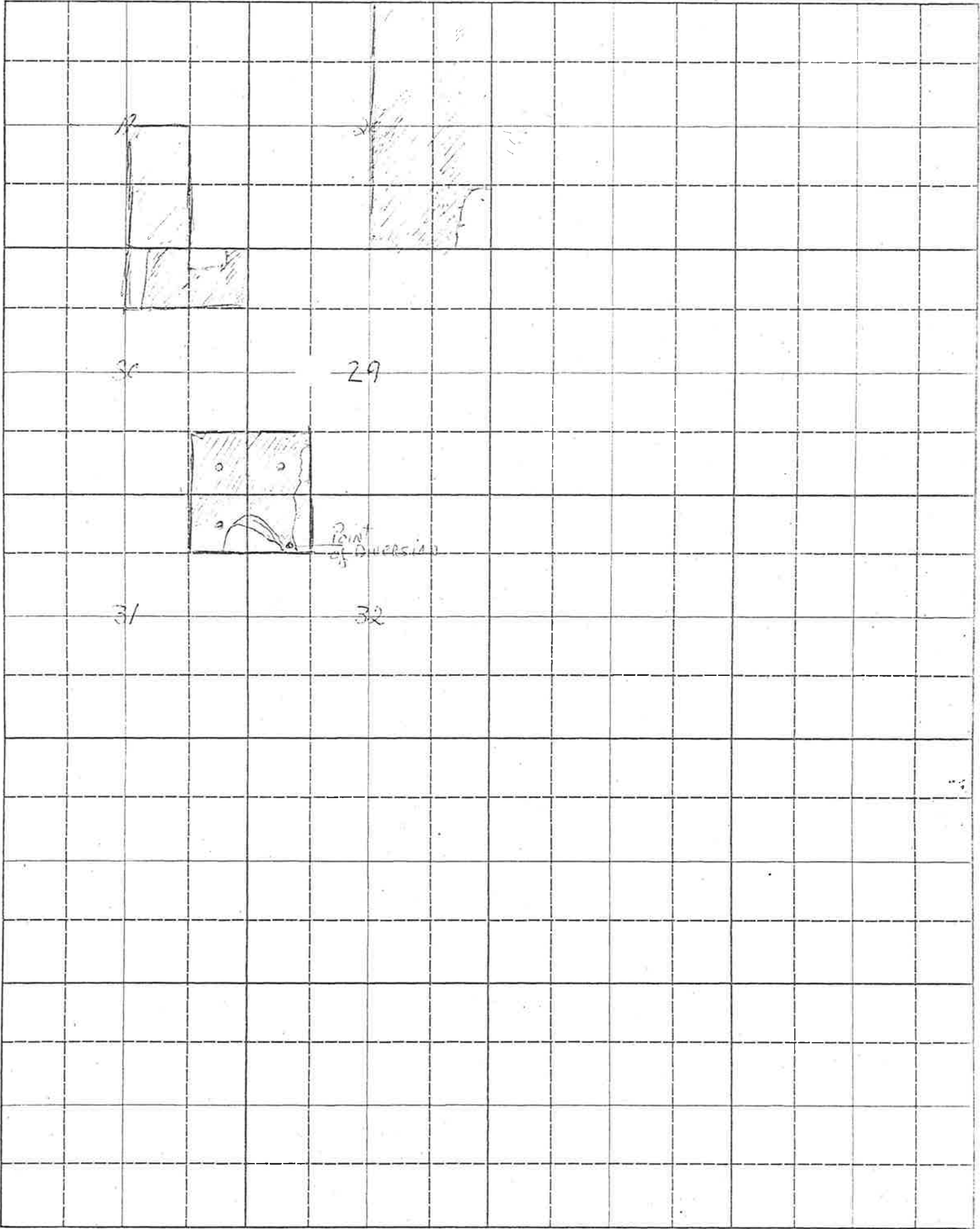
MARION Radergast

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

10. Remarks

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11. 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.

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.

*Marion P. ...*  
(Applicant)

Proposed Priority 3/17/1982

Received by ADM Date 3/17/82 Time 4:45 p.m.  
Preliminary check by g Fee \$ 125<sup>00</sup> # 22071  
Receipted by marpa Date 3/17/82  
Publication prepared by marpa Date 3/19/82  
Published in times news  
Publication dates 4/1 + 4/8/82  
Publication approved marpa Date 3/24/82  
Protests filed by: None

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date, \_\_\_\_\_

Recommended for approval denial by ADM g

#### 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. 47-7807, 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 June 1, 19 87.

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

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 21<sup>st</sup> day of June, 19 82.

L. Glen Sayton  
Chief, Operations Bureau