

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

... Cheryl Blauer ... being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue

dated July 10, 1989, and ending

with the issue dated July 13, 1989

Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 25th day of July in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Margaret Barndroft
Notary Public for Idaho
Residing at Burley Idaho
My commission expires: 2-1-94

Cost of Publication 27.84
Notary Fee 50
Total Cost 28.34

OK
MB
7/28/89

MICROFILMED

NOV 02 1989

89-318

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

36-08187
FASSETT, RICHARD
BOX 42
MINIDOKA, ID 83343
Source: GROUNDWATER
Diversion Pt: NENE Sec 9 T 07S R 24E
Use: IRRIGATION (2,880 CFS)
Date Filed: 5/10/1983
In: T07S R24E S09 NENE NWNE
SWNE SENE NESE NWSE SESE
320.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, 2148 4th Av-
enue East, Twin Falls, Idaho 83301 on or
before July 24, 1989.

R. Keith Higginson, Director
Published in the South Idaho Press on
July 6 and 13, 1989.

RECEIVED

JUL 27 1989

Department of Water Resources
Southern Region Office

PCC Data

(ALL DISTRICTS)

FASSETT, RICHARD L

GPS Site ID Tag

A0003454

Legal Description

07S 24E 09 SENWNE

PCC Calculations

Date 08/07/1995

PCC:

756

KWHrs/AF

Recalc PCC

Change Date:

dbo

Kilowatt-Hour Meter

Utility IP

Pole No 779

Meter Mfr

Meter S/N 50933236

Disk Const

Multiplier

Condition #1

KW

280.9

GPM

2018

PCC

PSI

0

Percent

100

KW-A

Descrip

Condition #2

KW

0

GPM

0

PCC

PSI

0

Percent

0

KW-B

Descrip

Condition #3

KW

0

GPM

0

PCC

PSI

0

Percent

0

KW-C

Descrip

Date 07/01/1999

PCC:

696.7

KWHrs/AF

Recalc PCC

Change Date:

dbo

Kilowatt-Hour Meter

Utility IP

Pole No 779

Meter Mfr G

Meter S/N 95810710

Disk Const

Multiplier

Condition #1

KW

276

GPM

2209

PCC

PSI

62

Percent

75

KW-A

Descrip 1 crop on

Condition #2

KW

281

GPM

2018

PCC

PSI

0

Percent

25

KW-B

Descrip both crops on

Condition #3

KW

0

GPM

0

PCC

PSI

0

Percent

0

KW-C

Descrip

Date 01/01/2000

PCC:

752.02

KWHrs/AF

Recalc PCC

Change Date:

IDWRMAIN\tluk

Kilowatt-Hour Meter

Utility IP

Pole No 779

Meter Mfr G

Meter S/N 95810710

Disk Const 4.8

Multiplier 80

Condition #1

KW

276

GPM

2209

PCC

678.57

PSI

62

Percent

5

KW-A

Descrip Operating conditions percentages changed for 2000

Condition #2

KW

281

GPM

2018

PCC

756.25

PSI

0

Percent

95

KW-B

Descrip

Condition #3

KW

0

GPM

0

PCC

PSI

0

Percent

0

KW-C

Descrip

New Record

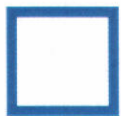
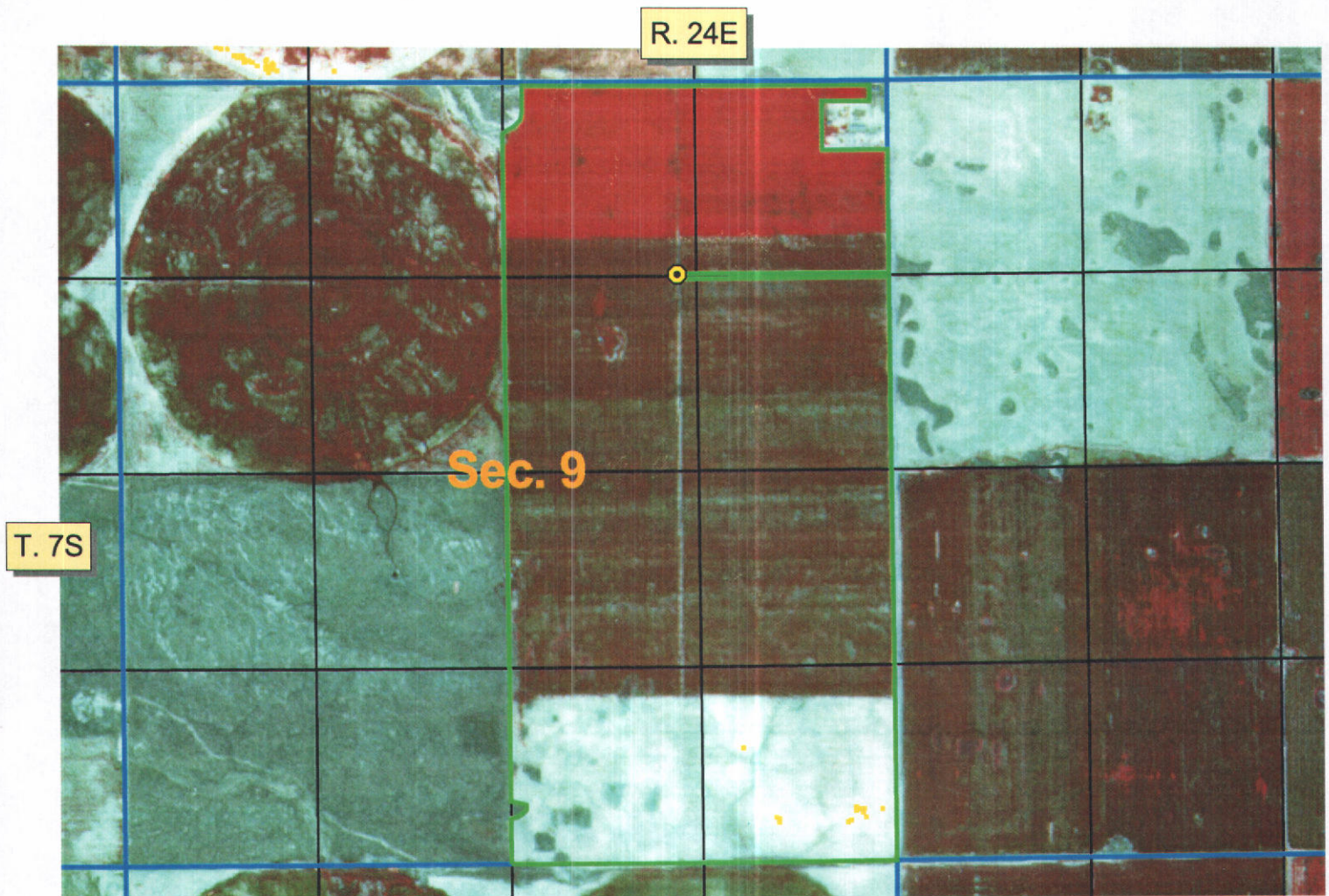
Site Visit

POD

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JUN 02 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Proposed POU - License 36-8187



Section Lines



Quarter/Quarter Lines

General Location: North of Norland, Idaho



Place of Use To Be Licensed



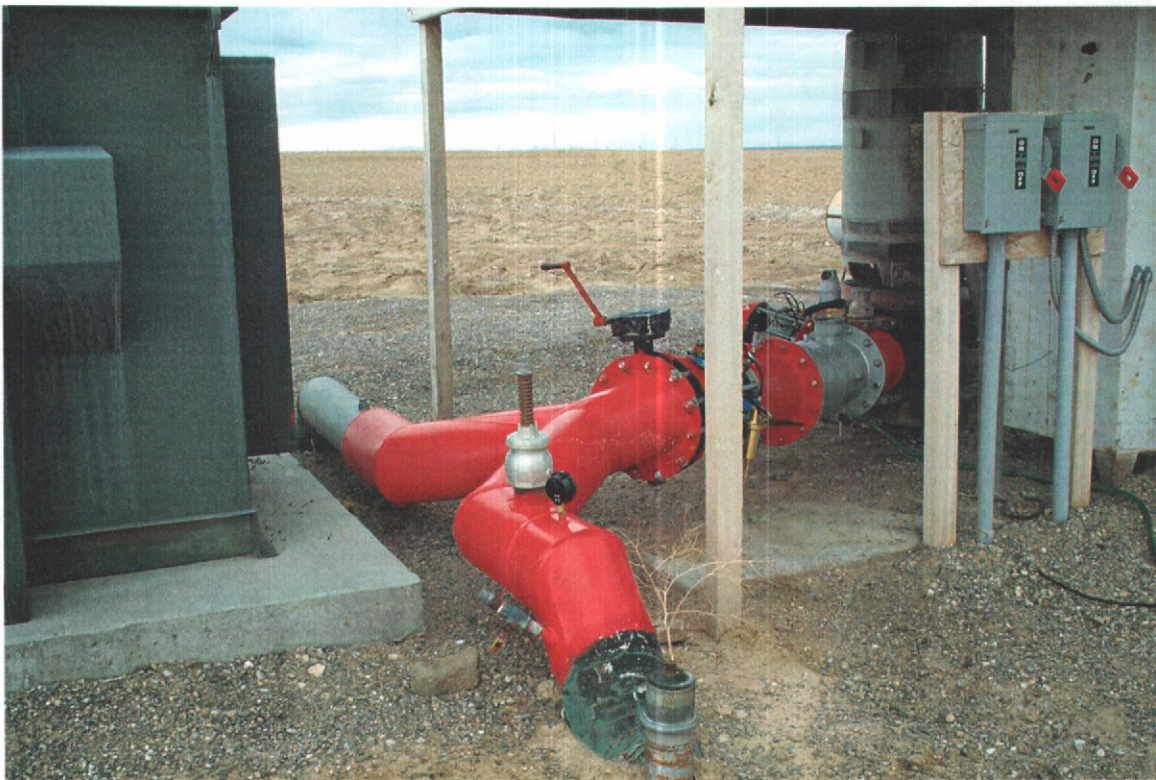
Point of Diversion

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JUN 02 2003



Prepared By J E Stanton 3-28-2003

1986/87 NAPP Data



Diversion Works Looking Northeasterly, Permit 36-8187
By J E Stanton 3-18-2003



Wheel Line On North End of Property Looking East
By J E Stanton 3-18-2003

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Place of Use, Permit 36-8187 By J E Stanton 3-18-2003

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JUN 02 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 1, 2004

RICHARD L FASSETT
1500 N 100 E
RUPERT ID 83350

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO(S). 36-7264
and 36-8187 TO THE WATER SUPPLY BANK**

Dear Lessor:

The Department of Water Resources ("department") has completed its review of the Applications to Sell or Lease Water Right(s) to the Water Supply Bank ("bank"). Please consider that the offered water right(s) are accepted into the bank.

Several items to keep in mind in connection with the lease of a water right to the bank are as follows:

1. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented from the bank.
3. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. The water rights referenced above will be rented from the bank at the current rental rate.
6. Portions of the above referenced water rights are leased to the bank as follows:

Right No.	Acres (ac)	Diversion Rate (cubic ft per sec., cfs)	Diversion Volume (acre-feet, af)
36-7264	40 ac	0.51 cfs	180 af
36-8187	40 ac	0.20 cfs	180 af
Total Leased:	40 ac	0.71 cfs	180 af

7. The lands leased to the bank under this water right are located as follows: 1 acre in the NENE, 3 acres in the NWNE, 6 acres in the SWNE, 6 acres in the SENE, 6 acres in the NESE, 6 acres in the NWSE, 6 acres in the SWSE and 6 acres in the SESE all in Section 9, T7S, R24E, B.M.
8. Water rented from the bank under rights 36-7264 and 36-8187 from lands located in Section 9, T7S, R24E, B.M. is limited to irrigation of a combined total of 40 acres, and a combined diversion rate of 0.71 cfs and diversion volume of 180 af.
9. During the term of this lease, use of rights 36-7264 and 36-8187 for irrigation of lands located in Section 9, T7S, R24E, B.M. is limited to irrigation of a combined total of 270 acres, and a combined diversion rate of 4.21 cfs and diversion volume of 1060 af. Water may be rented from the bank for irrigation of additional acres in the referenced location.
10. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
11. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.

The right(s) will automatically be released from the bank on March 15, 2005 unless the right(s) are released earlier by the Board, or upon request by the lessor. To change the term of the lease or to release the right(s) from the bank, the lessor must submit a request in writing to the department prior to the release date.

If you have questions, please feel free to contact the department.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

c: Allen Merritt – IDWR Southern Regional Office

Water Supply Bank No. _____

Water Right No. 36-07264
36-08187

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 10 2004

Department of Water Resources

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Richard Fassett Phone (208) 532-4575
Post office address 1500 N. 100 E. Rupert Idaho 83350

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 36-07264 Decreed to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. 36-08187 issued by the Idaho Department of Water Resources.
- c. Permit No. _____ issued by the Idaho Department of Water Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease, show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: .71 cubic feet per second &/or
180 acre-feet per annum
- b. Point of diversion: NW 3 of NE 3 of Section 9 Township 75 Range
24E B.M. in Minidoka County.
Additional points _____

RECEIVED

MAR 09 2004

Department of Water Resources
Southern Region

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

NA

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

NA

- e. If the water right is a permit, describe the work accomplished toward developing the right.

NA

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

RECEIVED

MAR 09 2004

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08187

Priority: May 27, 1983

Maximum Diversion Rate: 1.40 CFS

It is hereby certified that RICHARD L FASSETT
1500 N 100 E

RUPERT ID 83350 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated May 10, 1983; and has submitted Proof of Beneficial Use on November 18, 1991. An examination indicates that the works have a diversion capacity of 4.92 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

1.40 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp 07S, Rge 24E, B.M., MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	24E	9	34.0	39.0	40.0	39.0									39.0	40.0	40.0	39.0	310.0

Total Acres: 310

CONDITIONS OF APPROVAL

1. Right 36-07264 is also diverted through the point of diversion described above.
2. Rights 36-07264 and 36-08187 when combined shall not exceed a total annual maximum diversion volume of 1240.0 af at the field headgate, and the irrigation of 310 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 14th day of April, 2003.

MICROFILMED

JUN 02 2003

Karl J. Dreher
for
KARL J. DREHER
Director

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APR 10 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 36-08187

Date of Priority: May 27, 1983

Maximum Diversion Rate: 1.40 CFS

Comes now RICHARD L FASSETT
1500 N 100 E

RUPERT ID 83350 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08187, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	1.40 CFS

LOCATION OF POINT OF DIVERSION:

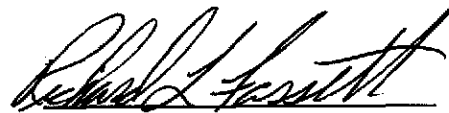
GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp 07S, Rge 24E, B.M., MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 24E 9	34.0	39.0	40.0	39.0									39.0	40.0	40.0	39.0	310.0

Total Acres 350 320

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 7 day of April, 2003.



(Signature)

MICROFILMED

JUN 6 2 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08187

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$50.00 Receipted by jm #0068527 Date 4/10/03

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08187 with the following:

CONDITIONS OF APPROVAL

1. Right 36-07264 is also diverted through the point of diversion described above.
2. Rights 36-07264 and 36-08187 when combined shall not exceed a total annual maximum diversion volume of 1240.0 af at the field headgate, and the irrigation of 310 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Witness my hand this 14th day of April, 2003.



KARL J. DREHER
Director

for

MICROFILMED

JUN 02 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08187)
IN THE NAME OF RICHARD FASSETT) 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 November 1, 1991; and,

WHEREAS, the Department notified the permit holder 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,

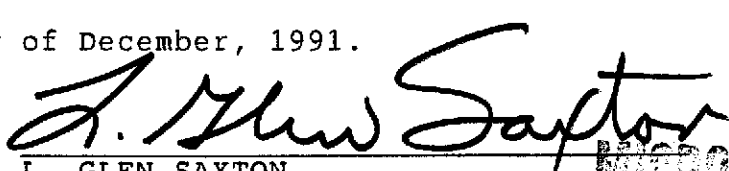
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the 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 proof of beneficial use on November 18, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08187 be REINSTATED with an advance in priority to May 27, 1983.

Dated this 9TH day of December, 1991.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

DEC 23 1991

RECEIVED
NOV 18 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 225.00
Date 11-19-91
Receipt No. 002257
Received by CF

Department of Water Resources

DEC 05 1991

Department of Water Resources

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.

1. Permit No. 36-08187 Telephone No. 532-4575
2. Name(s) of Permit Holder(s): RICHARD FASSETT
3. Post Office Address: RT. 3, Box 3267, RUPERT, IDAHO 83350
4. Source of Water: DEEP WELL
- a. If ground water, well driller's name: UNKNOWN Date drilled: BEFORE 1980
- b. Pump horsepower: 380 Pressure (psi): 60[#] Dynamic pumping level (ft.): 340 ft.
5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 320 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted 2.88 ~~6.0~~ cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No8. Fee Enclosed: \$ 225.00 ~~xx~~ (See License Examination Fee Schedule)

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

RICHARD L. FASSETT
Name532-4575
Telephone No.RT. 3, Box 3267, RUPERT, IDAHO 83350
(1500N 100E) Address

10. 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.

11-8-91
DateRichard L. Fassett
Signature (and title if on behalf of a company or organization)RECEIVED
DEC 23 1991

RECEIVED

OCT 15 1990

STATE OF IDAHO
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

Department of Water Resources

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. P36-08187

Name(s) of Permit Holder: Richard Fassett

Post Office Address: Rt 3 Box 3267 Rupert Ida 83350

Telephone No. 532-4575

Date Proof Is Due: _____

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".)

Put new bowls April 10th 1990

Costing \$13,000

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

Flow doesn't match pump curve. Going to pull bowls
Oct 20th 1990 to inspect and correct.

Permit holder(s) request an extension to Nov 1, 1991.
(1 yr. minimum)

Richard Fassett
(Signature)*

FEE: \$15.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JAN 28 1991

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 November 1, 1991.

Signed this 15th day of January, 1991.

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08187

Proposed Priority: May 10, 1983

Maximum Diversion Rate:

2.88 CFS

This is to certify, that **RICHARD FASSETT**
P.O. BOX 42
MINIDOKA, ID 83343

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	2.88 CFS

LOCATION OF POINT(S) OF DIVERSION: NENE Sec. 9, Township 07S, Range 24E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	24E	9	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320
Total number of acres irrigated:						320

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

24th day of October, 1989.

[Signature]
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant RICHARD FASSETT Phone 531-5785
Post office address Bx 42 MINIDOKA, IDAHO 83343
2. Source of water supply groundwater which is a tributary of L
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 7S
Range 24R B.M. MINIDOKA County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.88 for IRR purposes from 4-1 to 11-1 (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. 2.88 cubic feet per second and/or b. ✓ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, MOTOR, 3'
Pump

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 320 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: _____

MINIDOKA

NOV 08 1983

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	SW¼	SE¼	
7S	24E	9	40	40	40	40									40	40	40	40	320

Total number of acres to be irrigated 320

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

Lic - 36 - 7264 - 3.52 cfs. 320 Ac.
Existing facilities -

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

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

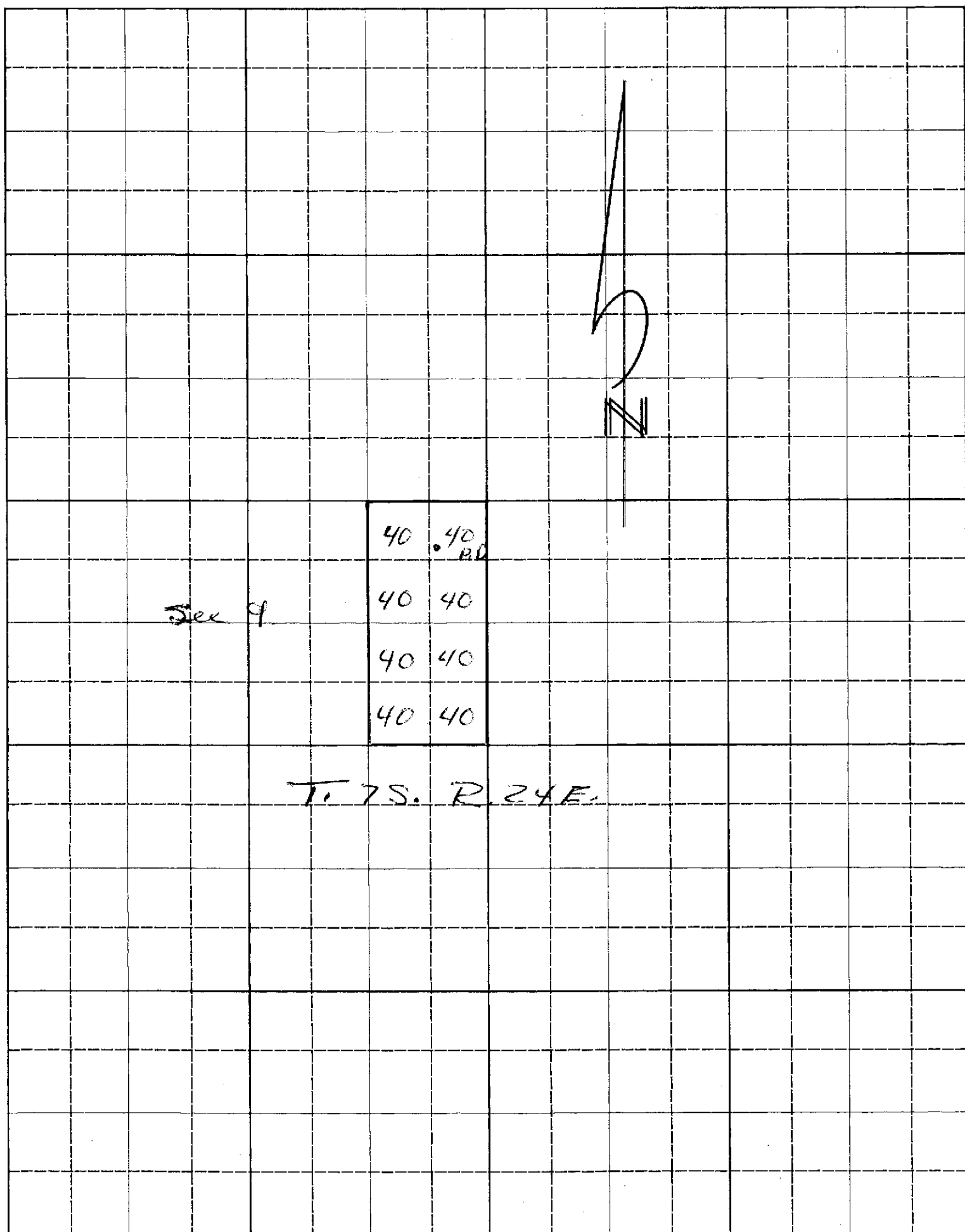
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

RECEIVED
FEB 11 1994

1994 FEB 11

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.

RECORDED

NOV 08 1938

Richard Fawcett
(Applicant)

Received by A.F. Date 5/10/83 Time 9:30 AM.
Preliminary check by TGB Fee \$ 85⁰⁰ # 27318
Receipted by meys Date 7/1/83
Publication prepared by M. Baldwin Date 3/21/89
Published in So. ID. Press
Publication dates 4/6 & 4/13/89
Publication approved M. Baldwin Date 7/28/89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by zth

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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:

NOT FILMED

MAY 02 1989

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Cheryl Blauer being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue

dated July 10, 1989, and ending

with the issue dated July 13, 1989

Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 25th day of July in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Marge Perisich
Notary Public for Idaho
Residing at Dunsmuir, Idaho
My commission expires: 2-1-99

Cost of Publication 27.84
Notary Fee 50
Total Cost 28.34

OK
MB
7/28/89

89-318

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

36-08187
FASSETT, RICHARD
BOX 42

MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: NENE Sec 9 T 07S R 24E

Use: IRRIGATION (2.880 CFS)

Date Filed: 5/10/1988

In: T07S R24E S09 NENE NWNE
SWNE SENE NESE NWSE SWSE SESE
320.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, 2148 4th Ave-
nue East, Twin Falls, Idaho 83301 on or
before July 24, 1989.

H. Keith Higgins, Director
Published in the South Idaho Press on
July 6 and 13, 1989.

RECEIVED

JUL 27 1989

Department of Water Resources
Southern Region Office

RECORDED

INDEXED

MEMORANDUM

To: Files 36-7264 and 36-8187

From: Jeff Peppersack

Date: June 1, 2004

Re: Lease of Water Right to the State Water Supply Bank

<u>Water Right</u>	<u>SRBA Claims</u>	<u>Lease/Rental:</u> <u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-7264	Decreed	0.51 cfs	180 af	40 ac
36-8187	NA	0.20	180 af	40 ac
Combined Total		0.71 cfs	180 af	40 ac

The applicant, Richard Fassett, has offered a portion of the rights for lease to the bank. Right 36-7264 is an SRBA decreed right decreed in 1997 with irrigation season amendment in 2001. Right 36-8187 is a licensed right with proof submitted in 1991 (no SRBA claim required). The rights are stacked rights authorized for the same source, point of diversion and place of use. The application proposes to lease 40 acres to the bank for 0.71 cfs and 180 afa. No forfeiture or other issues have been identified. The field exam for right 36-8187 indicates that a pivot was installed in 2002; this application appears to be for pivot corners. The right should be accepted into the bank as proposed in the application and with conditions limiting use of the rights in combination.

The balance of the rights are limited to irrigation of 270 acres with a diversion rate of 4.21 cfs (3.01 cfs under right 36-7264 and 1.2 cfs under right 36-8187) and a diversion volume of 1060 afa.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 14, 2003

RICHARD L FASSETT
1500 N 100 E
RUPERT ID 83350

RE: License No. 36-8187 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUN 02 2003

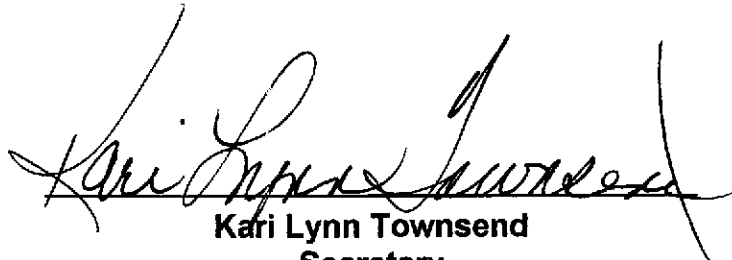
CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

36-8187

**RICHARD L FASSETT
1500 N 100 E
RUPERT ID 83350**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 02 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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JUN 6 2 2003

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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JUN 02 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 3, 2003

RICHARD L FASSETT
1500 N 100 E
RUPERT ID 83350

RE: Water Right Permit No. 36-08187

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Point of Diversion**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

MICROFILMED
JUN 02 2003

Enclosure

LICENSE REVIEW CHECKLIST

Permit No. 36-8187 Date: 4-2-03 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: Change

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 36-7264

File reviewed _____ Profile reports printed ✓

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 2.88 cfs

Fee Limit 4.92 cfs

Measured 4.92 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate _____

Water Uses OK

Change (P46)

Season of Use per new Standards

3-15 11-15

Irrigation 1.40 cfs ✗ af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 1.40 cfs ✗ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) 310 acres x 4.0 (FHR) = 1240.0 af

3.0 (con)

Remarks: _____

Additional Conditions 130

Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? NO - not req'd

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice _____

S06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-7264

WATER RIGHT NUMBER: 36-7264

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD L FASSETT 1500 N 100 E RUPERT, ID 83350 (208)532-4575

Priority Date: 09/21/1972

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.520 CFS	1,240.00 AF
	<u>Total Diversion:</u>	3.520 CFS	1,240.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4NE1/4	Sec. 9, Twp 07S, Rge 24E, B.M.
MINIDOKA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	24E	9	34.0	39.0	40.0	39.0									39.0	40.0	40.0	39.0	310.0

Total Acres: 310

Conditions of Approval:

1. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-7264

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. KEEN 3/25/1992 CLAIM REVIEW

Comment: INITIAL REVIEW AND RECOMMENDATIONS BY ANNA BAUMHOOF. FURTHER REVIEW AND DATA ENTRY BY S.W. KEEN ON 3-25-1992.

2. AJU10-DS 12/21/1999 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:

Decreed Date: 8/27/2001

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR - 1 2003

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-8187

1. Owner: Richard Fasset Phone No. 532-4575

Current Address: 1500 N 100 E, Rupert, ID 83350 (address change)

2. Accompanied by: Mr. Fasset in my office EXAM DATE: 1-30-03, 3-18-03
in field

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 36-7264

2. Other water rights with the same point of diversion: "

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NW	NE	9	7S	24E	Minidoka	GPS/SRBA decree

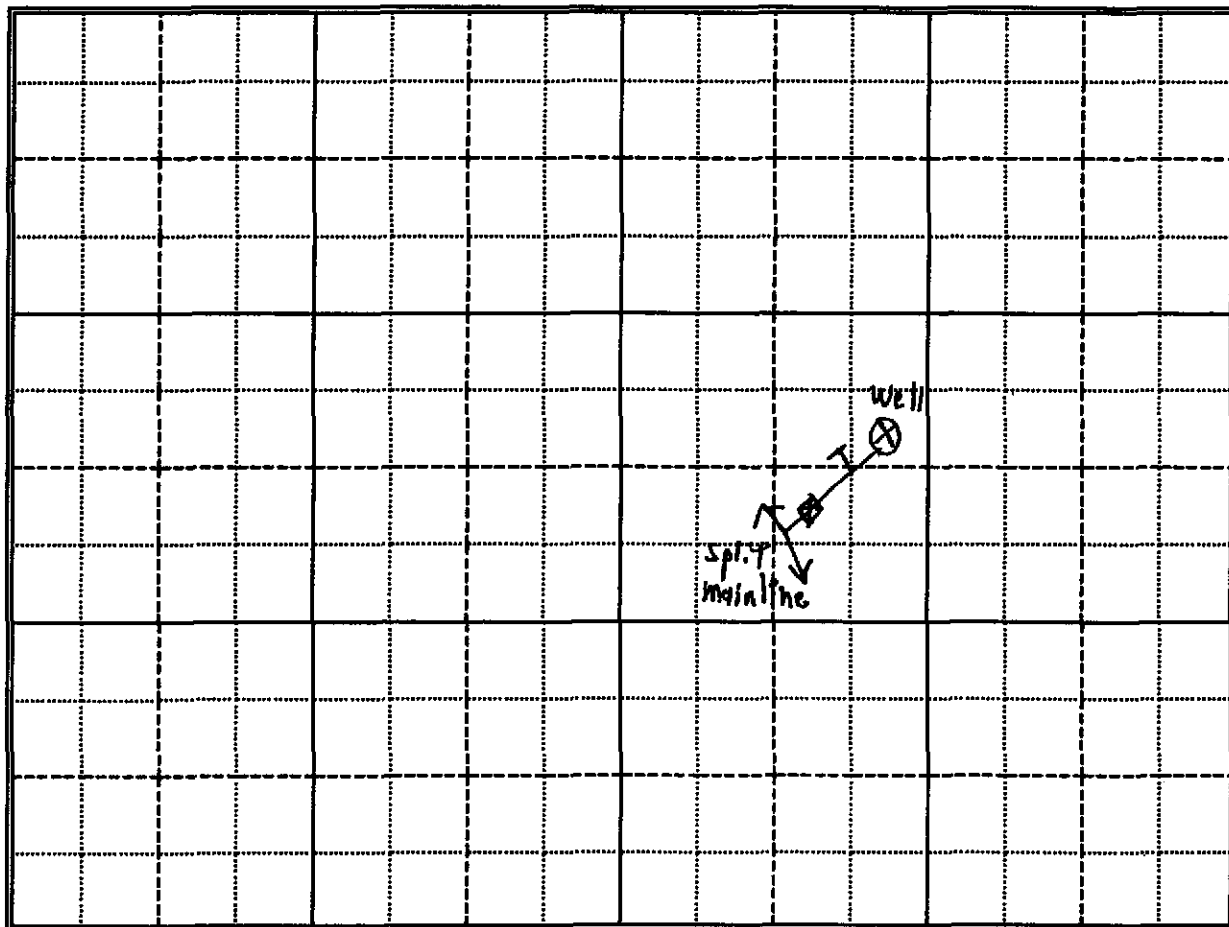
2. Place(s) of Use:

Indicate Method of Determination SrBA decree

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	24E	9	34	39	40	39									39	40	40	39	310

MICROBLADE
JUN 12 2003

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	350	FkJE/9011	Peerless	Not readable

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Measured by Brian Higgs at 2209 gpm (4.92 cfs) on 7-1-1999.

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2016 02 2003

E. NARRATIVE/REMARKS/COMMENTS

Mr. Fassett came into my office today. He was concerned that the license had not yet been issued. We discussed the water system. I looked up the well measurements in the WMS database. He agreed that the decreed acres under 36-7264 are correct, so I am recommending this as the place of use for 36-8187 also.

The original system had a 200 hp motor, but that was increased to 350 hp in 1990. So this permit represents additional pumping capacity to be licensed, but no additional acres or annual volume.

The USGS map shows the well to be in the NE/SW/NE Sec. 9, but the existing decree & GPS data from Brian Higgs show the well in the SE/NW/NE Sec. 9. My site visit on 3-18-03 confirms the Higgs data.

The system was changed last year from handlines to 2 low-pressure pivots (no corner lines yet) as part of the required reduction in water use in Water District 150. Owner was concerned that he would loose the flow and land that were legally developed under this permit, so asked that the field exam be completed and the license issued.

I saw wheel lines in the 2 north pivot corners during my field visit to the well.

There is sufficient mainline at the well head to allow installation of a portable polysonic measuring device, which should satisfy permit requirement #1.

Recommend licensing for standard irrig season of 2-15 to 11-15.

SDE work has been completed.

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 02 2003

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Measured 4.92 cfs - 3.52 cfs already decreed = 1.40 cfs to be licensed.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	1.40	-
Totals:			1.40	-

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name J. E. Stanton Date 3-20-03

Reviewer _____ Date _____

MICROFILMED
SEAL
JUN 9 2 2003

MEMORANDUM

Date: March 28, 2003
To: Water Right File 36-8187
From: jstanton
Re: Field Report Narrative

On 3-18-03, I visited the permitted well to verify its location by GPS, and to obtain pump information and photos needed to complete the field exam. The motor size was increased over what was there for the original right on this system, so this permit represents only additional pumping capacity (no additional flow or volume). The well was measured on 7-1-99 at 4.92 cfs by Brian Higgs of the Magic Valley Groundwater District, which represents an increase of 1.4 cfs; I am recommending this amount. Less water was used last year as required by Water District 130, and Mr. Fassett was concerned that this not be reflected in this license; he requests licensing ASAP.

MICROFILMED

JUN 02 2007

PCC Data

A0003454

07S 24E 09 SENWNE

08/07/1995

IP

779

50933236

KW-A

280.9

2018

0

100

KW-B

0

0

0

0

KW-C

0

0

0

0

07/01/1999

IP

779

G

95810710

KW-A

276

2209

62

75

1 crop on

KW-B

281

2018

0

25

both crops on

KW-C

0

0

0

0

01/01/2000

IP

779

G

95810710

4.8

80

KW-A

276

2209

62

5

Operating conditions percentages changed for 2000

KW-B

281

2018

0

95

KW-C

0

0

0

0

New Record

Site Visit

MICROFILMED

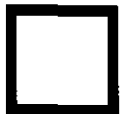
JUN 9 2 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Proposed POU - License 36-8187

R. 24E

T. 7S



Section Lines



Quarter/Quarter Lines

General Location: North of Norland, Idaho

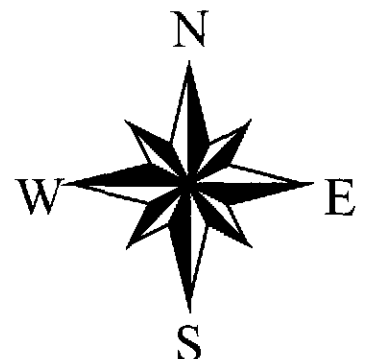


Place of Use To Be Licensed



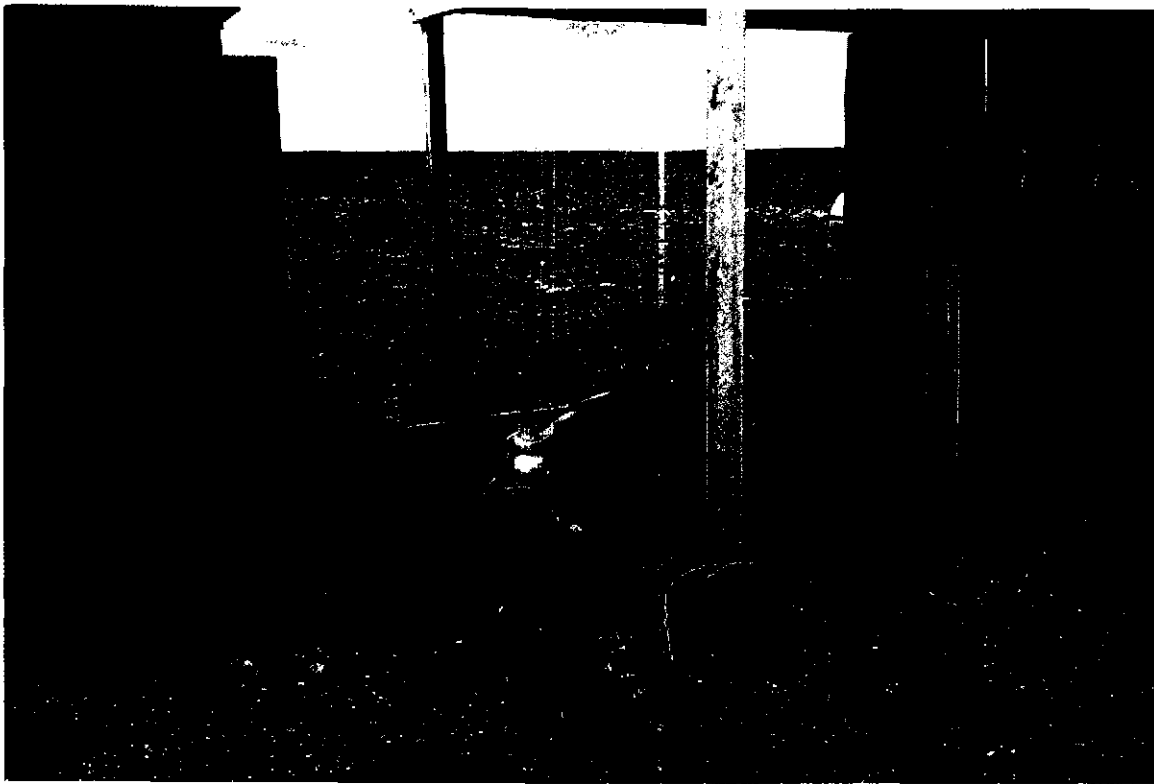
Point of Diversion

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JUN 02 2003



Prepared By J E Stanton 3-28-2003

1986/87 NAPP Data



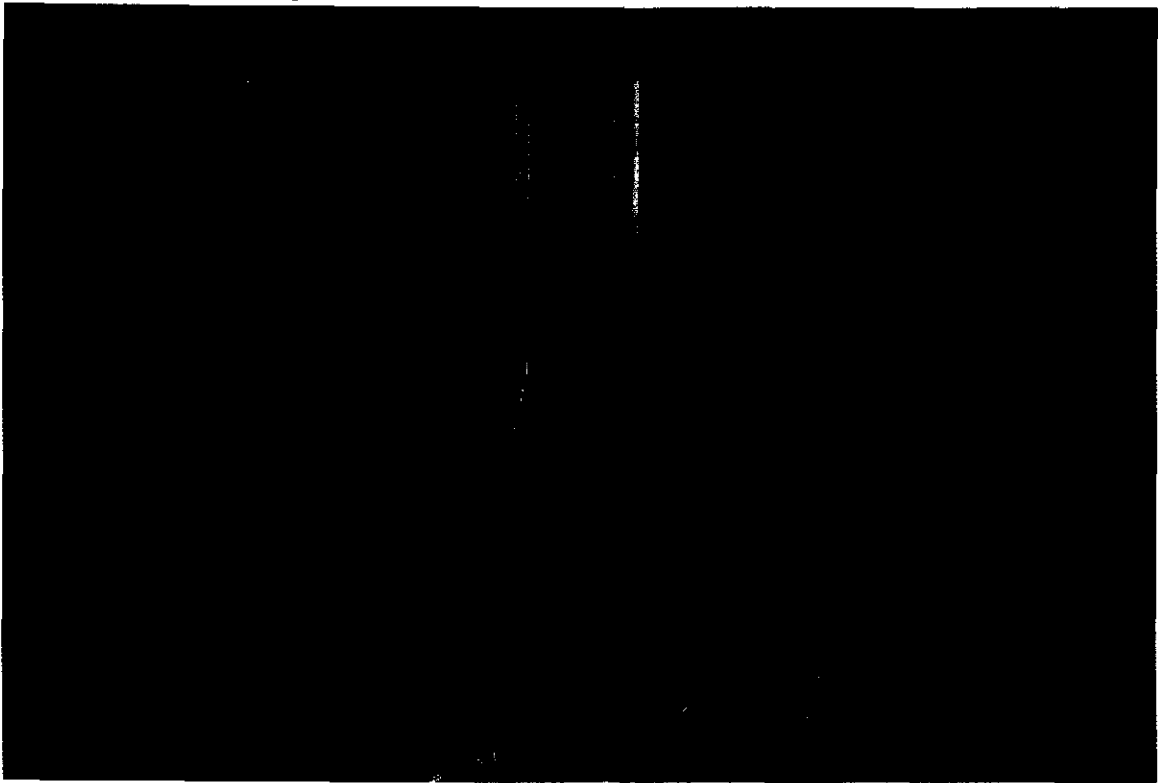
Diversion Works Looking Northeasterly, Permit 36-8187
By J E Stanton 3-18-2003



Wheel Line On North End of Property Looking East
By J E Stanton 3-18-2003

MICRONAL

JUN 02 2003



Place of Use, Permit 36-8187 By J E Stanton 3-18-2003

MICROFILMED

JUN 02 2003

S1
4/92

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO.

36-8187

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☐) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☒) Copy of Orthophotoquad Map
- (☒) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- (☐) Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

If Yes, Type of Overlap: (☐) Add Acres or Uses to Existing System
(☒) Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

If Yes, Type of Overlap: (☒) Increase Rate of Flow or Volume
(☐) Add Supplemental Water Source
(☐) Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date _____ Time _____ Place _____

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 3-18-03 Notice of Completion Turned In ✓
Field Report Completed 3-31-03 J. P. Stanton 3-31-03
Signature of Examiner & Date
Field Report Reviewed by Sr. Agent _____ (Initial & Date)
Field Report Reviewed by Region Mgr. _____ (Initial & Date)
Field Report Sent to S.O. _____ Region Card File Updated _____

RECEIVED

APR - 1 2003

Department of Water Resources

December 12, 1991

RICHARD FASSETT
RT. 3 BOX 3267
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08187

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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, /

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECORDED
DEC 23 1991



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

November 21, 1991

Richard Fassett
Route 2, box 3267
Rupert, ID 83350

RE: Permit No. 36-08187

Dear Permit Holder:

Enclosed is your Proof of Beneficial Use Form. Before we can complete processing, additional information is required. We have also detected an error that needs to be corrected.

A drilling permit is required for all wells drilled, deepened or enlarged after July 1, 1987 (Section 42-235, Idaho Code). You have indicated neither the well driller or the date drilled. If your well was drilled after July 1, 1987 please submit a copy of the drilling permit and indicate the name of the driller. If it was drilled before this date, please indicate this on the form.

Please note the enclosed copy of your approved application for permit which includes a maximum rate of diversion of 2.88 cfs. A license cannot be issued for a rate greater than the maximum rate approved on your application. The total cfs for which the proof is submitted has been amended to show 2.88 cfs. You also submitted a \$225 license exam fee. I have adjusted this to \$150 and begun the refund process of \$75. This process usually takes two to four weeks.

Please provide the appropriate information within 15 days of the date of this mailing. Your permit has already lapsed and will be of no force or effect if I do not hear from you by then.

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

MICROFILMED

DEC 23 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 36-08187

Date 11/21/91

GENERAL CONSIDERATIONS

YES Name same as permit?
YES Address same as permit? If no, indicate below.
NO Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

 Surface water source
 Ground water source
NA Drill permit req'd?
before 1980 Copy in file? Drill permit no.
 Amt paid for drilling permit? Correct?
 Well log in file?

LICENSE EXAMINATION FEE

YES Required?
225 Amount submitted?
NO Correct amount?

MEASURING DEVICE

YES Measuring device or access port required?
YES Installed?
NA Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

who & when drilled
can approved for 2.88 cfs - fee \$150 - refund \$75
explain cfs
proof acceptable

PRIORITY CALCULATION

Date proof received 11/18/91 322
Date proof due 11/1/91 - 305
No. of days late = 17
Priority date 5/10/83 + 130
NEW PRIORITY DATE 5/27/83 = 147

12/13/91
KAG

LAYNE PUMPS

Division of Layne & Bowler, Inc.

Box 640, Twin Falls, Idaho 83301

Phone No. 733-3284

ORDER NO _____

DATE 11-13 1981

DEALER

PUMP ESTIMATE AND ORDER

CUSTOMER

Route _____ Date Desired _____

ORDER CUSTOMER
Richard Fassel
Box 62
Minidoka, ID 83343
(6CFS)

PUMPING CONDITIONS

Inside Dia. of Well_____

Life in Well _____ 285

Capacity 2700 GPM

Depth of Well 385'

Lift Above 70 lbs. 160

Speed of Pump 1760 RPM

Static Water Level 28.5'

Column Friction. 20

HP Required 380 @ 84%

Drawdown _____

Total Dynm. Head 485'

Allowable Shaft HP _____

Number	DESCRIPTION	LIST PRICE	NET PRICE
/	3.50 HP MOTOR 3 Phase 460 Volt U.S. Make 1800 RPM With Ratchet _____ Without _____		
	HP STARTER { Across Line } _____ Volt _____ Make _____ Auto Start _____		
	AMP SAFETY SWITCH _____ Volt _____ Phase _____ Make _____		
	GEAR DRIVE _____ Ratio { With } _____ Ratchet _____ Make _____ Without _____		
	WL SPICER SHAFT _____ " Long _____		
	W DRIVE FLANGE _____ Bore _____ Key _____		
	W ENGINE FLANGE _____ Bore _____ Key _____		
L	10" HEAD Outlet { Water Lub } _____ Oil Lub _____		
	OILER _____ Volt Solenoid _____		
	"X DISCHARGE NIPPLE { TOE } _____ TBE _____		
L	330' SETTING OF 10"x 3 "X 1 7/16 " in 20 'Length		
L	14 BOWLS THC Type S Stage { Open } Ports { Bronze } Wear Rings Close Cast Iron { Bronze } Impellers { Oversize } Shaft Fitted X X X Cast Iron Standard		
	"X SUCTION { TOE } _____ Couplings TBE _____		
L	10 STRAINER { Bronze } { Screwed } { Basket } Galvanized Welded Cone		
	TOTAL		

Quoted By:

TF-127

November 7, 1991

RICHARD FASSETT
RT. 3 BOX 3267
RUPERT ID 83350

LAPSE NOTICE

RE: PERMIT NO. 36-08187

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11-8-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

KG

RECEIVED

DEC 23 1991

138996
August 31, 1991

RICHARD FASSETT
RT. 3 BOX 3267
RUPERT, ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-08187

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 November 1, 1991. (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

NOT RECORDED
DEC 23 1991

January 17, 1991

RICHARD FASSETT
RT 3 BOX 3267
RUPERT ID 83350

Dear Mr. Fassett:

Re: Permit No. 36-8187

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 November 1, 1991.

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 concerning this matter, please contact the department.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MicroFILMED

JAN 28 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 36-8187Reviewed by NYDate 1-15-91

BASIC INFORMATION

4 Date stamp received
4 Extension received timely (not too early not too late)
4 Fee received and receipted
4 Name and signature same as permit
4 Address change

BASIS FOR EXTENSION REQUEST

4 Has adequate work been completed to demonstrate due diligence?
4 Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN

- address change
Recommend approval based on due diligence for one year

N/A Reinstate Date extension received _____ = _____
Proof due date _____ = -
No. of days late _____ = _____
Priority date _____ = +
ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

4 Change proof due date _____ Address change
Priority date change _____

138376

August 31, 1990

RICHARD FASSETT
P.O. BOX 42
MINIDOKA, ID 83343

PROOF DUE NOTICE

RE: PERMIT NO. P36-08187

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 November 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

RECEIVED

JAN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 25, 1989

RICHARD FASSETT
P.O. BOX 42
MINIDOKA, ID 83343

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P36-08187

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

NOV 02 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAIL ROOM

NOV 02 1989

MEMORANDUM

TO: File No. 36-8187
FROM: Gary Spackman *Gary*
DATE: October 24, 1989

RE: Waiver of Rule 4,5. Additional Information Requirements

Application 36-8187 was filed prior to July 1, 1985 and represents development that occurred in 1980. The location of the point of diversion falls inside of the trustwater area, but is exempt. Normally, additional information would be required under Rule 4,5. of the Water Appropriation Rules and Regulations. Possible issues that the additional information should address have probably already been raised during development and operation, however.

Pursuant to Glen Saxton's memo of July 19, 1989, the Rule 4,5. informational requirement should be waived.

MICROFILMED

NOV 02 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

FASSETT, Richard

INITIAL REVIEW BY: T. G. Blau

APPLICATION NUMBER: 36-8187

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☒ Yes ☐ No

Platted by: _____

Map No. AA-79

Other rights on same place of use. 36-7264

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: _____

- ☐ Yes ☐ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/27/89
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No Measuring device required.

- ☒ Yes ☐ No Access port required.

- ☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-POS

- 5/10/83 ☒ Date of priority recommended.

Special conditions of approval or cover letter. 016,

App. in TRUST area - EXEMPT
allow 1 yr. for development

By: Larry O. Halum

Date: 8/22/89

STATE OFFICE REVIEW:

P05, P23, P03, P16 46 01G

- ☐ See attached sheet for more information.

By: fw

Date: 9-25-89

AUG 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MARCH 20, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before July 24, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

NOV 02 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-08187

FASSETT, RICHARD
BOX 42
MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: NENE Sec 9 T 07S R 24E

Use: IRRIGATION (2.880 CFS)

Date Filed: 5/10/1983

In: T07S R24E S09	NENE	NWNE	SWNE	SENE
	NESE	NWSE	SWSE	SESE

320.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before July 24, 1989.

R. Keith Higginson, Director

Published 7/6 & 7/13/89

MICROFILMED

NOV 02 1989

89-318

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

36-08187

FASSETT, RICHARD

BOX 42

MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: NENE Sec 9 T 07S R 24E

Use: IRRIGATION (2.880 CFS)

Date Filed: 5/10/1989

In: T07S R24E S09 NENE NWNE
SWNE ~~SENE~~ NESE NWSE SWSE ~~SESE~~
320.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, 2148 4th Av-
enue East, Twin Falls, Idaho 83301 on or
before July 24, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on
July 6 and 13, 1989.

RECEIVED

JUN 27 1989

Department of Water Resources
Southern Region Office

OK
MB
6/27/89

WATER RESOURCES
SOUTHERN REGION
TWIN FALLS, IDAHO
JUN 27 1989

14-Jun-1989

Richard Fassett
P.O. Box 42
Minidoka, ID 83343

Re: Application for Permit No. 36-08187

Dear Mr. Fassett:

With regret, I must inform you that information from the South Idaho Press indicates that the publication for the above referenced application for permit was not advertised in April according to our file and previous correspondence to you .

On this date, a request for publication was mailed to the South Idaho Press to appear on 7/6 & 7/13/89 with the final date for the timely submittal of protests being July 24, 1989.

Thank you for your cooperation in this matter. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

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

LH:MB

MICROFILMED
NOV 02 1989

FROM *Mary Baldwin, Sec/office Coord.* DATE *6/14/89*
 TO *File*
 SUBJECT *Missing ad*

Per telephone to So. ID. Press, they never received the ad scheduled for April publication as our file indicates.

Therefore, publication is rescheduled for 7/6 & 7/13/89.

MICROFILMED

NOV 02 1989

Mary Baldwin
 SIGNATURE

21-Mar-1989

Richard Fassett
P.O. Box 42
Minidoka, ID 83343

Re: Application for Permit No. 36-08187

Dear Applicant (s):

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published in the South Idaho Press on 4/6 & 4/13/89. A period of ten days following the second publication will be allowed for the submittal of protests.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Very truly yours,

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

LH:MB

MICROFILMED

NOV 02 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MARCH 20, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 24, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

NOV 02 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

NOV 02 1989

36-08187

FASSETT, RICHARD
BOX 42
MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: NENE Sec 9 T 07S R 24E

Use: IRRIGATION (2.880 CFS)

Date Filed: 5/10/1983

In: T07S R24E S09

NENE
NESE

NWNE
NWSE

SWNE
SWSE

SENE
SESE

320.0 ACRES TOTAL

MICROFILMED

NOV 02 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before APRIL 24, 1989.

R. Keith Higginson, Director

Published 4/06/1989 & 4/13/1989

MICROFILMED

NOV 02 1989

MEMORANDUM

RECEIVED

FEB 27 1989

Department of Water Resources
Southern Region Office

TO: LOREN HOLMES

FROM: TIM LUKE *TL*

RE: PERMIT NO. 36-8187 EXEMPT FROM SWAN FALLS REVIEW

DATE: 2/22/89

=====

Loren,

Please review the attached memo to file and add to the file which is in your office. This app. will need advertising, unless it has been advertised already. Advertising format or language would be the same as those Swan Falls files which were recently advertised or are currently in the process of being advertised. Please call if there is a question.

RECORDED

NOV 02 1989

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

RE: SWAN FALLS PROCESSING

DATE: 2/22/89

On February 16, 1989, I received information from the applicant's attorney concerning prior development and substantial investment prior to 11/19/82. This information is sufficient for exempting the application from the requirements of Swan Falls processing or review of 42-203C. The information was forwarded to Gary Spackman and he has concurred that there is sufficient evidence for exempting the application from 42-203C review.

In addition, it should be noted that the application is supplemental to irrigated acreage which is covered by an existing license. This application does not propose development of new acreage but rather only represents an increased diversion flow rate. The nature of the application is therefore nonconsumptive and could be exempt from review of 42-203C for this reason alone.

I recomend that this application be exempt from the review of 42-203C and will proceed to remove it from the Swan Falls process list. The regional office should proceed to advertise the application and eventually forward it to the state office for approval to permit.

RECEIVED

NOV 02 1989

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON

ATTORNEYS AT LAW

615 "H" STREET

R. O. BOX 396

RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
436-6682
FAX (208) 436-6804

DAVID W. HALEY
MARK A. INGRAM
RICK BOLLAR
ASSOCIATES

February 15, 1989

RECEIVED
FEB 16 1989

Department of Water Resources
Permit and License Division
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Attention: Tim Luke

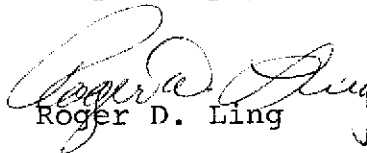
RE: Application for Permit No. 36-8187
Richard Fassett - Applicant

Dear Tim:

Pursuant to our conversation on February 14, 1989, I have enclosed a copy of a letter sent to Thomas G. Nelson of Nelson, Rosholt, Robertson, Tolman and Tucker on April 22, 1988, together with a copy of the Form B affidavit and Affidavit of Richard Fassett, Water Right License 36-7264, and Exhibits "2" through "9" that were also enclosed with our letter to Mr. Nelson.

I assume that this documentation is sufficient to allow you to proceed with the issuance of a permit on the above application. If you need any further information, please feel free to contact this office.

Very truly yours,


Roger D. Ling

RDL:nk
Enclosures
cc: Richard Fassett

RECEIVED

NOV 02 1989

MEMORANDUM

TO: GARY SPACKMAN ^{Gary} & JIM JOHNSON ^{Jim}

FROM: TIM LUKE ^{T. Luke}

RE: APP. NO. 36-8187 & OVERLAPPING WATER RIGHTS IN SWAN FALLS TRUST AREA

DATE: 1/31/89

Here's an interesting one; the attached letter is an appeal to the Department by Mr. Ling to approve his client's application based on a substantial investment prior to 11/19/82. This file was among those reviewed by our Swan Falls application review team at the Southern Region office. At that time we determined that there was a lack of evidence in the file concerning development prior to 10/84 or substantial investment prior to 11/19/82.

Under item 8c. of the application, a statement is made that an existing license covers the same 320 acres for 3.52 cfs. Review of License No. 36-7264 shows that this is indeed the case. The POD description is the same for both the license and the application (proof report of application attached). The application therefore seeks to appropriate an additional rate of flow on lands covered by an existing license.

It appears to me that this application does not represent a new development or an expansion of an existing project. Increasing the well yield or diversion rate over the same acreage does not increase the consumptive use. The application is really nonconsumptive.

It is my understanding that if the application was approved, it would be conditioned so that when the permit is combined with the existing license, the two shall not exceed 1,280 AF/yr (i.e.; the volume shown in the license based on the 4.0 AF/acre diversion allowed for that area). Based on this presumption, I would recommend that the application at least be exempt from processing under 42-203C.

MICROFILMED

NOV 02 1989

Beyond exemption, there are perhaps several alternatives for dealing with this application: 1) approve the application with the condition that it not be unstacked from the existing right and remain appurtenant to the land; 2) inform the applicant that the application can only be approved for lands which are considered to be part of a new development; and 3) request that the applicant withdraw the application for the reason that the application has no value.

I would like to discuss these options as it relates to the above application at your earliest convenience. I should remind you that a decision on this application is somewhat important since there are a number of similar applications in the trust area.

RECEIVED
NOV 02 1968

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON

ATTORNEYS AT LAW
615 "H" STREET

P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
436-5682
FAX (208) 436-6804

DAVID W. HALEY
MARK A. INGRAM
RICK BOLLAR
ASSOCIATES

January 20, 1989

RECEIVED
JAN 23 1989

Department of Water Resources
Permit and License Division
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

RE: Application for Permit No. 36-8187
Richard Fassett - Applicant

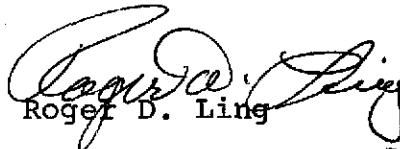
Dear Gentlemen:

The above Application was filed with the Department of Water Resources on May 10, 1983. Obviously, action on the Application was deferred as a result of the Swan Falls suit.

A review of the Application will establish that the applicant is seeking to obtain a water right for water that was diverted from this well in excess of an existing license since May 20, 1981. In April, 1988 this office submitted to the attorneys for Idaho Power Company in the Swan Falls suit an affidavit of the applicant establishing that all costs for the development of this right were expended prior to November 19, 1982 and the project was completed before that date.

In view of the Snake River adjudication suit that is now proceeding, we would ask that this Application now be processed without further delay so that a permit can be issued and a claim filed in the Snake River adjudication for this water that has been used since 1981.

Very truly yours,


Roger D. Ling

RDL:nk
cc: Richard Fassett

MICROFILMED

NOV 02 1989

36-7264 = 3.5L cfs for
320 acres existing withdrawal:

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON

DAVID W. HALEY
MARK A. INGRAM
RICK BOLLAR
ASSOCIATES

ATTORNEYS AT LAW
615 "H" STREET
P.O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4777
436-5681

April 22, 1988

Thomas G. Nelson
Nelson, Rosholt, Robertson,
Tolman and Tucker
Attorneys at Law
P.O. Box 1906
Twin Falls, Idaho 83303

RE: Idaho Power Company v.
Idaho Department of Water Resources
Case No. 81375
Application No. 36-8187 - Richard Fassett

Dear Tom:

I have enclosed a Form B duly executed by Richard Fassett, applicant under A36-3187, together with attached documents. If this affidavit, with attachments, is satisfactory, would you please forward the same on to the Department of Water Resources with your approval and include this application on the list of parties to be dismissed in the next dismissal.

Very truly yours,

Roger D. Ling

RDL:nk
Enclosures

MICROFILMED

NOV 01 1989

FORM B

Please answer all questions fully if you believe that actual use or a substantial investment existed as of November 19, 1982, (\$15,000 or 25% of the estimated cost of the project):

SEE ACCOMPANYING LETTER!

Permit or Application Number: A36-8187

Name(s) of Permit Holder: Richard Fassett

Post Office Address: Route #2, Box 3267, Rupert,
Idaho 83350

Telephone No. 532-4575

Indicate the date water was first diverted and beneficially used under this permit: May 20, 1981

1. As of November 19, 1982, had the sum of at least \$15,000 been spent on the purchase or construction of wells or on equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES X NO

See Exhibit "A".

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure.

2. As of November 19, 1982, did there exist actual expenditures or written commitments for expenditures totaling at least \$15,000 for the purchase or construction of wells or of equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES X NO

See attached Exhibit "A".

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure, or of written commitments for such purchase or construction.

3. Describe the irrigation project contemplated. For example, number of acres, number of wells or headgates, type of application system (gravity, handlines, center pivots, length and size of canals, laterals, mainlines, etc.), number and size of pumps.

This application is to obtain a water license for .7 cfs. of water that has been used from the existing well and pump since 1981 that

is not covered by existing License 36-7264. There is no increase in the number of acres, number of wells or irrigation system required for development of the balance of the water sought under this application. The only addition to the irrigation system contemplated is the increase of the horsepower of the motor from 200 horsepower to 300 horsepower, using the same pump with 14 inch bowls.

4. Describe how much of the project was completed on or before November 19, 1982.

Everything was completed except for the replacement of sprinklers and mainlines that took place in 1983 and 1984, replacing existing sprinkler equipment and the increase in the horsepower of the pump which will be necessary to obtain the additional water sought by this application, over and above the existing capacity of 1900 gallons per minute.

5. What is the total estimated cost of the irrigation project necessary to use water under the above permit or application? (In figuring project cost, do not include cost of land or engineering and feasibility studies).

See Exhibit "A" attached hereto.

6. Did the total of the actual expenditures and written commitments exceed 25% of the total projected cost as of November 19, 1982?

YES X NO

I swear (or affirm) that the information stated above is true and correct, to the best of my knowledge.

Richard Fassett
Richard Fassett

SUBSCRIBED and SWORN to before me this 23rd day of September, 1982.

Regina Davis
NOTARY PUBLIC FOR Idaho
Residing at: Rupert, Idaho



EXHIBIT "A"

STATE OF IDAHO)
) ss.
County of Minidoka)

RICHARD FASSETT, being first duly sworn, deposes
and says:

1. On December 20, 1973, a Water Right License
was issued by the Department of Water Administration of the
State of Idaho, License No. 36-7264, for 3.52 cfs. of water
from a well located in the NE¼NE¼ of Section 9, Township 7
South, Range 24 East of the Boise Meridian, for the irriga-
tion of 320 acres located in said Section 9. Application
36-8187 was filed by this affiant for additional water for
use on the same 320 acres from the well developed under
License 36-7264. This property was purchased by the appli-
cant in 1983 from Farmers Home Administration, who had
received the property from the previous owner Lamar Lloyd,
whose present whereabouts is unknown to affiant.

2. On or about May 18, 1981, Lamar Lloyd, the
former owner of this property, caused the 200 H.P. GE motor
and pump with 14 inch bowls then located on the property to
be updated to increase the capacity of said pump and well to
4.22 cfs. A copy of said License of Lamar Lloyd and the
Work Order showing the work done in May, 1981 are attached
to this affidavit as Exhibits "1" and "2", respectively. It
is estimated that the well drilled and in existence on

December 20, 1973 was constructed at a minimum cost of \$15,600.00. It is estimated that the pump and motor above referred to had an estimated cost of \$12,000.00. The increased capacity obtained in 1981 required changes in the bowls at a minimum cost of \$12,000.00. An estimate of these costs provided by Layne Pumps is attached hereto as Exhibit "3". The water diverted from the well described in License 36-7264 was applied to the 320 acres by use of mainlines and handlines. The cost of these mainlines and handlines is unknown to this affiant and cannot be determined from the previous owner. However, this affiant replaced said mainline and handlines with buried mainline and wheellines, which were not necessary to increase the capacity for the irrigation of the 320 acres, but were merely to replace the existing irrigation system. The cost to replace the mainline was \$14,063.00, as shown by Exhibits "4" and "5" attached hereto. Costs incurred in purchasing the wheel-lines to replace the handlines were in the sum of \$36,000.00, as shown by Exhibits "6", "7" and "8" attached hereto. Application No. 36-8187 was filed by this affiant to obtain a license to the water being used since 1981 in excess of License No. 36-7264 and to obtain additional water from the existing well for the proper irrigation of the same 320 acres now being irrigated. The only additional cost to be incurred to develop the permit applied for is an increase

in the size of the motor which presently exists. An estimate for that additional cost, without regard to the trade in value of the existing motor, is \$20,709.00 as shown by Exhibit "9" attached hereto. This additional cost is considerably less than 25% of the total costs that have been expended on this project. All construction costs and irrigation equipment, except for replacement equipment, had been purchased prior to November 19, 1982 except for the anticipated upgrade on the pump and motor.

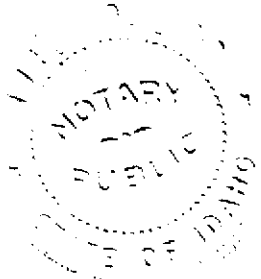

Richard Fassett

SUBSCRIBED AND SWORN to before me this 22nd day
of ~~September~~, 1982.

April


Notary Public for Idaho
Residing at Rupert, Idaho

(SEAL)



State of Idaho

RECEIVED

Department of Water Administration

DEC 20 1973

WATER RIGHT LICENSE

Department of Water Administration
Southern District OfficeLicense of Water Right No. 36-7264 Priority Sept. 21, 1972 Amount 3.52 cfsTHIS IS TO CERTIFY, that LAMAR LLOYD

of Rupert, Idaho, has complied with the terms and conditions of Permit No. 36-7264 issued pursuant to Application for Permit dated September 21, 1972 and has submitted proof to the Department of Water Administration on June 26, 1973 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.52 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>3.52</u> cfs and	<u>1,280 acre foot or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.52 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,280 acre feet per year, said waters to be diverted within the NE 1/4 of Sec. 9, Twp. 7 S, Rge. 24 E, B.M. in the County of Minidoka

Description and location of place of use:

Twp.	Range	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	
7 S	24 E	9	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of December, 19 73.

Deputy Director

EX-111

DU ON 5-18/81

LAYNE PUMPS, Inc.

TWIN FALLS, IDAHO

INSTALLER'S WORK ORDER FIELD REPORT and TIME SHEET

BRANCH T-F
INSTALLER Bob + Dave
DATE 5-20 1981

CUSTOMER Lamar Lloyd Pump No. _____
Who to See _____ Phone _____ Job No. _____ Well No. _____
Job Location _____ Well Dia. _____ " Stated Depth _____ Ft.
Well Reduced to _____ " at _____ Ft.
and to _____ " at _____ Ft.
Power Co. Transformer Location No. _____

WORK TO BE DONE: (Always bring in old bowls unless instructed otherwise)

Install - Pull _____ Make Pump _____ Head w/ _____ HP _____ Motor _____ RPM _____ Volts _____ Ph. _____
Gear: Size _____ Ratio _____ Flex Shaft _____ Column _____ Feet _____
Pipe _____ Tube _____ Shaft _____ Enclosed - Open. Suction _____ Feet _____ Size w/Strainer _____
Stage _____ Bowls. Adjust Impellers _____ " Off Bottom. Discharge _____ Feet _____ Size _____

OTHER WORK: Put Pump & Change out Bowls -

Supervisor _____

WORK PERFORMED: (Fill in spaces and answer all questions)

Well: Sounded Well 342 Ft. Deep. Well I.D. 18 " Well Crooked? _____
Did Pump Bind? NO Sand Pumped ☐ Clean to _____ Ft. Fish for Parts? _____
Install 4 Pull Pump Make Bowless Serial No. 15957 Type Drive _____
Install 4 Pull Motor Make O.E HP 200 RPM _____ Frame 6325P
Serial No. RLJ414131 R & S - VHS - VSS Volts _____ Phase _____
Install - Pull Gear Make _____ Size _____ Ratio _____ Serial _____
Install 4 Pull 810 Ft. Column 10 Pipe 3 Tube 1 1/2 Shaft _____
Section Lengths 10 With - Without Air Line. Exact Length New Air Line _____ Ft.
Air Line Hold? _____ Reading _____ Pump Have Column Valve? _____ Valve Bleed Hole? _____
(Install) - Pull 5 Stage 14T Bowls. Did Bowl Shaft Turn Freely? _____
Bowl Shaft Projection From Tubing Shoulder (Measure) _____ "
Install - Pull 1 Ft. Suction Size 10 Thd. 5/8 Strainer Type PIPE
Connect Motor Leads ☐ Gear to Driver ☐ Wire Switchboard ☐
Align Shaft in Head ☐ Check Rotation ☐ Adjust Impeller _____ " Off Bottom
Fill Oil Reservoirs ☐ Used _____ Quarts Layne - Customer Oil
Did Shaft Line Up OK? _____ Does Shaft Run True? _____ Does Shaft Seal Hold? _____
After Adjustment, Did Pump Turn Freely? _____ Is Pump Properly Adjusted? _____
Does Column Valve Hold? _____ Does Pump Discharge Sand? _____ Much? _____
Ran Pump _____ Hrs. Pump Runs - Smooth - Fair - Vibrates
Standing Water Level 28' Running Water Level _____ Discharge Pressure _____
Customer's Comments: _____
What Extra Material Was Used? 2- 3' x 1 1/2" bags
1' x 10" suction
Other Work: 10" pipe strainer

THIS BLOCK FOR
OFFICE USE ONLY

Job Complete: Yes ☐ No ☐
Charge: Regular ☐
Contract ☐
Service ☐
Guar. Repair ☐

TIME OTHER THAN
ON PUMP CREW
HRS.

Special Rigging
Move House
Install Foundation
Load & Unload Pump
Move Pump
Wire Switchboard
Sand Pump Well
Fish for Parts
Install Tank & Fittings
Travel
Lost Time:
Wait for Operator
Wait for Mat'l
Fix Defect. Mat'l
Truck Breakdown
Equip. Breakdown
Clear Site
Bad Road

Total Col. Lgth. _____
Truck No. _____
Start Time _____
Return Time _____
Total Miles _____

LOTS OF RAIN
SHOWERS - THIS WEEK

23 1/2 hrs - pull & rase Hrs (5-11 to 5-22)

resd 5-20-81 - READY TO START

5-21-81 - TOMMIE CALLED JONES TO SEE IF HE WAS READY TO START.

ONES SAID MAIN LINE NOT EMPLOYEE

	HOURS	EXPENSE
Installer <u>Bob</u> 5-18 + 19 - RIV BROKE DOWN 5-19	14 1/2	Hotel TOMMY - ON SITE - 5-22
Helper <u>Vern</u> DAVE FINISHED 5-20	14 1/2	Meals <u>IRRIGATION SHOWED HIM PUMP WAS RUNNING & T. LAY HAD</u>
Helper <u>Harold</u>	14 1/2	Gas - <u>LOTS OF WATER</u>
Helper <u>Dave + crew</u>	9	Miscellaneous

IF MORE SPACE IS REQUIRED - WRITE ON REVERSE SIDE.

Approved _____

Total EXTENDED 2



LAYNE PUMPS
Division of Layne & Bowler, Inc.
Box 640, Twin Falls, Idaho 83301
Phone No. 733-3284

ORDER NO _____

DEALER

PUMP ESTIMATE
AND ORDER

DATE _____ 19__

CUSTOMER

Richard Passett

Route _____ Date Desired _____

INSIDE DIA. OF WELL 18" LIFT IN WELL 300' CAPACITY 1800 GPM
DEPTH OF WELL 347' LIFT ABOVE _____ LBS 82' SPEED OF PUMP _____ RPM
STATIC WATER LEVEL _____ COLUMN FRICTION _____ HP REQUIRED _____
DRAWDOWN _____ TOTAL DYNM. HEAD 382' ALLOWABLE SHAFT HP _____

Number	DESCRIPTION	LIST PRICE	NET PRICE
<u>200</u>	HP MOTOR Phase _____ Volt _____ Make _____ RPM _____ With Ratchet _____ Without _____		
<u>200</u>	HP STARTER { Across Line _____ Volt _____ Make _____ Auto Start _____		
	AMP SAFETY SWITCH _____ Volt _____ Phase _____ Make _____		
	GEAR DRIVE _____ Ratio { With _____ Without _____ } Ratchet _____ Make _____		
W	SPICER SHAFT _____" Long _____		
W	DRIVE FLANGE _____ Bore _____ Key _____		
W	ENGINE FLANGE _____ Bore _____ Key _____		
<u>1</u>	~~HEAD~~ HEAD _____" Outlet { Water Lub _____ Oil Lub _____ }		
<u>1</u>	<u>15 GAL</u> OILER _____ Volt Solenoid _____		
	"X" "DISCHARGE NIPPLE { TOE _____ TBE _____ }		
<u>310'</u>	SETTING OF <u>10</u> "X <u>3</u> " "X <u>1 1/2</u> " In _____ Length _____		
<u>14</u>	"BOWLS <u>TLC</u> Type <u>5</u> Stage { Open _____ Close _____ } Parts { Bronze _____ Cast Iron _____ } Wear Rings _____		
	{ Bronze _____ Cast Iron _____ } Impellers { Oversize _____ Standard _____ } Shaft Fitted _____ X _____ X _____		
<u>1</u>	<u>10</u> "X <u>10</u> " SUCTION { TOE _____ TBE _____ } Couplings _____		
<u>10</u>	" STRAINER { Bronze _____ Galvanized _____ } { Screwed _____ Welded _____ } { Basket _____ Cone _____ }		
TOTAL			<u>12,000 to 14,000</u>

Quoted By _____

EXHIBIT "3" TF-127

PRACTICE APPROVAL PAYMENT APPLICATION

5-02

NOTE: No further monies or other benefits shall be paid out under this program unless this report is completed and filed as required by existing law and regulations. (16 USC 590 et seq.; 1301 et seq.; 1501 et seq.; 2101 et seq.; 2201; PL 96-108 and 96-828; 7 CFR Parts 700, 701 and 762.) Any fraudulent claim made hereunder may subject the applicant to Federal criminal and civil penalties as provided in 18 USC 287, 1001; and 31 USC 231.

FARM NO. NAME AND ADDRESS

613 RICHARD L. PASSETT
F BOX 42
00 MINIDOKA IDAHO 83343320 306 1985
H23

519 62 2392 8

PHONE NO.

Agreement (Check one)

ACP	☐	FIP	☐	ECP	☐
ANA	☐	ANA	☐	WBP	☐
LTA	☒	LTA	☐	RCWP	☐

Cost-Shares Posted to ACP-259

DATE APPROVED

DATE EARNED

1		2	11-1-84 (1-1-85)
3		4	P1-L5

Your request for program cost-sharing to perform the practice shown below is approved for the farm identified above. If you decide not to perform this practice, or if you cannot complete it by the expiration date, please notify the issuing County ASCS Office at once.

5. DESCRIPTION OF CONSERVATION AND/OR ENVIRONMENTAL PROBLEM

EXPIRATION NOTICE

6. PRACTICE MUST BE COMPLETED AND REPORTED BY

7. DELETE PHRASE WHICH DOES NOT APPLY

The Extent Performed

The Word "Yes"

8. FOR COUNTY ASC COMMITTEE USE

NO.	PRACTICE TITLE	EXTENT REQUESTED	EXTENT APPROVED	* RATE	COST-SHARES APPROVED	EXTENT PERFORMED	COST-SHARES EARNED
A			C	D	E	F	G
00-4-1	Permanent Buried Mainline	12075 2300 ft 10" 8" 16"	2032 ft	50% of Re Cost	\$3500.	10" 8" 16" installed lines, ties * 11 tubes \$725.00 \$7000.	\$3500.

* 50% of the cost, not to exceed \$3500.

H. FOOTNOTE (if needed)

APPROVAL ISSUED FOR THE COUNTY COMMITTEE

DATE,

BY

Thomas D. Lusk

Instructions to Participant

To receive payment or credit for any cost-shares earned on this practice, report performance according to ITEM 7 above and complete ITEMS 9 and 10 below: date and sign the certification below and file with issuing office by the reporting date in ITEM 5 above.

9. Did you bear all the expenses (except for program cost-sharing) for performing this practice? (If no, report name(s) and address(es) of other person(s) or agency who bore any part of the expenses. Also show kind, extent and value of their contribution.)

YES ☐ NO ☐

10. Have you received, or will you receive a cost-share payment on this or any other farm during the current fiscal year Oct. 1 - Sept. 30? (If yes, report name of State and County for each such farm.)

YES ☐ NO ☐

Payment Summary

11. Total Column G	\$
12. CMS or Payment Deduction	\$
13. Debt Assignment	\$
14. Net Payment	\$ 3500.00
15. Payment Approved (Initials)	
16. Draft No.	1408 7926
17. SETOFF OR ASSIGNMENT	

NAME AND ADDRESS

DRAFT NO.

18. CERTIFICATION BY PARTICIPANT

I certify that the above information is true and correct. I further certify that the entry in Column F shows that the practice was performed in accordance with the practice specifications and other program requirements. I hereby apply for payment to the extent that the County ASC Committee has determined that the practice has been performed. I agree to maintain this practice for at least _____ years following the year the practice is completed. I agree to refund all or part of the cost-share assistance paid to me as determined by the County Committee, if before the expiration of the practice lifespan specified above, I (a) destroy the practice installed, or (b) relinquish control of or title to the land on which the installed practice has been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice for the remainder of its specified lifespan.

Sign Here

DATE

PRODUCER'S COPY

EXHIBIT "4"

ACP-245
(9-29-82)

USDA - ASCS

CONTROL NO.

PRACTICE APPROVAL PAYMENT APPLICATION

NOTE No further monies or other benefits shall be paid out under this program unless this report is completed and filed as required by existing law and regulations. (16 USC 590 et seq.; 1301 et seq.; 1501 et seq.; 2101 et seq.; 2201; PL 96-108 and 96-528; 7 CFR Parts 700, 701 and 752.) Any fraudulent claim made hereunder may subject the applicant to Federal criminal and civil penalties as provided in 18 USC 287, 1001; and 31 USC 231.

FARM NO. NAME AND ADDRESS

613 Richard Fassett
F Box 42
00 Minidoka Idaho 83343

1984

TA 519 62 2392 8 LTA#13

PHONE NO.

Agreement (Check one)

ACP ☐ FIP ☐ ECP ☐
ANA ☐ ANA ☐ WBP ☐
LTA ☒ LTA ☐ RCWP ☐

Cost-Shares Posted to ACP-258

DATE APPROVED

DATE EARNED

1 2/27/84
3 4

Your request for program cost-sharing to perform the practice shown below is approved for the farm identified above. If you decide not to perform this practice, or if you cannot complete it by the expiration date, please notify the issuing County ASCS Office at once.

8. DESCRIPTION OF CONSERVATION AND/OR ENVIRONMENTAL PROBLEM

EXPIRATION
NOTICE

8. PRACTICE MUST BE COMPLETED AND REPORTED BY

April 15, 1984

7. DELETE PHRASE WHICH DOES NOT APPLY

~~Practice must be completed by the expiration date.~~

The Word "Yes"

8. FOR COUNTY ASC COMMITTEE USE

NO.	PRACTICE TITLE	EXTENT REQUESTED	EXTENT APPROVED	RATE	COST-SHARES APPROVED	EXTENT PERFORMED	COST-SHARES EARNED
1	PERMANENT BURIED MAINLINE	475' 12"	1100' 12"	50% of Cost	\$3500.00	1100' 12"	\$3500.00
		1125' 10"	12"			Installed	
		1100' 12"				Yellow	
						Green Set.	
						Int. Use	
						\$7058.00	
						\$7000.00	
*50% of the cost not to exceed \$3500.00							

H. FOOTNOTE (If needed)

APPROVAL ISSUED FOR THE COUNTY COMMITTEE

DATE

BY

Instructions to Participant

To receive payment or credit for any cost-shares earned on this practice, report performance according to ITEM 7 above and complete ITEMS 9 and 10 below; date and sign the certification below and file with issuing office by the reporting date in ITEM 6 above.

9. Did you bear all the expenses (except for program cost-sharing) for performing this practice? (If no, report name(s) and address(es) of other person(s) or agency who bore any part of the expenses. Also show kind, extent and value of their contribution.)

YES ☐ NO ☐

10. Have you received, or will you receive a cost-share payment on this or any other farm during the current fiscal year Oct. 1 - Sept. 30? (If yes, report name of State and County for each such farm.)

YES ☐ NO ☐

Payment Summary

11. Total Column G	\$ 3500.00
12. CMS or Payment Deduction	\$
13. Debt Assignment	\$
14. Net Payment	\$ 3500.00
15. Payment Approved (Initials)	

16. Draft No. 11093052 2/27/84

17. SETOFF OR ASSIGNMENT

NAME AND ADDRESS

DRAFT NO.

18. CERTIFICATION BY PARTICIPANT

I certify that the above information is true and correct. I further certify that the entry in Column F shows that the practice was performed in accordance with the practice specifications and other program requirements. I hereby apply for payment to the extent that the County ASC Committee has determined that the practice has been performed. I agree to maintain this practice for at least _____ years following the year the practice is completed. I agree to refund all or part of the cost-share assistance paid to me as determined by the County Committee, if before the expiration of the practice lifespan specified above, I (a) destroy the practice installed, or (b) relinquish control of or title to the land on which the installed practice has been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice for the remainder of its specified lifespan.

Sign
Here

DATE

FILE COPY

EXHIBIT "S"

Bill of Sale.

A. Sold 6 Thunder-Bred Wheel Liner Complete
 1/4 mile to Richard Farnett on 8-4-83 C/N 595
 For \$3,300 EACH, TOTALING \$19,800.00;

EXHIBIT "6"

Paul Blake
Richard Farnett

B. Sold 4 Thunder-Bred Wheel Liner Complete
 1/4 mile to Richard Farnett on 8-16-83 C/N 601
 For \$3,300 EACH, TOTALING \$13,200.00.

EXHIBIT "7"

Paul Blake
Richard Farnett

Service	No.	For	Drivers.
LINE	1	9179,	9306
"	2	7093,	7119
"	3	7077,	7116
"	4	7112,	70 -
"	5	9015,	9282
"	6	9164,	7108.
"	7	9320,	9029
"	8	9283,	7079
"	9	9157,	9138
"	10	9146,	9142



Dated 8-16-83

Paul Blake
Richard Farnett

EXHIBIT "8"



LAYNE PUMPS
Division of Layne & Bowler, Inc.
Box 840, Twin Falls, Idaho 83301
Phone No. 733-3284

ORDER NO. _____

DEALER _____

PUMP ESTIMATE
AND ORDER

DATE 9-1 1957

CUSTOMER _____

Richard Passett

Route _____ Date Desired _____

PUMPING CONDITIONS

Inside Dia. of Well 18"
Depth of Well 347'
Static Water Level _____
Drawdown _____

Lift in Well 382'
Lift Above _____ lbs.
Column Friction 18'
Total Dynm. Head 400'

Capacity 2400 GPM
Speed of Pump _____ RPM
HP Required _____
Allowable Shaft HP _____

Number	DESCRIPTION	LIST PRICE	NET PRICE
<u>1</u>	<u>300</u> HP MOTOR <u>3</u> Phase <u>460</u> Volt _____ Make <u>1800</u> RPM ☒ With Ratchet <u>175%</u>	<u>12736</u>	<u>10821</u>
<u>1</u>	<u>300</u> HP STARTER { Across Line Auto Start } <u>460</u> Volt _____ Make _____ AMP SAFETY SWITCH _____ Volt _____ Phase <u>WANTED</u> Make _____ GEAR DRIVE _____ Ratio { With Without } Ratchet _____ Make _____ W <u>1</u> SPICER SHAFT _____ " Long _____ W _____ DRIVE FLANGE _____ Bore _____ Key _____ W _____ ENGINE FLANGE _____ Bore _____ Key _____ FF _____ HEAD _____ " Outlet { Water Lub Oil Lub } FF _____ OILER _____ Volt Solenoid _____ FF _____ "X" DISCHARGE NIPPLE { TOE TBE } FF _____ SETTING OF _____ "X" _____ "X" _____ " In _____ Length <u>1</u> <u>14</u> "BOWLS <u>THC</u> Type <u>4</u> Stage <u>Close</u> Ports { Bronze Cast Iron } Wear Rings ☒ Bronze Cast Iron Impellers { Oversize Standard } Shaft Filled _____ X _____ X _____ "X" SUCTION { TOE TBE } _____ Couplings " STRAINER { Bronze Galvanized } { Screwed Welded } { Basket Cone } <u>Shop Labor</u> <u>Field Labor @ 85.00 per hr.</u> ~~<u>200</u> <u>10718</u>~~ ~~<u>300</u> <u>17934</u>~~		<u>5483</u> <u>26000</u> <u>1580</u> <u>20709</u>
TOTAL			

Quoted By _____

EXHIBIT "9" TF-127