

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
~~Original Permit~~	~~36-7882~~	~~Chris Newbold~~	~~9.91 cfs~~
Partial Assignment	~~36-7882 A~~	~~Chris Newbold~~	~~2.06 cfs~~
	~~36-7882 B~~	~~Virgil A. Neilson~~	~~7.85 cfs~~
Full Assignment of Partial ---	36-7882 A	Jack Taylor	2.06 cfs
Full Assignment of Partial	36-7882B	Neilson, Mark L.	7.85

MICROFILMED

MAR 14 1988

For Office Use Only
Fee Received 15.00
Date 12-28-84
Receipt # 35935

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

DEC 28 1984

Department of Water Resources

Jack Taylor of Route #2 Box 2560, Paul
(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. 36-7882A.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before January 1, 19 85.

That he has heretofore performed the following work described under said permit: _____

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

The two old wells were disconnected from this ground, and two other existing wells were tapped to provide water. A new sprinkler system was installed to cover the ground. A larger pump was installed to get more water, but this did not work.

Costing \$ 29,000.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Change in ownership and involvement in government set-aside programs have hampered completion of development. Also, significant work is needed to get more water from the wells; simply increasing horsepower did not work.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to January 1, 19 90.
(1 yr. minimum, 5 yrs. maximum)

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

Jack Taylor
(Signature)*

*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 January 1, 1990.

Signed this 2nd day of January, 19 85.

L. Glen Saxton
Chief, Operations Bureau

MICROFILMED

June 20, 1990

JACK TAYLOR
RT. 2, BOX 2560
PAUL, ID 83347

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-07882A

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

INDEXED FILMED

MAR 14 1991

RECEIVED
DEC 19 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 18 1989
For Office Use Only
Amt. of Fee \$ 150.00
Date 12/18/89
Receipt No. SD10704
Received by [Signature]

Department of Water Resources

PROOF OF BENEFICIAL USE

Department of Water Resources
Southern Region Office

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36 - 07882A Telephone No. 436 - 0774

Name(s) of Permit Holder(s): Jack Taylor (Senter Lake Farm)

Post Office Address: Rt 2 Box 2566 Paul ID 83347

Source of Water: Groundwater

If ground water, well driller's name: Unknown Date drilled: 1961-62 Approx

Extent of Use:
Domestic _____ (No. of households) Irrigation 200 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 206 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 12/7/1979

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No

Fee Enclosed: \$ 150 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Permit Holder
Name Telephone No.

Address

MICROFILMED

MAR 04 1991

The above information 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.

12/18/89
Date [Signature] Agent
Signature (and title if on behalf of a company or organization)

138797
October 31, 1989

JACK TAYLOR
RT. 2, BOX 2560
PAUL, ID 83347

PROOF DUE NOTICE

RE: PERMIT NO. 36-07882A

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 04 1991

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4 1\4 1\4	LT	#SOURCE	#NAME
3607882B	06S	21E	22	NW	SE	GROUNDWATER	NEWBOLD, CHRIS
3602368	<i>same P/D</i>					GROUNDWATER	MARTINS, ULRIC
3607882A	<i>Permit</i>					GROUNDWATER	NEWBOLD, CHRIS
3607882B	06S	21E	23	SW	SW	GROUNDWATER	NEWBOLD, CHRIS
3602367	<i>same P/D</i>					GROUNDWATER	BROTHERTON, G.

RECEIVED

MAR 04 1991

January 3, 1985

Jack Taylor
Route 2, Box 2560
Paul, ID 83347

Dear Mr. Taylor:

Re: Permit No. 36-7882A

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to January 1, 1990.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

RECEIVED
JAN 10 1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

December 28, 1984

Senter Lake Farms
Jack Taylor
Route 2, Box 2560
Paul, ID 83347

PERMIT NO. 36-7882A

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 35935.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138377

TAYLOR, JACK
RT. 2, BOX 2560
PAUL, ID 83347

PROOF DUE NOTICE

OCTOBER 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 36-7882A WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

HITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

September 5, 1984

RE: Permit No. 36-7882A

Jack Taylor
Rt. 2, Box 2560
Paul, ID 83347

Dear Permit Holders:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosure

RECEIVED
SEP 11 1984
ID 83347

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
2. Notary? ✓
3. a. Full Assign? - *full assign "part A"*
b. Partial Assign?
4. "No assignment" condition on permit? *NO*
5. Commencement of works received? *NO - see letter per telecon - will submit*
6. Affidavit of Residency required? *NO* *KW 8/30/84*

1. Type Permit Summary sheet ✓
2. Coding sheet ✓
3. Acknowledgement letter type *#1* *per telecon Jack Taylor to: Rt. 2, Box 2560 Paul, Id. 83347*
4. Copy to region ✓

Date: 8-30-84

Employee: *K. Walker*

U.S. DEPARTMENT OF THE INTERIOR

8-30-84

36-7882A

NAME OF PARTY

Alan Taylor

EMPLOYEE

Ray Walker

RE:

Correspondence of 8/14/84

Mr. Taylor was concerned as to how to notify us that he has complied with the commencement of works statute - he will send in a handwritten notification that they are using the water for irrigation purposes and have been ^{for some} ~~for~~ time. We also discussed the amount of water that had been assigned - and the amount available. He realizes that he will only be allowed 2.06 cfs - it should be okay to process the assignment now...

Also, Taylor's address is Rt. 2, Box 2560, Paul, Id. 83347 instead of the one listed on the assignment form.

kw

August 14, 1984

RE: Permit No. 36-7882A

Back Taylor
Rt. 1, Box 160
Paul, ID 83347

Rt. 2, Box 2560
Paul - Id.

Dear Mr. Taylor:

We are in receipt of an assignment of the above referenced permit, from Chris Newbold to you. However, in reviewing the assignment form, we find several items that you need to be aware of.

First, on the assignment form, Mr. Newbold states he wishes to assign 2.07 cfs of water to you. Mr. Newbold only owns 2.06 cfs of water under this permit, so the most allowable you would be only 2.06 cfs.

Second, on June 30, 1982, our Department sent the enclosed letter to Mr. Newbold, advising him of a change in Idaho Code, and requesting him to submit a commencement of works notification to our Department. As of this date, we have not received the required commencement of works notification, thus the permit is not in good standing with our Department at this point.

If you wish to develop the water under Permit No. 36-7882A, we need to be informed of the amount of work that has been completed under this proposed project, i.e., well dug, pumps installed, sprinkler lines installed, etc. If no work has been initiated, then we need to be informed of the reasons delaying the commencement of works.

If we do not hear from you on the above matter on or before August 31, 1984, we will begin proceedings to cancel the permit.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosure