



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

RECEIVED

JAN 30 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 26, 1995

HILL BRANDSMA
2250 E 3200 S
WENDELL ID 83355

Department of Water Resources
Southern Region

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 36-08063D

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof of beneficial use was received after the proof due date. Please note that the priority date has been advanced to March 18, 1982.

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 SOUTHERN Regional Office in Twin Falls, at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08063D

IN THE NAME OF HILL BRANDSMA

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1994; and,

WHEREAS, the Department notified the permit holder on July 31, 1994, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder on October 28, 1994, that the permit had lapsed for failure to submit an acceptable proof of beneficial use or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on October 31, 1994;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08063D be REINSTATED with an advance in priority to March 18, 1982.

Dated this 26th day of January, 1995.

L. Glen Saxton
L. GLEN SAXTON

L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

NOV 02 1994

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. 5017510
Receipt By: AD
Date Received: 10/31/94

OCT 31 1994

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08063D Telephone No. 536-6620

2. Name(s) of Permit Holder(s): Hill Brandsma

3. Mailing Address: 2250 E. 3200 S., Wendell, ID 83355

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 6/27 / yr. 1987

a. Well Driller: Eaton Well Drilling Drilling Permit Number: - - -

b. **OPTIONAL:** Pump Horsepower: 7 1/2 Pressure (psi): 60 Dynamic pumping level (ft): 141' (static)

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock): 550 dairy 100 dry cows

Irrigation (No. of acres): Other: 1 Dairy Barn Use

6. Total rate of diversion and/or volume for which proof is submitted: 0.28 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No X

Has the measuring device been installed?

Yes or No X

Flow Measurement Port: Is a flow measurement port required?

Yes or No X

Has the measurement port been installed?

Yes or No X

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Hill Brandsma Telephone Number: 536-6620

Address: 2250 E. 3200 S. Wendell, ID 83355

10. The information given on this form 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.

Signature of permit holder: Hill Brandsma owner
(include your title, if on behalf of company or organization)

Date: 10-31-94

From: DWR60::AMERRITT 5-AUG-1994 18:09:13.49
To: DWR03::JJOHNSON, JSTANTON, LHOLMES, DJONES
CC: AMERRITT
Subj: REVIEW OF BRANCHFLOWER & BRANDSMA AMENDMENTS

Date Sent to: AUG 08 1994

I HAVE REVIEWED THE FIVE APPLICATIONS FOR AMENDMENT OF PORTIONS OF PERMITS 36-08252 & 36-08063. THE AMENDMENTS ARE AS FOLLOWS:

COMMENTS

36-08252D	BRANDSMA	ADVERTISED CORRECTLY
36-08252E	BRANCHFLOWER	ADVERTISED INCORRECTLY
36-08252F	BRANCHFLOWER	ADVERTISED INCORRECTLY DRILLING PERMIT APPLIED FOR 8/5/94 PENDING

MY CONCERNS WITH REGARD TO THE ABOVE AMENDMENTS IS THAT 1) THE BASE PERMIT HAS BEEN BOUNCED AROUND FOR YEARS BY FF GUNNING AND NOW HE UNLOADS THEM. THERE SEEMS TO BE AN ELEMENT OF SPECULATION THAT NEEDS TO BE ADDRESSED. I AM UNCLEAR AS TO DEPARTMENT POLICY WITH REGARD TO THIS SITUATION. 2) THE AMENDMENT FOR PART E HAS MINOR ADVERTISING ERRORS. THE AMENDMENT FOR PART F ALSO HAS ERRORS BUT IT APPEARS TO NOT BE MINOR BUT A MAJOR ERROR INWHICH THE WRONG RANGE WAS ADVERTISED.

36-08063B	BRANDSMA	ADVERTISED CORRECTLY
36-08063C	BRANCHFLOWER	ADVERTISED INCORRECTLY

MY CONCERNS ARE THE SAME IN THAT THIS PERMIT OWNED BY FF GUNNING HAS BOUNCED AROUND FOR YEARS. IS THIS SPECULATION. THE ADVERTISING FOR PART C ALSO HAS MINOR ERRORS.

ALL FIVE OF THESE AMENDMENTS SHOULD BE REVIEWED TOGETHER. I AM LEAVING THESE FIVE FILES ON JIM STANTONS DESK. SINCE I WILL BE GONE NEXT WEEK I BELIEVE YOU GUYS NEED TO DISCUSS THIS MATTER FURTHER AND IF ANY RE-ADVERTISEMENT IS REQUIRED THEN MARY CAN MAKE THEM. I BELIEVE THE SPECULATION ISSUE NEEDS TO BE ADDRESSED. MAYBE IT IS NOTHING CAN BE DONE WITH REGARDS TO SPECULATION. IF THAT IS THE CASE THEN I BELIEVE THE DRILLING PERMIT SHOULD BE ISSUED WITH APPROPRIATE CONDITIONS IF BRANCHFLOWER WISHES TO TAKE THE RISK.

ALLEN

36-08063 D

RECEIVED

DEPARTMENT OF WATER RESOURCES

State of Idaho

JUN 10 1994

MAY 03 1994

ASSIGNMENT OF PERMIT

To change the ownership of a permit

SEP - 7 1994

Department of Water Resources

Department of Water Resources

Southern Region Office

Southern Region Office

I, Mike Branchflower, hereby assign to Hill Brandsmg.
(Permit Holder)
of 2250 E 3200S, Wendell ID 83355
(Full Address)

All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 36-08063 BD to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

28 cfs for a commercial dairy located in:
85, 15E, S12, SWSE - .18 cfs for stockwater
and .16 cfs for commercial. Water comes from
95, 15E, S34, SWSW - 4 acres; SESW - 10 acres.

Made this 21st day of April, 1994.

Permit Holder(s)

State of Idaho)

County of Twin Falls ss

On this 21st day of April, 19994, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Mary A. Baldwin

Notary Public

SEAL

Signature

My commission expires: 10/16/1998

database updated 8/22/94 c.38

36-08063D

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 03 1994 APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

Southern Region Office

Applicant Lill BrendsmaPhone 536-6620Address 2250 E 3200 S, Wendell ID 83355I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08063D, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: X Change point of diversion Add point of diversion
X Change place of use X Change nature of use Change period of use Other1. Point of diversion: 1/4 SW 1/4 SE 1/4, Section 12, Township 8S, Range 15E, B.M.,
County of Gooding. Other points of diversion

2. Period and nature of use: (Irrigation, domestic, stockwatering, industrial, etc.)

Amount .12 for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum) (water use) (Begin month) (End month)Amount .16 for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
85	15E	12																S/c	

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated at the place of use? 11
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

Complete the following map by showing land and point of diversion as proposed by this amendment.
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 20th day of April, 19 94. Nick A. Brundage
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by J.F. Stanton Publication prepared by MB Date 7/5/94
 Published in Gooding Co. Reader & Northside News Publication dates 7/13 & 7/20/94

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____.

