

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/12/2020

Water Permit 45-7379

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAMBERT PRODUCE CO INC PO BOX 793 BLACKFOOT, ID 83221-0793 (208) 785-4334
Original Owner	ALBERT ANDERSON & SONS INC PO BOX 247 OAKLEY, ID 83346

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

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

30-May-1990

Lambert Produce Inc.
Rt. 1 Box 44-A
Oakley, ID 83346

Re: Application for amendment of permit 45-7379, Application for
transfer of license 45-2579, Drilling permit 45-90-S-014

Gentlemen:

This office is currently processing the above referenced applications for amendment and transfer and has issued a drilling permit based on your assumption of all risk that the well may not be approved for use under these rights.


Please be advised that no diversion of water is authorized from the well under drilling permit No 45-90-S-014 until the department grants approval to use the well under a water right.

Regarding the application to amend permit 45-7379. This permit was issued in 1979, prior to the closure of the West Oakley Fan Critical Groundwater Area, for diversion of groundwater within that area. The application proposes to amend the permit to a location in the Oakley-Kenyon Critical Groundwater Area which was closed to groundwater appropriations in 1963. In my opinion, approval of the amendment will place an additional appropriative burden on groundwater in the Oakley-Kenyon area and will, therefore, be subject to denial due to injury to other water rights.

This office will hold the application for amendment for ten (10) days before forwarding it with a recommendation that it be denied to allow you time to consider whether to continue the application.

Please let me know if you have any questions regarding this matter.

Very Truly yours,


Loren O. Holmes, P. E.
Southern Region Manager

cc: Laird Stone

45-7379

05/03/90 15:49:09
Page 1

Old (D) Number -

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+ - - - - - - - - - Address - - - - - - - - - - - - - - - +

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State- ID Zip- 83221

State- ID Zip-

+ - - - Status - - - - +

+ - - - - - Tributary - - - - - +

12S	21E	25	NE NW	40.0	01	IRRIGATION	(31)	CASSIA
			NW NW	40.0			(31)	CASSIA
			SW NW	40.0			(31)	CASSIA
			SE NW	40.0			(31)	CASSIA
			NE SW	40.0			(31)	CASSIA
			NW SW	40.0			(31)	CASSIA
			SW SW	40.0			(31)	CASSIA
			SE SW	40.0			(31)	CASSIA
		26	NE SE	40.0			(31)	CASSIA
			NW SE	40.0			(31)	CASSIA
			SW SE	40.0			(31)	CASSIA
			SE SE	40.0			(31)	CASSIA

05/03/90 15:49:09
Page 2

Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
06	07	08	09	10	11	12	13	14

Total Acres: 480.0

+ - - Diversion Means - WELLS AND PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - LIC. 45-2567 & 45-2668.

+	-	Remarks	+
		No Remarks found.	

```

+ - - - - - Conditions of Approval - - - - - +
      01C - A flow measurement 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.

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+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
------------------------------------	------------------------------------	-----------------------------------

+ - - Audit Fields -

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+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
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Proof Due Date	- 08/01/1990	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 08/06/1979	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

INTER-DEPARTMENT MEMO — 1

FROM Loren Holmes

DATE 10/4/20

TO Glen Saxton

SUBJECT Amendment 45-7379

For the reason given in my Mar 30, 1990 letter this Application is forwarded with the recommendation that it be Rejected.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 45-7379

To appropriate the public waters of the State of Idaho

RECEIVED
AUG 8 1979
Department of Water Resources
Southern District Office

862-3316 - office
862-3673 - Home

1. Name of applicant Albert Anderson & Sons Phone 862-3316 - office
Post office address % Cliff Smith,
Oakley, Idaho 83346

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25 Township 12S

Range 21E B.M. Cassia County, additional points of diversion if any: _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 12S, R 21E

4. Water will be used for the following purposes:

Amount 7.63 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. 7.63 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. wells and pumps

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 _____ inches; proposed depth of well is _____ 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

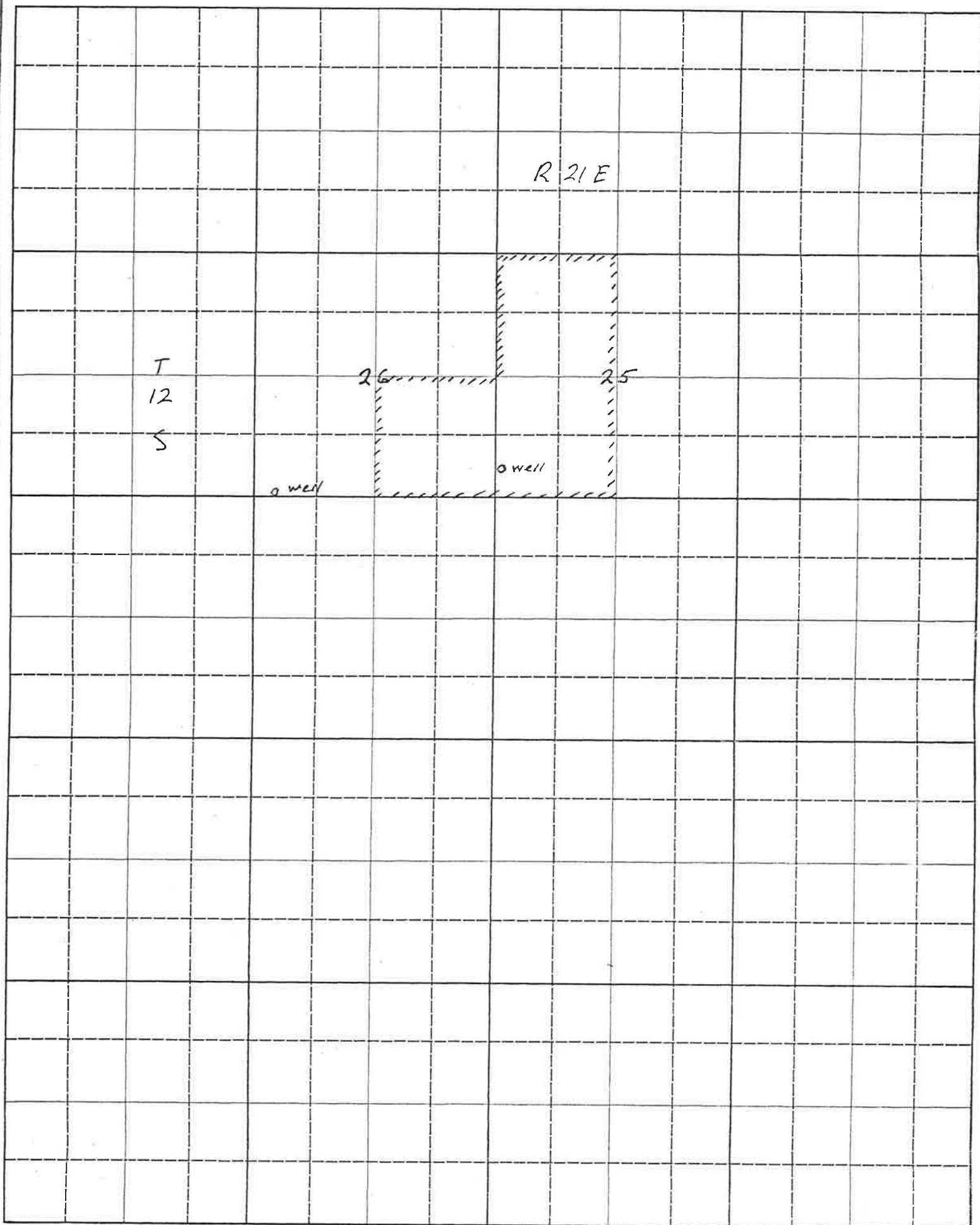
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(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: _____

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.

[Signature]
(Applicant)

Partner, per telecon 8-3-79 J.J.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	
12S	21E	25					40	40	40	40	40	40	40	40					320
		26													40	40	40	40	160

Total number of acres to be irrigated 480

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

Lic. 45-2567, Lic. 45-2668

9. 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 _____

10. Remarks Above licenses to be transferred onto the same land - existing wells will be deepened to provide supplemental water under this application

Proposed Priority 6-7-79

Received by maria Date 6/7/79 Time 9:00 am

Preliminary check by ADM Fee \$ 105.⁶⁰

Receipted by maria Date 6-7-79 # 13221

Publication prepared by maria Date 6-15-79

Published in South Idaho Press

Publication dates 6/26 + 7/3/79

Publication approved maria Date 7-9-79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH J.S.

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. 45-7379, 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 August 1, 19 84.
- 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: 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 6th day of August, 19 79.

L. Glen Saxton

Chief, Operations Bureau

MEMORANDUM

TO: FILE 45-7379

FROM: MARY BALDWIN

DATE: 23-Apr-1990

SUBJECT: AMENDMENT FILED IN NAME OF LAMBERT PRODUCE INC.

RECEIVED TELEPHONE CALL THIS DATE FROM LAIRD STONE, ATTORNEY
(733-2721) REGARDING THE AMENDMENT TO THE ABOVE WR# FILED IN

CALLED S.O., ORIGINAL AMENDMENT WAS FILED AWAY IN THE VAULT.
THEY WILL BE SENDING TO US SOON SO WE CAN ADVERTISE IT FROM
SOUTHERN.

45-7379

ok
jim

12 Southern

State of Idaho
Department of Water Resources

OCT 17 1980

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Albert Anderson & Sons, hereby assign to SAGE LAND & CATTLE COMPANY
of P.O. Box 27, Boise, Idaho
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 45-7379
to appropriate the public waters of the State of Idaho.



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

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 2nd day of October, 19 80.

RECEIVED
NOV 13 1980

Department of Water Resources
Southern District Office

ALBERT ANDERSON & SONS
Permit Holder

By William Anderson
Its Pres

~~Spouse of Permit Holder~~

State of Idaho)
County of Carson) ss.

On this 14th day of October, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Laurel J. Walker
Notary Public residing at
Boise, Idaho

My commission expires:
5/30/83

45-7379

RECEIVED

OCT 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by DeStanton
Date 10-16-89
Receipt # 50210170

Department of Water Resources
Southern Region Office
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 42-204, Idaho Code.

Permit No. 45-07379

Name(s) of Permit Holder: Lambert Produce, Inc.

Post Office Address: P.O. BOX 793 Blackfoot, Idaho

Telephone No. 862-3346

Date Proof is Due: 8-1-1989

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".)

3 pivots are in use on this property. Old water rights do not provide enough water, so one
of the ~~NONE~~ wells needs to be deepened to provide water granted under the permit. We are
temporarily supplementing our supply with water from other sources, but need the permit to
make an economic unit out of this farm. Costing \$ not sure - may have been
done by previous owner.

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

On December 20, 1988 we received an approval for a drilling permit 45-4011A. Cushman
Drilling was hired to drill this well because other well drillers were booked full.
When he finished that well they were to pull on to permit 45-07379. (cont. on
attached paper)

Permit holder(s) request an extension to Aug. 1, 19 90.
(1 yr. minimum)

LAMBERT PRODUCE by [Signature]
(Signature)* Owner

*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

Signed this _____ day of _____, 19____.

45-7379

Cushman drilled the original hole. The pipe collapsed when testing so he had to start again. He received head injuries while drilling and was gone for a couple of months. He is still drilling on 45-4011A. We now have another driller ready to start if we can get the extension of time.

Mis-communication between officers of Lambert Produce has resulted in our failure to apply for this extension in timely manner. We fully intend to complete this development as soon as possible if the extension of time is approved.

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Orginial Permit	45-7379	Albert Anderson & Sons	7.63 cfs
Full Assignment	45-7379	Sage Land & Cattle Co.	7.63 cfs
Full Assignment	45-7379	First Security Bank of Idaho	7.63 cfs
Full Assignment	45-7379	Lambert Produce, Inc.	7.63 cfs

RECEIVED

AUG 30 1985

Department of Water Resources
Southern District Office

45-7379

QUITCLAIM DEED

FOR VALUE RECEIVED, FIRST SECURITY BANK OF IDAHO, N.A.,
herein "Grantor," hereby quitclaims to LAMBERT PRODUCE COMPANY,
herein "Grantees," whose current address is Post Office Box 793,
Blackfoot, Idaho, all of Grantor's right, title and interest in
and to the following described water rights, copies of which are
attached hereto and incorporated herein by reference:

45-0166	45-2611
45-0168	45-2613
45-0169	45-2614
45-0695	45-2620
45-0696	45-2629
45-0698	45-2630
45-0701	45-2642
45-2066	45-2657
45-2109	45-2668
45-2519	45-4009
45-2520	45-4011
45-2526	45-4013
45-2567	45-4048
45-2579	45-7379

AND that portion of License No. 45-2254 which has not previously
been obligated for transfer to Vanco, Inc. and also an unnumbered
permit for appropriation of water from Land Creek and Willow Creek.

No warranty is given by Seller as to any water rights
transferred hereby or as to the quality of any water. Any other
water rights not specifically transferred herein, including but
not limited to other licenses and claims, are retained by the
Seller.

DATED this 9th day of April, 1985.

FIRST SECURITY BANK OF IDAHO, N.A.

By

J. LaMar Giles
J. LaMar Giles
Senior Vice-president

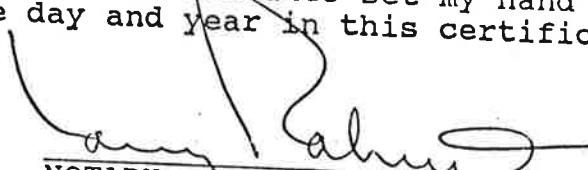
STATE OF IDAHO

County of Cassia

) ss.

On this 9th day of April, 1985, before me, a notary public in and for said county and state, personally appeared J. LAMAR GILES, known to me to be the Senior Vice-president of FIRST SECURITY BANK OF IDAHO, N.A., the corporation named in the above instrument and acknowledged to me that he executed the same on behalf of such corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC for Idaho

Residing at Burley Idaho

My Commission Expires: 6-30-85

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Orginial Permit	45-7379	Albert Anderson & Sons	7.63 cfs
Full Assignment	45-7379	Sage Land & Cattle Co.	7.63 cfs
Full Assignment	45-7379	First Security Bank of Idaho	7.63 cfs

RECEIVED

AUG 19 1983

Department of Water Resources
Southwest District Office

45-7379

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Sage Land & Cattle Company hereby assign to First Security Bank of Idaho, N.
of Box 7069, Boise, Idaho Address _____

CHECK ONE

☒

All my right, title, and interest in and to Permit No. 45-7379
to appropriate the public waters of the State of Idaho.

☐

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

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 10th day of August, 19 83.

Sage Land and Cattle Co
by Ronald James Secretary
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 10th day of August, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Laurel Walker
Notary Public residing at
Boise, Idaho

My commission expires:

Lifetime

RECEIVED
JUN 25 1984
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

RECEIVED
MAY 31 1984

LaMar Giles, Head Office
First Security Bank of Idaho, N.A.

Department of Water Resources

P. O. Box 7069, Boise, ID 83730

(Name)

(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 45-7379.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before August 1, 19 84.

That he has heretofore performed the following work described under said permit: deepened well to get a greater supply of water, all of the land is presently being irrigated
(This must be filled out! If no work has been completed put none.)

Costing \$ 20,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
The Idaho Power lawsuit is preventing us from investing more money in this project until the outcome of the litigation is known. There is an inadequate supply of water. More time is needed to develop an adequate amount of water.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to August 1, 19 89.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

x Morgan W. Richards
Morgan W. Richards, Signature POA for First Security Bank of Idaho
*IF OTHER THAN HOLDER, Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to August 1, 1989.

Signed this 13th day of June, 1984

L. Glen Saylor
Chief, Operations Bureau

45-7379

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

JAN 12 1990

Department of Water Resources
Southern Region Office

IN THE MATTER OF PERMIT
NO. 45-7379 IN THE NAME
OF LAMBERT PRODUCE, INC.

CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 45-7379 (permit) was issued to Lambert Produce, Inc. (permit holder) authorizing the diversion of 7.63 cfs of groundwater for irrigation of 480 acres.

5. IDWR records show that 480 acres authorized to be irrigated under Permit No. 45-7379, are irrigated with other water rights perfected prior to July 1, 1985.

45-7379

6. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

7. The development and use of groundwater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 45-7379 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 45-7379 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before August 1, 1990.


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. 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.

4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

5. All conditions of approval contained in Permit No. 45-7379 are incorporated into and made a part of this order.

Dated this 8th day of January, 1990.



L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

OCT 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by DeStanton
Date 10-18-89
Receipt # 508 10170

Department of Water Resources
Southern Region Office

REQUEST FOR EXTENSION OF TIME

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

OCT 17 1989

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. 45-07379

Name(s) of Permit Holder: Lambert Produce, Inc.

Post Office Address: P.O. BOX 793 Blackfoot, Idaho

Telephone No. 862-3346 785-4334

Date Proof Is Due: 8-1-1989

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".)

3 pivots are in use on this property. Old water rights do not provide enough water, so one of the ~~NONE~~ wells needs to be deepened to provide water granted under the permit. We are temporarily supplementing our supply with water from other sources, but need the permit to make an economic unit out of this farm. Costing \$ not sure - may have been done by previous owners

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

On December 20, 1988 we received an approval for a drilling permit 45-4011A. Cushman

Drilling was hired to drill this well because other well drillers were booked full.

When he finished that well they were to pull on to permit 45-07379. (cont. on attached paper)

Permit holder(s) request an extension to Aug. 1, 19 90.
(1 yr. minimum)

LAMBERT PRODUCE by [Signature]
(Signature)* Owner

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 APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1990. IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to August 22, 1979, pursuant to Sec. 42-218a, Idaho Code.

Signed this 8th day of Jan, 19 90.

[Signature]
Chief, Water Allocation Bureau

Cushman drilled the original hole. The pipe collapsed when testing so he had to start again. He received head injuries while drilling and was gone for a couple of months. He is still drilling on 45-4011A. We now have another driller ready to start if we can get the extension of time.

Mis-communication between officers of Lambert Produce has resulted in our failure to apply for this extension in timely manner. We fully intend to complete this development as soon as possible if the extension of time is approved.

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

Right Number 45-7379 Applicant Lambert Produce Co.

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) 45-2630, 45-4048D
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

RECEIVED
FEB 6 1990

Ident. No. _____

STATE OF IDAHO

Rec'd \$50.00
Department _____

APPLICATION FOR AMENDMENT OF A PERMIT RECEIVED

To change the point of diversion and/or the place of use.

APR 25 1990

Department of Water Resources
Southern Region Office
862-2480
3346

Comes now LAMBERT PRODUCE COMPANY
of (address) Route #1, Box 44A, Oakley, Idaho 83346, and represents to the

Director of the Idaho Department of Water Resources:
it

That ~~he~~ is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 45-7379, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NE 1/4, Section 20, Township 12S, Range 23E, B.M.,
County of Cassia. Other points of diversion: _____

* Per telecon w/ Lind Stone 5-14-90

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

Amount * 7.63 for Irrigation purposes from 3/15 to 11/15 (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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	23E	20	40	40	40	40	40	40	40	40					40	40	40	40	480

Total number of acres to be irrigated = 480

4. a. Who owns the property at the point of diversion? Lambert Produce, Inc.
b. Who owns the land to be irrigated or the place of use? Lambert Produce, Inc.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

Show 40-acre subdivisions, townships, ranges and ditches.

T125 R. 23E

R. 22E

R. 22E PD

820

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 2 day of February, 1990.

February
Cory King
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by J. Stanton Fee = \$20.00

Received by C. Wong Date 2/6/90 Co 14445

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

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