

SETUP NO. 1

PIPE O.D 8.037 IN

PIPE WALL THICKNESS 0.104 IN

PIPE I.D 7.829 IN

PIPE MATERIAL CARBON STEEL

PIPE SOUND VELOCITY 10597.125 F/S

LINER MATERIAL NONE

LINER SOUND VELOCITY 0.000 F/S

LINER THICKNESS 0.000 IN

INSIDE ABS ROUGHNESS 0.00015000

FLUID MATERIAL WATER

FLUID SOUND VELOCITY 4863.330 F/S

FLUID VISCOSITY 1.132 Cst

TRANSDUCER TYPE STANDARD

TRANSDUCER MOUNTING

TRANSDUCER SPACING 6.072 IN

15:54:34 07-25-95

SCALE FACTOR = 0.990
OFFSET (GPM) = 0.000
msec OFFSET = -0.87
usec OFFSET = 0.00
VMT DEL CLV = -0.73
ITERATION FAC = 1.00
TRANSDUCER: STANDARD/V

	UP	DOWN
MIN CLV	296.19	296.19
SEVR	0.78	1.43
BIPS	0.88	0.84
HGR	0.69	0.84
SIG STG	0.71	0.88
MISSSED	0	0
TIME(us)	299.4	299.8
DEL TIME(us)		412.0
DIFF COUNT		937
PX		48
S68		33.84
ITERATION		0.000

FLUID (F/S) = 4863.33
REYNOLDS NO. = 423471
PROFILE FACTOR = 0.3449

FLOW: = 1173.697 GPM
7.862 F/S

FLOW 1182.753 GPM
7.862 F/S

FLOW 2.633 CFS
7.875 F/S

27-07326

2'30"

BLACKFOOT (U.S. 26, 91, & 191) 4.8 MI

(BLACKFOOT 162500)

T. 3 S.

10'

33

34

35

4540

4540

4540

4550

R36E

4538

4540

4540

TAYLOR RIVER

4560

4542

4580

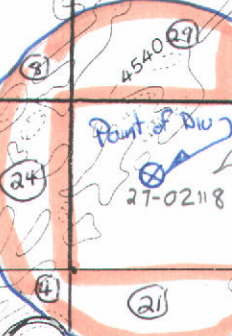
BM 4540

RICH

BLACKFOOT

LANE

2



33

27-07326

9

10

11

4540

4560

4550

4571

4682

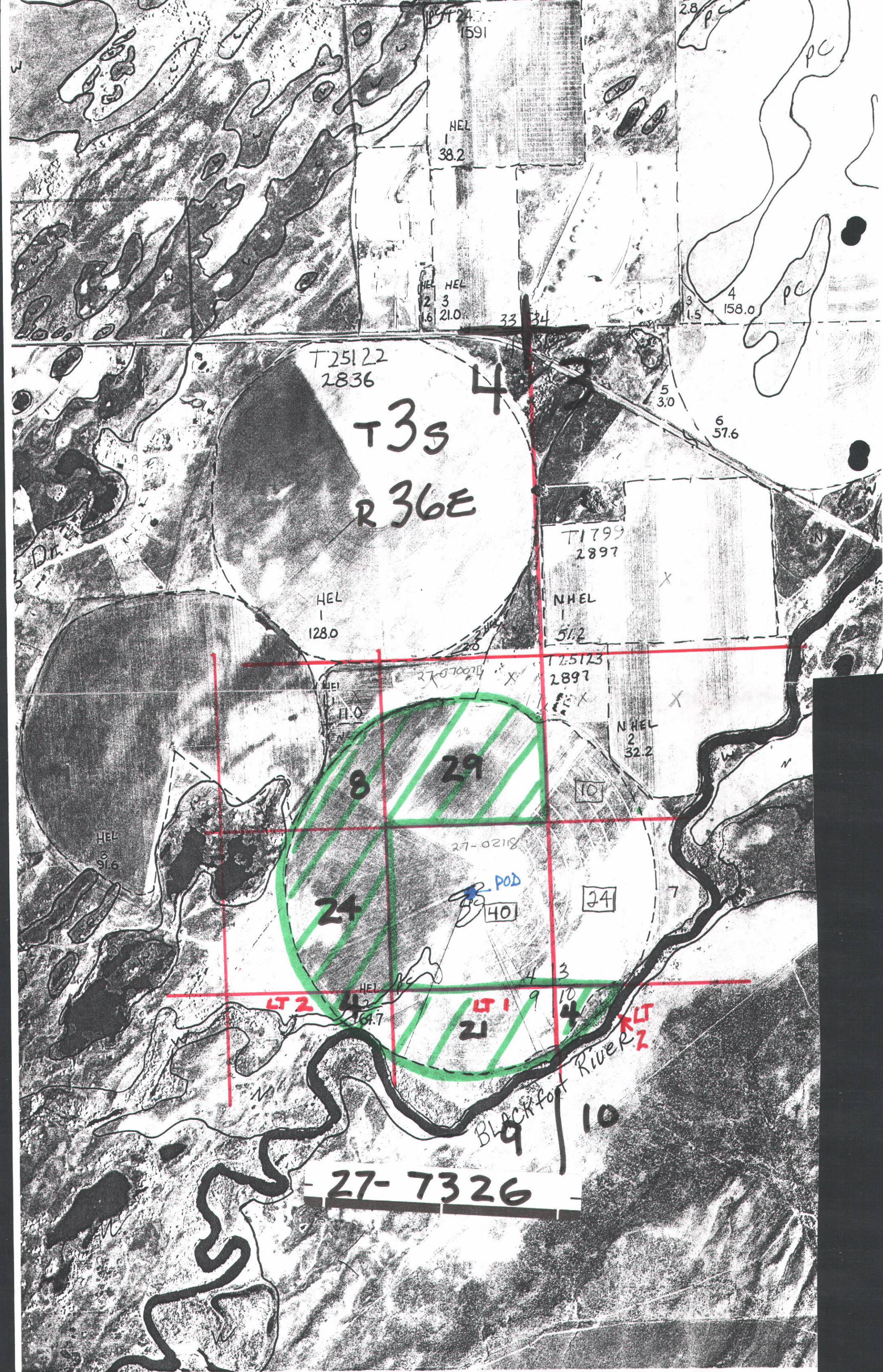
4700

4777

MICROFILMED

FEB 10 2004

D



Point of diversion



27-7326

MICROFILMED
FEB 10 2004

1. Debtor(s) (last name first, and mailing address)

J. Blaine Shoemaker
64 South 200 East
Blackfoot ID 83221

2. Secured Party(ies) and address(es)

Farm Credit Bank of Spokane
c/o Farm Credit Services
Post Office Box 10
10 West Judicial
Blackfoot ID 83221

769.76

1988 OCT 17 PM 3:31

4. This Financing Statement covers the following types (or items) of property
(Use this space for Real Property legal description and name of record owner, if required.)

(a) All right, title & interest in & to an Application for Permit to appropriate public waters of the State of ID, Ident. #27-7326 for 2.0 cfs, priority date 8-4-82 to irrigate 100 acres.

(b) 1 P-700 11 Tower 1453' Pierce Center Pivot, Serial # D211120057020, and 1 P-600 8 Tower 1202' Pierce Center Pivot Circle, Serial # D-208086056930, plus motors, panels & hook-ups & replacements thereto.

THIS IS A FIXTURE FILING TO BE FILED BOTH IN THE REAL ESTATE RECORDS &

5. Assignee(s) of Secured Party(ies) and address(es)

CHECK ☒ IF COVERED ☐ Products of collateral are also covered. **UCC-1 RECORDS**

Filed with: ☐ Secretary of State ☒ County Recorder of **Bingham** County.

If one of the following boxes is checked, the secured party may sign the financing statement. The collateral described herein is:

- ☐ Brought into this state already subject to a security interest in another jurisdiction.
- ☐ Subject to a security interest in another jurisdiction, and the debtor's location has changed to this state.
- ☐ Proceeds of the original collateral described above in which a security interest was perfected.
- ☐ The subject of a financing statement which has lapsed.
- ☐ Subject to a security interest perfected under a prior name or identity of the debtor.

COPY

BY:

Signature(s) of Debtor(s)

4-FILE COPY-SECURED PARTY(IES)

BY:

SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF RECORD

Idaho Form UCC-1 Rev. 5-81

FORM APPROVED BY PETE T. CENARRUSA, SECRETARY OF STATE

RECEIVED

NOV 30 1988

Department of Water Resources

MICROFILMED

APR 17 1990

1. Debtor(s) (last name first, and mailing address)

J. Blaine Shoemaker
24 South 200 East
Blackfoot ID 83221

2. Secured Party(ies) and address(es)

Farm Credit Bank of Idaho
c/o Farm Credit Services
Post Office Box 10
10 West Judicial
Blackfoot ID 83221

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BY: _____
 Signature(s) of Debtor(s)
 4—FILE COPY—SECURED PARTY(IES)

BY: _____
 SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF RECORD

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RECEIVED
NOV 30 1988

Department of Water Resources

MICROFILMED

APR 17 1990

TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Sand down farm Name: <u>Duple B Land Co</u> Address: <u>Box 41, Blackfoot, Idaho</u> Owner's Permit No. <u>27-7325</u> <u>27-7326</u>		7. WATER LEVEL Static water level <u>7</u> feet below land surface Flowing? ☒ Yes ☐ No G.P.M. flow _____ Temperature _____ F. Quality _____ Artesian closed in pressure _____ psi Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)		8. WELL TEST DATA ☐ Pump ☒ Bailor ☐ Other Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____																																																																	
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>10</td><td>0</td><td>7</td><td>Gravelly sand</td><td>+</td><td></td></tr><tr><td>10</td><td>7</td><td>14</td><td>Gravel band</td><td>+</td><td></td></tr><tr><td>10</td><td>14</td><td>30</td><td>Sandy fine gravel</td><td>+</td><td></td></tr><tr><td>10</td><td>30</td><td>35</td><td>Clay bedded gravel</td><td>+</td><td></td></tr><tr><td>10</td><td>35</td><td>50</td><td>Gravel & sand</td><td>+</td><td></td></tr><tr><td>10</td><td>50</td><td>60</td><td>Clay bedded gravel</td><td>+</td><td></td></tr><tr><td>10</td><td>60</td><td>80</td><td>Gravel</td><td>+</td><td></td></tr><tr><td>10</td><td>80</td><td>95</td><td>Clay bedded gravel</td><td>+</td><td></td></tr><tr><td>10</td><td>95</td><td>100</td><td>Clay bedded gravel</td><td>+</td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	10	0	7	Gravelly sand	+		10	7	14	Gravel band	+		10	14	30	Sandy fine gravel	+		10	30	35	Clay bedded gravel	+		10	35	50	Gravel & sand	+		10	50	60	Clay bedded gravel	+		10	60	80	Gravel	+		10	80	95	Clay bedded gravel	+		10	95	100	Clay bedded gravel	+	
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																																			
5. WELL CONSTRUCTION Diameter of hole <u>16</u> inches Total depth <u>114</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness Diameter From To <u>250</u> inches <u>16</u> inches <u>+1</u> feet <u>100</u> feet ____ inches _____ inches _____ feet _____ feet ____ inches _____ inches _____ feet _____ feet ____ inches _____ inches _____ feet _____ feet ____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>1/2</u> inches by <u>2</u> inches Number From To <u>440</u> perforations <u>50</u> feet <u>97</u> feet ____ perforations _____ feet _____ feet ____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Type _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>30</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☒ Slurry pit ☐ Temporary surface casing ☐ Overbore to seal depth																																																																			
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Blaine</u> SESE Sec. 3 T3SR36E ____ <u>3</u> <u>T.3</u> <u>R.36</u> ENE		10. Work started <u>2/28/82</u> finished <u>3/27/82</u>																																																																	
		11. DRILLER'S CERTIFICATION Firm Name <u>Boysen</u> drilling Firm No. <u>22</u> Address <u>Box 500, Idaho Falls, ID</u> Date <u>3/27/82</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator) <u>[Signature]</u>																																																																	

USE ADDITIONAL SHEETS IF NECESSARY FORWARD THE WHITE COPY TO THE DEPARTMENT

Correct legal and water right no. per owners letter in wr file 27-7326
JEB 10/1/85

MICROFILMED

APR 17 1990

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well. JUN 30 1982

1. WELL OWNER

Sand loon farms

Name Triple B Land Co
(JB Shoemaker) - section 40X -
Address PO Box 41, Blackfoot, Idaho
Owner's Permit No. 27-7325

7. WATER LEVEL

Department of Water Resources
Eastern District OfficeStatic water level 7 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flowTemperature ° F. QualityArtesian closed-in pressure p.s.i.Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☒ Bailor ☐ Other

Discharge G.P.M. Draw Down Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 16 inches Total depth 100 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>.250</u> inches	<u>16</u> inches	<u>+ 1</u> feet	<u>100</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☒ Yes ☐ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ TorchSize of perforation 1/2 inches by 2 inches

Number	From	To
<u>440</u> perforations	<u>50</u> feet	<u>97</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

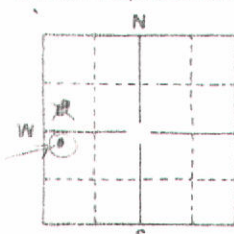
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 30 Material used in seal ☐ Cement grout☒ Pudding clay ☐ Well cuttingsSealing procedure used ☒ Shurry pit ☐ Temporary surface coring☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County BinghamSW 1/4 Sec. 3 T. 3 N. 36 E. W

10.

Work started 2/28/82 finished 3/27/82

11. DRILLERS CERTIFICATION

Firm Name Barrus drilling Firm No. 2Address box 558 basalt id. Date 3/27/82Signed by (Firm Official) Tom Barrus

and

(Operator) Steve Barrus

RICH LANE

33 34
4 3

RICH LANE

Circle added
after 1978 and
before 1983

D. 33
T. 111

WELL
27-7325

Q-
131.9

HOUSE
17.4

B
6.3

S
91.8

MICROFILMED

APR 17 1980

WELL
POSSIBLY
27-7326

CIRCLE ADDED
AFTER 1978 and
before 1983

E.
79.6

1978 OVERFLIGHT
BY ABCS

GATHERED BY
G.F. RAMSEY 8/26/85

See T-

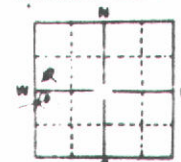
T-H

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

RECEIVED
JUN 30 1982
78

1. WELL OWNER Said Lake Farms Name <u>Said Lake Farms</u> Address <u>Box 44, Blackfoot, Idaho</u> Owner's Permit No. <u>27-7345</u>		7. WATER LEVEL Static water level <u>7</u> feet below land surface Flowing? ☒ Yes ☐ No GPM flow _____ Temperature _____ F. Quality _____ Artesian closed in pressure _____ P.S.I. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																					
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		11. DRILLERS CERTIFICATION Firm Name <u>Barrow</u> drilling Firm No. <u>23</u> Address <u>Box 558, Idaho 18, ID.</u> Date <u>3/29/82</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator) <u>Steven Turner</u>																																																					

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

MICROFILMED

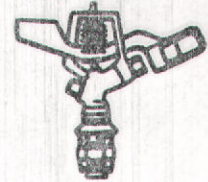
APR 17 1990

DEWEY IRRIGATION

TURBINE PUMPS



IRRIGATION EQUIPMENT



P.O. Box 221 - Collins Siding
Blackfoot, Idaho 83221
Phone: (208)-785-1435

SOLD TO	Dance & Yamada	SHIP TO	
	Rt. 4, Box 328		
	Blackfoot, ID 83221		

CUSTOMER ORDER NO.	SHIP VIA	DATE	DELIVERY TICKET NO.
		October 28, 1982	

QUANTITY	SIZE	DESCRIPTION	PRICE	AMOUNT
		SO #000854 Original		95,835 00
		SO #000855 Original		9,925 00
4		Thrust Blocks	75 00	300 00
4		Fertilizer Disconnects		900 00
1		Pad for Idaho Power		200 00
1		Pad for Utah Power - Weeding		200 00
1	6"	MGO Valve		300 09
1	440 VT	Trans., 440 VT Time Clock & TLC Labor w/Discs.		564 55
630'	6 5/8	PVC Mainline	1 50	945 00
630'		PVC Installation - no trenching		189 00
2	6 5/8	Starter Couplers	16 80	33 60
2	6"	Flanges w/Bolts		35 50
2	6"x45°	Steel Hlls	29 90	59 80
4'	6"	Bare Steel	3 00	12 00
1		Rockford Hookup PVC & Cap Main		150 00
1	P-600	Over The Hill Gang		485 00
10		Tire Change Done		3,000 00
		Less Wheelines not taken but paid for on lease		114,013 54
		Less Down Payment on Account		-11,000 00
		payments made 5/35/82, 3/25/82 and 5/17/82 upon completion.		103,013 54
				-102,537 72
				475 82
			TOTAL	475 82

- Net 30 days. A FINANCE CHARGE of 1½% (One and One-Half Per Cent per month ANNUAL RATE of 18%) will be made on any balances remaining unpaid for a period of 30 days from the date of the statement which the charges first appear.

I certify that the property which I have here purchased will be used for mining, manufacturing, processing, or farming, or repair thereof. Describe machinery or equipment: _____

I certify that all statements are true and correct. Nature of business _____

Signature of Purchaser _____

RECEIPT OF ABOVE MATERIAL ACCEPTED

002882

SIGN
HERE

MICROFILMED

Thank You

APR 17 1990

RECEIVED

JUN 25 1985

Department of Water Resources
District Office

DEWEY IRRIGATION

005716

P.O. Box 221 Collins Siding
Blackfoot Idaho 83221

DATE

CUSTOMER'S
ORDER NO.

4/28/82

SOLD TO

Dance - Yarnada

ADDRESS

Rich Ln

SHIP TO

ADDRESS

SOLD BY	CASH	C.O.D.	CHARGE	ON ACC	MOSE RET'D.	PAID OUT	SHIP VIA	PREPAID COLLECT
B				✓				☐
QUANTITY	DESCRIPTION					PRICE	AMOUNT	
1	Pump + Pipe fitting							
2	Red Pipe 1/2"							
3	50	3" Pipe						
4	8	8" 45° ell						
5	4	8" STAIRS P/C						
6	1	12" x 10" Long Red						
7	2	10 x 8 " "						
8	2	Air Reg. w/upper						
9	2	25' Surge w/pump						
10	2	4" Comp 1/2" w/4" plug						
11	Pump Thrust Bush							
12	Red Pump Rod at Price							

net 30 days. A FINANCE CHARGE of 1 1/2% (One and One-Half Per Cent) per month (ANNUAL RATE OF 18%) will be made on any balances remaining unpaid for a period of 30 days from the date of the statement which the charges first appear.

I CERTIFY THAT THE PROPERTY WHICH I HAVE HERE PURCHASED WILL BE USED FOR MINING, MANUFACTURING, PROCESSING OR FARMING OR REPAIR THEREOF

DESCRIBE MACHINERY OR EQUIPMENT

I CERTIFY THAT ALL STATEMENTS ARE TRUE AND CORRECT

NATURE OF BUSINESS

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL

DATE 19

SIGNATURE OF PURCHASER

RECEIVED

JUN 25 1985

Department of Water Resources
Eastern District Office

MICROFILMED

APR 17 1990

35-735
35-270
27-708
35-768

27-2118 - 2.4 cfs - 2-20-1959
No special well casing conditions

ONE well log on file
Static level 35'
80' well

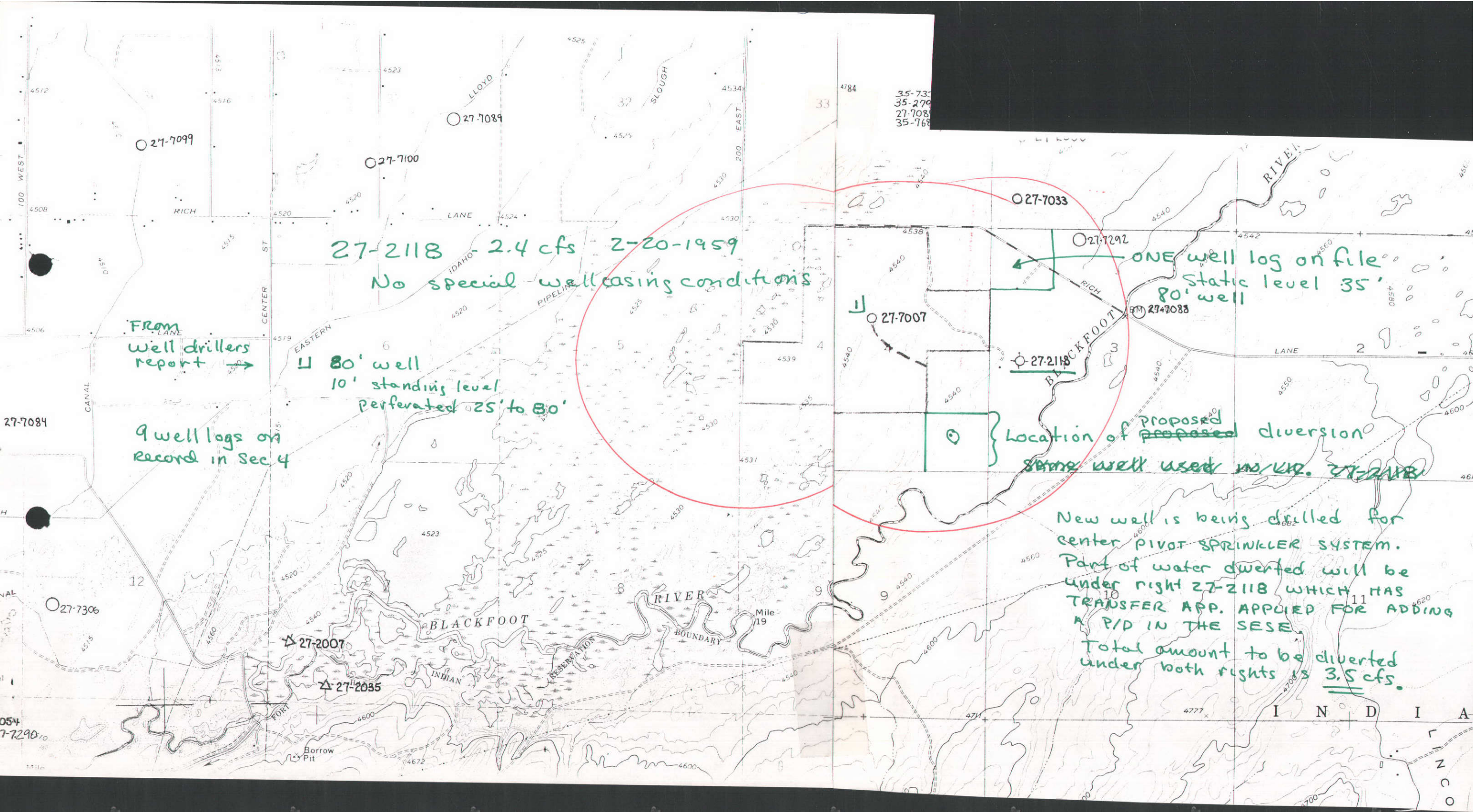
From
well drillers
report →

80' well
10' standing level
perforated 25' to 80'

9 well logs on
Record in Sec 4

Location of ~~proposed~~ diversion
same well used no. 27-2118

New well is being drilled for
center pivot SPRINKLER SYSTEM.
Part of water diverted will be
under right 27-2118 WHICH HAS
TRANSFER APP. APPLIED FOR ADDING
A P/D IN THE SESE.
Total amount to be diverted
under both rights is 3.5 cfs.



State of Idaho
Department of Water Resources

AMENDED

Water Right License

AMENDED

WATER RIGHT NO. 27-07326

Priority: August 4, 1982

Maximum Diversion Rate: 1.79 CFS
Maximum Diversion Volume: 358.0 AF

It is hereby certified that STEVEN OLESON or GEORGE OLESON
317 E RICH LN
BLACKFOOT ID 83221 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 4, 1982; and have
submitted Proof of Beneficial Use on April 16, 1991. An examination indicates that the works have a
diversion capacity of 2.64 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.79 CFS	358.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Twp 03S, Rge 36E, B.M. BINGHAM 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	
03S 36E 4													28.0	8.5	24.0		60.5
03S 36E 9	20.0	4.5															24.5
	L 1	L 2															
03S 36E 10							4.5										4.5
							L 1										

Total Acres: 89.5

CONDITIONS OF APPROVAL

1. Right 27-2118 is also diverted through the point(s) of diversion described above.
2. Rights 27-2118 and 27-7326 when combined shall not exceed a total diversion rate of 2.64 cfs.
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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 27th day of January, 2004

MICROFILMED
FEB 10 2004

Karl J. Dreher
for KARL J. DREHER
Director

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-07326

Priority: August 04, 1982

Maximum Diversion Rate: 1.70 CFS
Maximum Diversion Volume: 340.0 AF

It is hereby certified that STEVEN OLESON or GEORGE OLESON
317 E RICH LN
BLACKFOOT ID 83221 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 04, 1982; and have
submitted Proof of Beneficial Use on April 16, 1991. An examination indicates that the works have a
diversion capacity of 2.64 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.70 CFS	340.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Twp 03S, Rge 36E, B.M. BINGHAM 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	
03S 36E 4													28.0	8.5	24.0		60.5
03S 36E 9	20.0																20.0
	L 1																
03S 36E 10							4.5										4.5
							L 1										

Total Acres: 85

CONDITIONS OF APPROVAL

1. Right 27-2118 is also diverted through the point(s) of diversion described above.
2. Rights 27-2118 and 27-7326 when combined shall not exceed a total diversion rate of 2.64 cfs.
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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 30th day of December, 2003.

MICROFILMED

FEB 10 2004

[Signature]
for KARL J. DREHER
Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	27-7326	Triple B Land Company	2.00
~~Full Assignment~~	~~27-7326~~	~~George Oleson~~	~~2.0~~
Full Assignment	27-7326	George Oleson Steve Oleson	2.00

RECEIVED
MAY 30 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY - 9 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources
Eastern District Office

I, George Oleson, hereby assign to George Oleson or Steve Oleson
of, Box 317 E Rich Lane 359 E 200 N Blackfoot Idaho
Blackfoot Idaho 83221 (Full Address) 83221

All my right, title, and interest in and to Application for Permit
No. 27-07326 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 27-07326 to appropriate the public
waters of the State of Idaho.

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

TWN	RGE	Sec	Acres			
03S	36E	4	NE SE 28	NW SE 11	SW SE 29	Total
		9	NE NE 22	NW NE 6		68
		10	NW NW 4			28
						100

Made this 7th day of May, 1991

George Oleson
Applicant

State of Idaho)
County of Bingham)
SS

On this 7th day of May, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Jan Herington
Notary Public

seal

My commission expires: 1997

MAY 30 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 27-07326 Telephone No. 785-4479

Name(s) of Permit Holder(s): George Oleson

Post Office Address: Box 317E, Rick Lane, Blackfoot, Id 83210

Source of Water: Groundwater

If ground water, well driller's name: Lamar Farms Date drilled: 1982 (1981?)

Extent of Use:
Domestic _____ (No. of households) Irrigation 100 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2.0 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: August 4 1982

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

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

OR

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

Fee Enclosed: \$ 125⁰⁰ (See License Examination Fee Schedule)

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

George Oleson 785-4479
Name Telephone No.

Box 317 E Rick Lane Blackfoot Idaho 83221
Address

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.

MICROFILMED

16 April 1991
Date

George Oleson
Signature (and title if on behalf of a company or organization)

MAY 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

I, TRIPLE B LAND Co., hereby assign to George Olason
of, Box 317 E Rich Lane 785-4479
(Full Address) Phone #

All my right, title, and interest in and to Application for Permit
No. 27-7326 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

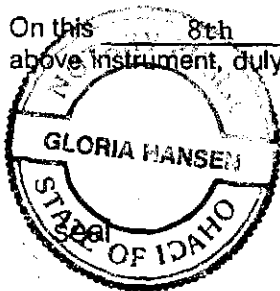
Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 8th day of February, 1991

Triple B Land Co. Jeffrey J. Stenmark Pres.
Applicant

State of Idaho)
County of Bingham) ss

On this 8th day of February, 1991 personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Gloria Hansen
Notary Public
Residing at Blackfoot

My commission expires: 1/16/93

MICROFILMED

MAY 07 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07326

Proposed Priority: August 4, 1982 Maximum Diversion Rate: 2.00 CFS
This is to certify, that **TRIPLE B LAND CO.**

P.O. BOX 41
BLACKFOOT, ID 832210000

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	03/15 to 11/15	2.00 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SESE Sec. 4, Township 03S, Range 36E
BINGHAM 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>
03S	36E	4	NESE 28	NWSE 11	SWSE 29	68
		9	NENE 22	NWNE 6		28
		10	NWNW 4			4

Total number of acres irrigated: 100

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. 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.
7. 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.

MICROFILMED

APR 17 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 27-07326

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

3rd day of April, 1990.

for J. Glen Saxton
R. Keith Higginson, Director

MICROFILMED

APR 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Triple B Land Company Phone 785-5936

Post office address P.O. Box 41, Blackfoot, Idaho 83221

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

3. Location of point of diversion is ^{*} ~~SE~~ SW $\frac{1}{4}$ of ~~SE~~ SW $\frac{1}{4}$ of Section 4 Township 3S

Range 36E B.M. Bingham County, additional points of diversion if any: _____

*Change as per telecon 8-09-82 HWT

4. Water will be used for the following purposes:

Amount 2.0 cfs for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & center pivot

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 16 inches; proposed depth of well is 100 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: _____

MICROFILMED

APR 17 1990

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	
3S	36E	4													28	11	29		68
		9	22	6															28
		10						4											4

Total number of acres to be irrigated 100

c. Describe any other water rights used for the same purposes as described above. None

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

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

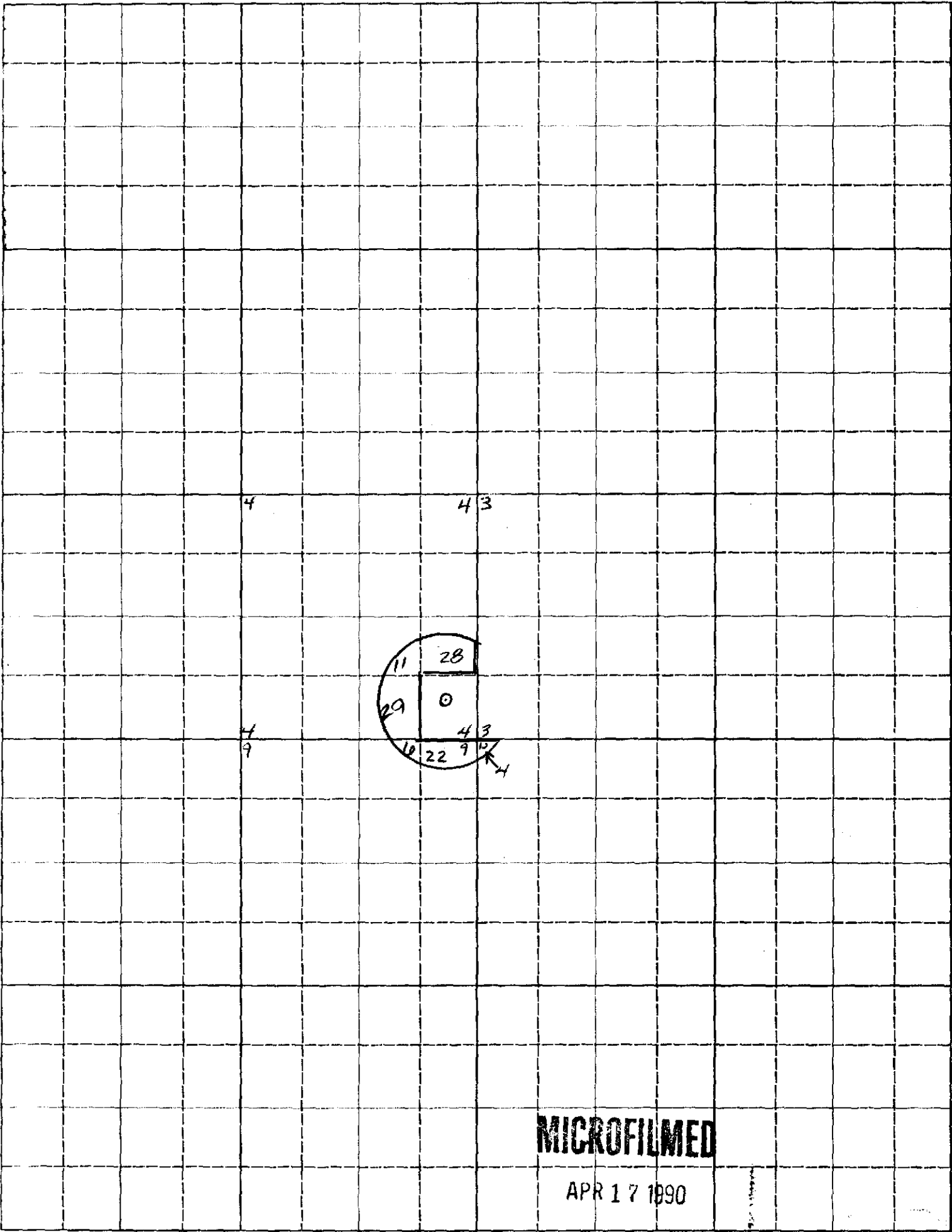
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Well also diverts 1.50cfs authorized by license #27-2118 for irrigation of 75 acres included under the center pivot

MICROFILMED

APR 17 1990

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.

Triple B Sand Co.
by J. Blaine Shoemaker
(Applicant)

Proposed Priority 8/4/1982

Received by

EMC

Date

8-4-82

Time

5:00

Preliminary check by

HWT

Fee \$

6500

Receipted by

CW

Date

8-9-82

#22439

Publication prepared by

BP

Date

8-12-82

Published in

Blackfoot News

Publication dates

8-19 & 8-26-82

Publication approved

BP

Date

9/7/82

Protests filed by:

None

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

EMC

RC CW

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. 27-7326, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

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

Unperforated well casing shall be used to a minimum depth as identified on the permit and shall be extended into the next confining layer.

Witness my hand this _____ day of June, 1985.

Chief, Operations Bureau

MICROFILMED

APR 17 1990

RECEIVED

SEP 1 1982

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

27-7325

TRIPLE B LAND COMPANY

P.O. Box 41

Blackfoot, Idaho 83221

Source: GROUNDWATER

Date Filed: 08/04/1982

Amount: 1.30 CFS

Diversion Point: NWSW Sec. 03, T. 03S, R. 36E, Bingham Co.

Use: IRRIGATION (1.30 CFS) from 03/15 to 11/15.

Place of Use: SWNE, Lot 02, (NENW) Lot 03 (NWNW) SWNW, Lot 04 (SENE) Sec. 03, T. 03S, R. 36E for 65 ACRES.

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM.

27-7326

TRIPLE B LAND COMPANY

P.O. Box 41

Blackfoot, Idaho 83221

Source: GROUNDWATER

Date Filed: 08/04/1982

Amount: 2.00 CFS

Diversion Point: SESE, Sec. 04, T. 03S, R. 36E, Bingham Co.

Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15.

Place of Use: NESE NWSE SWSE, Sec. 04, T. 03S, R. 36E, NENE NWNE, Sec. 09, T. 03S, R. 36E, NWNW, Sec. 10, T. 03S, R. 36E for 100 ACRES.

Diversion Means: WELL, PUMP & CENTER PIVOT.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83402, on or before SEPTEMBER 6, 1982.

A. KENNETH DUNN

Director
MICROFILMED

(7422)
Pub.: 8-19, 26

APR 17 1990

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

David Mark Brown)

I, David Mark Brown do

solemnly

Publisher

swear that I am the Publisher of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 19th day of August, 19 82

and the last publication having been made on the 26th day of August, 19 82;

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 31

day of August, 19 82

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
P.O. BOX 220
FORT HALL AGENCY
FORT HALL, IDAHO 83203-0220



January 26, 2004

RECEIVED

JAN 28 2004

Department of Water Resources

Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho
83706

Re: Water Right No. 27-7326
fr. Lot 2 Sec 9, T. 3 S., R. 36 EBM

Dear Mr. Keen:

The above referenced parcel of land was withdrawn from public domain by the Secretary of the Interior in 1936 for use by the Fort Hall Irrigation Project of the Bureau of Indian Affairs. A portion of this land (approximately 4 acres) was included in the filing for a water right by George Oleson when he applied for a water right on his adjacent fee land. The BIA land was included in his filing because his center pivot irrigation system traverses across a corner of the BIA land.

The BIA is negotiating a lease with Mr. Oleson for the land being irrigated by him, and will therefore have no objection to the BIA land being included within his place of use. Thank you for bringing this matter to our attention. Please advise if you need additional information.

Sincerely,

for Eric J. LaPointe
Superintendent

MICROFILMED

FEB 10 2004



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

January 28, 2004

STEVEN OLESON OR GEORGE OLESON
317 E RICH LN
BLACKFOOT ID 83221

RE: Water Right License 27-7326

Dear Water Right Holder:

The Department of Water Resources (IDWR) has enclosed an amended water right license for Water Right 27-7326. The amended water right license, which supersedes the license issued on December 30, 2003, is a **final order** issued by IDWR pursuant to §67-5243, *Idaho Code*, and Rule 760 of IDWR's Rules of Procedure (IDAPA 37.01.01.760). The pertinent part of Rule 760 says:

The agency head may modify or amend a final order of the agency (be it a preliminary order that became final because no party challenged it or a final order issued by the agency head itself) at any time before notice of appeal to District Court has been filed or the expiration of the time for appeal to District Court, whichever is earlier, by withdrawing the earlier final order and substituting a new final order for it.

Final orders may be contested as described in the enclosed information sheet.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosures

MICROFILMED
FEB 10 2004

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of January, 2004, I mailed a true and correct copy, postage prepaid, of the foregoing **FINAL ORDER (Approved License)** to the person(s) listed below:

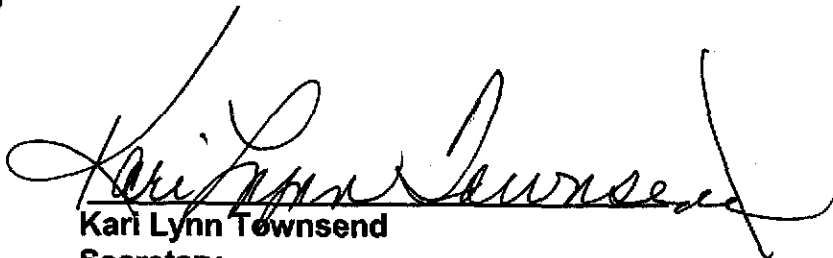
Water Right No. 27-7326

**GEORGE OLESON
317 E RICH LN
BLACKFOOT ID 83221**

**STEVEN OLESON
359 E RICH LN
BLACKFOOT ID 83221**

**JUSTIN OLESON
BLASER SORENSON & HANSEN
PO BOX 1047
BLACKFOOT ID 83221**

**UNITED STATES DEPT OF INTERIOR
BUREAU OF INDIAN AFFAIRS
PO BOX 220
FORT HALL ID 83203-0220**


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 10 2004

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER
(Required by Rule of Procedure 740.02)

This is a final order of the agency. Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5246(4), Idaho Code. (7-1-93)

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department or the Board is otherwise provided by statute, any person aggrieved by any decision, determination, order or action of the director of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the director, who is aggrieved by a denial or conditional approval ordered by the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the denial or conditional approval upon filing with the director, within fifteen (15) days after receipt of the denial or conditional approval, a written petition stating the grounds for contesting the action by the director and requesting a hearing. (4-5-00)

Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case may appeal this 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: (7-1-93)

- i. A hearing was held; (7-1-93)
- ii. The final agency action was taken; (7-1-93)
- iii. The party seeking review of the order resides; or (7-1-93)
- iv. The real property or personal property that was the subject of the agency action is located. (7-1-93)

An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code, and Rule 84 of the Idaho Rules of Civil Procedure. 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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FEB 10 2004

BLASER, SORENSEN & HANSEN, *Chartered**Attorneys at Law*

(208) 785-4700

FAX No. 785-7080

Stephen J. Blaser
Murray Jim Sorensen
Scott H. Hansen
Justin B. Oleson

285 N.W. Main
MAILING ADDRESS:
P.O. Box 1047
Blackfoot, Idaho 83221

January 27, 2004

State of Idaho
Department of Water Resources
Attn: Shelley W. Keen
PO Box 83720
Boise, ID 83720-0098
SENT VIA FAX: 208-327-7866

RE: George and Steve Oleson, Water Right Permit No. 27-07326

Dear Mr. Keen:

The above permit holders are hereby appealing the decision of the Department of Water Resources in issuing the water right license which excluded approximately 4.5 acres believed to be under the control of the Bureau of Indian Affairs (BIA). Said property more specifically described as Govt. Lot 2 of Section 9, Township 3 South, Range 36 EBM.

They are currently in the process of entering into a lease with the BIA in regard to the above described property. The BIA has indicated it has no objection to that property being included in the applicable water right license.

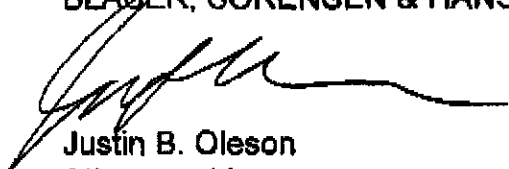
Therefore, the parties hereby request that the Department of Water Resources include the approximately 4.5 acres which was excluded in the original water right license dated December 30, 2003.

If you have any questions in regards to this matter, please don't hesitate to contact me.

Yours very truly,

BLASER, SORENSEN & HANSEN, Chrt.

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FEB 10 2004

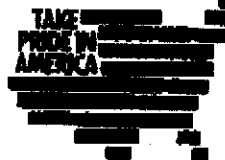


Justin B. Oleson
Attorney at Law



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
P.O. BOX 220
FORT HALL AGENCY
FORT HALL, IDAHO 83203-0220



January 26, 2004

Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho
83706

Re: Water Right No. 27-7326
fr. Lot 2 Sec 9, T. 3 S., R. 36 EBM

Dear Mr. Keen:

The above referenced parcel of land was withdrawn from public domain by the Secretary of the Interior in 1936 for use by the Fort Hall Irrigation Project of the Bureau of Indian Affairs. A portion of this land (approximately 4 acres) was included in the filing for a water right by George Oleson when he applied for a water right on his adjacent fee land. The BIA land was included in his filing because his center pivot irrigation system traverses across a corner of the BIA land.

The BIA is negotiating a lease with Mr. Oleson for the land being irrigated by him, and will therefore have no objection to the BIA land being included within his place of use. Thank you for bringing this matter to our attention. Please advise if you need additional information.

Sincerely,

For Eric J. LaPointe
Superintendent

MAIL - UNRECORDED

FEB 10 2004



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

December 30, 2003

STEVEN OLESON
GEORGE OLESON
317 E RICH LN
BLACKFOOT ID 83221

RE: License No. 27-7326 - 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.

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:kit

Enclosure(s)

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FEB 10 2004

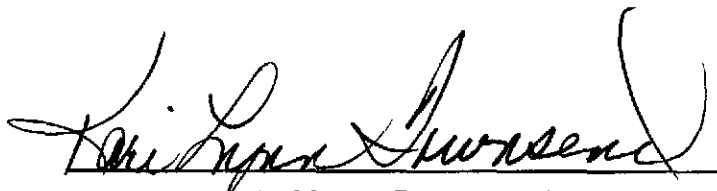
CERTIFICATE OF SERVICE

I hereby certify that on December 30, 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.

27-7326

**GEORGE OLESON
STEVEN OLESON
317 E RICH LN
BLACKFOOT ID 83221**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
FEB 10 2004**

**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).

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.

MEMORANDUM

Date: December 30, 2003
To: Water Right File 27-7326
From: S. Keen
Re: Place of Use

1. S. Keen 2/3/2003 Licensing Review

Comment: Licensing review and data entry by S. Keen on 1/31/2003.

PLACE OF USE

According to staff at the Bingham County assessors office, Govt. Lot 2 (NWNE), Sec. 9, T3S, R36E, is either BLM land or state land. According to the ownership data layer available in GIS, it is BLM land. The right holder should be asked to provide evidence of the right to access that land.

2. S. Keen 12/30/2003 Place of Use

Comment: The right holder did not show evidence that he has permission to farm Govt. Lot 2 (NWNE), Sec. 9, T3S, R36E, which is BLM land withdrawn for the Fort Hall Project and administered by the BIA. Therefore, the license will exclude this tract from the authorized place of use.

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FEB 10 2004

Keen, Shelley

To:
Subject:

Becky_Lazdauskas@blm.gov
Federal land irrigated by George Oleson

Becky,

7326

Have you had an opportunity to find out who is administering the federal land (Govt. Lot 2 of Section 9, T3S, R36E) that George Oleson is irrigating? IDWR has an obligation to issue a water right license to Mr. Oleson for the use developed under permit ~~27-7362~~ but we were hoping for some definitive word from the federal land manager before proceeding. We're hopeful that we can get this matter resolved in the next month or so. All the help you can provide will be appreciated.

Thanks.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-327-7946
skeen@idwr.state.id.us

8/21/2003

Becky Lazdauskas called to tell me that the tract in question is federal land withdrawn for the Fort Hall Project. It is being administered by the Bureau of Indian Affairs. The contact there is Allen Oliver 208-238-1992. Becky said she has communicated the issue to Mr. Oliver, and that he will work with Mr. Oleson and IDWR to get the matter resolved.

Shelley Keen

8/28/2003

This morning I received a call from Ross Waples of HKM Engineers in Billings MT (406-656-6399). He confirmed that the land in question is BLM land withdrawn for the Fort Hall Project and administered by the BIA. The BIA prefers to have the license issued in two parts, with one part being in BIA's name for the 4 acres on its land. I asked for a letter from BIA detailing the current disposition of the land and asking for the license to be split when issued.

Shelley Keen

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9/6/2002 - I spoke with Ross Waples again today. He said he'd remind the U.S.

Keen, Shelley

From: Becky_Lazdauskas@blm.gov
Sent: Friday, June 13, 2003 8:43 AM
To: skeen@idwr.state.id.us
Subject: Re: Irrigated Federal land

27-7326

Shelley (sorry about spelling??)

I just got done talking to Geoff Hogander (BLM Wildlife Biologist and handles water rights for the Pocatello Office) and this just seems a little complicated. You said that you were going to have George get in contact with BOR, we would appreciate it if you did not issue a license until you had in writing from the agency administering the land that they approved of George having a water right on federal land and farming or watering federal land. I am going to do a little more research on who administers the land, BIA or BOR, I will let you know any information I find out. We do intend to make some contacts to these agencies to get some clarification on their policy regarding this issue.

You can reach me at 478-6357 or Geoff at 478-6345. Thanks for working with us on this, we appreciate it.

P.S. Some of this was written because we thought George said BLM had protested his water water application.

----- Forwarded by Becky Lazdauskas/USRD/ID/BLM/DOI on 06/13/2003 08:34 AM

Fred Price

05/29/2003 02:48

Lazdauskas/USRD/ID/BLM/DOI@BLM, Wendy Velman/USRD/ID/BLM/DOI@BLM

PM

(Document link: Becky Lazdauskas)

To: Geoff Hogander/USRD/ID/BLM/DOI@BLM

cc: Becky

Subject: Re: Irrigated Federal land

George Oleson holds water rights in Basin 27. Several domestic and stockwater claims held by Mr. Oleson have been recommended in the D&S Director's Report. None of these rights were objected to. No irrigation rights have been reported yet in Basin 27. We have not objected to any of his irrigation rights. Within the legal description you provided, Mr. Oleson has a pending water permit under 27-07326. The permit is in IDWR's State Office pending final approval and commutation to license status. Sometimes IDWR will contact the landowner (in this case "BOR") if someone else is trying to establish water rights on property not owned by the claimant. Perhaps BOR has raised some concerns in response to that notification. IDWR's web site shows no record of any administrative protest being filed against their permit. BLM has not objected...BLM has not objected...BLM has not objected.

Now as far as speculating as to whether we would object to the situation you described, this would depend on the facts of the case.

1. If a POD or POU recommended in a water claim describes public domain (i.e. federal public land administered by the BLM), then an objection candidate file must be created (and it is highly likely we would object). The legal description you gave me describes lands administered by the Bureau of Reclamation, and so any water rights describing this POU would be an objection candidate for BOR. BLM's MTPs are not current with regard to

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FEB 10 2004

administration of BOR land. Some areas have reverted back to BLM, so some inquiry to BOR is necessary. There is potential that the Bureau of Indian Affairs may consider such a claim as an objection candidate.

2. If BLM land is affected, then we must make an inquiry into whether the use of water described in their water claim represents a use of public land that is unauthorized or authorized. If the use of public land is unauthorized, then that portion is void as water rights cannot be acquired in trespass, so we would object. If the land use is authorized, then we would look at the authorization to see what it said about title to water rights associated with the land use (we would probably object as all our authorizations call for U.S. title to water used on public land).

3. etc.

Based on the limited information we have at present, 27-07326 would not be an objection candidate for BLM if it had been reported in an SRBA Director's Report (which it hasn't), nor would it be a candidate for filing of an administrative protest. This would change if we determined that this land has reverted back to BLM administration.

Geoff Hogander

05/29/2003 12:50

Lazdauskas/USRD/ID/BLM/DOI@BLM, Wendy Velman/USRD/ID/BLM/DOI@BLM

PM

(Document link: Fred Price)

To: Fred Price/IDSO/ID/BLM/DOI@BLM

cc: Becky

Subject: Re: Irrigated Federal land

The man's name is George Oleson. From what I gather, he called us because we have already objected. Our realty specialist wants to know if under the circumstances described in my original message, if we would usually object or not under those circumstances. I don't know what other information to provide and I haven't encountered any other similar cases to give you any precedent.

thanks
gh

Fred Price

05/27/2003 10:20

Lazdauskas/USRD/ID/BLM/DOI@BLM, Wendy Velman/USRD/ID/BLM/DOI@BLM

AM

(Document link: Geoff Hogander)

To: Geoff Hogander/USRD/ID/BLM/DOI@BLM

cc: Becky

Subject: Re: Irrigated Federal land

Geoff,

The legal land description you gave me below is in Basin 27. The Director's Report for irrigation rights in Basin 27 has not been issued yet, so we have not objected.

Fred

Geoff Hogander

05/22/2003 10:21

Becky Lazdauskas/USRD/ID/BLM/DOI@BLM
AM

To: Fred Price/IDSO/ID/BLM/DOI@BLM
cc: Wendy Velman/USRD/ID/BLM/DOI@BLM,
Subject: Irrigated Federal land

Fred,

Here is an interesting one.

A man called our Realty Specialist with a question about some public land under withdrawal to the Fort Hall Irrigation Project. The location is T 3S, R 36 E, Sec 9, Lot 2.

As far as I am aware, all the surface management of the land that is withdrawn by the Fort Hall Project is managed by the BIA for the benefit of the Fort Hall Irrigation Project. For instance, the land around Blackfoot Reservoir under this withdrawal is leased for farming, the revenues are used to maintain the dam, ditches and canals of the Project.

He is farming and irrigating about 4 acres of the 31.8 acre lot.

He apparently has a permit or permission of the irrigation project to do so.

He says we have objected to the water right for the irrigation.

If the Fort Hall Project is managing the land, shouldn't that be there responsibility to object? Should we withdraw our objection?

Looking forward to your answer.

gh

INTER-DEPARTMENT MEMO--1

FROM S. Keen

DATE 6/9/2003

TO File 27-7326

SUBJECT Call from George Oleson

This morning George Oleson called to say that he is still communicating with BLM about this matter. Apparently BLM is not sure it has authority to administer the land in question. George promised to continue pressing BLM and to let IPWR know as soon as there is a resolution.

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Shelly W. Keen
SIGNATURE



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

May 12, 2003

GEORGE OLESON
BOX 317E RICH LANE
BLACKFOOT ID 83221

RE: Water Right Permit No. 27-07326

Dear George:

Several weeks ago I wrote to notify you that the Department of Water Resources (IDWR) field examiner who verified your water use under Permit 27-7396 reported that you are irrigating about four acres of BLM land in Govt. Lot 2 of Section 9, Township 3 South, Range 36 East, B. M. You called me on February 26, 2003, to let me know that you intended to meet with BLM officials in Pocatello to discuss the matter. You also indicated you would let me know within 60 days if you were able to reach an agreement with BLM for the continued irrigation of the BLM land.

IDWR is preparing to issue a water right license for the development that occurred under Permit 27-7396. If you wish to include the BLM land as part of your licensed place of use, please provide documentation verifying your authority to use the land and establish a water right there. If IDWR has not received your response within 30 days, I will recommend that the BLM land not be included on your license.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

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FEB 10 2004

FROM Shelley Keen

DATE 2/26/2003

TO Water Right File 27-7326

SUBJECT Call from George Oleson (785-4479 in Blackfoot)

George Oleson called today to say that he is working with BLM to resolve the issue raised in my 2/3/03 letter. He has met with BLM in Idaho Falls, but he needs to meet with BLM in Pocatello. We agreed to touch bases again in 60 days, or sooner if something happens in that time.

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Shelley Keen
SIGNATURE



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

February 3, 2003

STEVE OLESON
GEORGE OLESON
BOX 317E RICH LANE
BLACKFOOT ID 83221

RE: Water Right Permit No. 27-07326

Dear Permit Holder(s):

The Department of Water Resources (IDWR) 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 you are irrigating about 90 acres under this permit, including four acres in Govt. Lot 2 of Section 9, Township 3 South, Range 36 East, B. M. According to staff at the Bingham County assessor's office, Govt. Lot 2 of Section 9, which is close to the Blackfoot River on the southwestern edge of your pivot, appears to be federal land administered by the Bureau of Land Management (BLM).

If you wish to include the BLM land as part of your authorized place of use, please provide documentation verifying your authority to use the land and establish a water right there. If IDWR has not received your response within 30 days, I will assume you have no interest in including the BLM land in your authorized place of use, and I will recommend that it not be included on your license.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure

MICHO
SEP 10 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 16 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07326

1. Owner: George/Steve Oleson Phone No. (208) 785-4479

Current Address: 317 E Rich Lane Blackfoot, ID 83221

2. Accompanied by: George Oleson EXAM DATE: 7-25-95

Address: 317 E Rich Lane, Blackfoot, ID 83221 Phone No. (208) 785-4479

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 27-2118(part)

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	SE	4	3S	36E	Bingham	USGS / aSCS Aerial

2. Place(s) of Use:

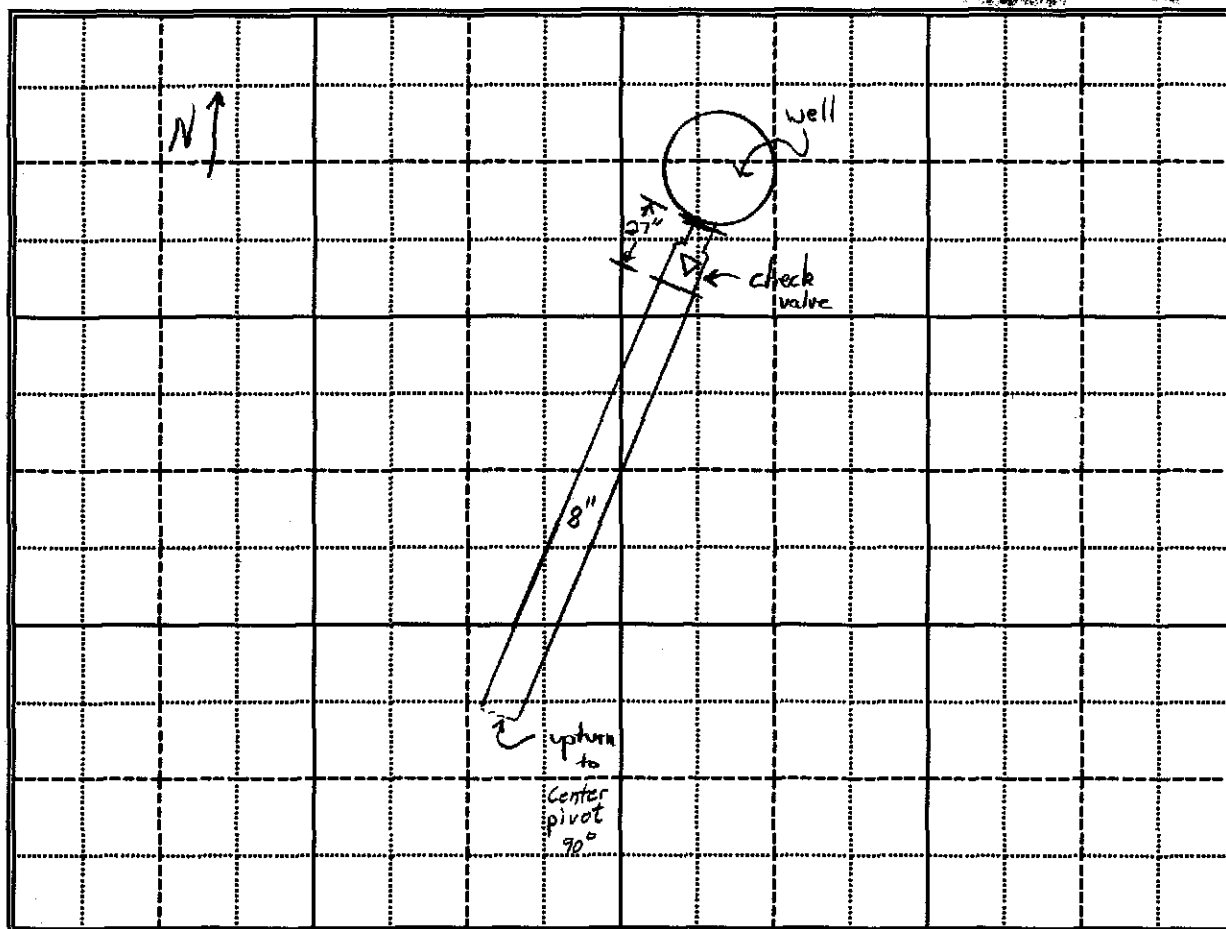
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	36E	4													29	8	24		61
		9	21	4															25
		10					4												4
																			<u>90ac.</u>

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FEB 10 2004

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 Quadrange 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
	General Elect.	75	BXJ222255	Goulds	Unknown

*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
Polysonic						

2. Measurements: Thickness .104 Circ 25.25 OD 8.0373

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SETUP NO.

PIPE O.D.

6.937 IN

PIPE WALL THICKNESS

0.104 IN

PIPE I.D.

7.829 IN

PIPE MATERIAL

CARBON STEEL

PIPE SOUND VELOCITY

10597.123 F/S

LINER MATERIAL

NONE

LINER SOUND VELOCITY

0.000 F/S

LINER THICKNESS

0.000 IN

INSIDE ABS ROUGHNESS

0.00015000

FLUID MATERIAL

WATER

FLUID SOUND VELOCITY

4863.330 F/S

FLUID VISCOSITY

1.132 CSt

TRANSDUCER TYPE

STANDARD

TRANSDUCER MOUNTING

TRANSDUCER SPACING

6.072 IN

15:54:34 07-25-95

SCALE FACTOR = 0.990

OFFSET (GPM) = 0.000

msec OFFSET = -0.07

usec OFFSET = 0.29

XMT DEL DLY = -1.13

AERATION FGA = 0.00

TRANSDUCER: STANDARD/V

MIN DLY = 296.13 UP 290.13 DOWN

SETR = 0.73 1.43

BIDS = 0.00 0.00

ABS = 0.00 0.00

SIG STG = 0.71 0.06

MISSSED = 0 0

TIME(us) = 299.4 299.0

DEL TIME(ns) = 412.0

DIFF COUNT = 987

PXX = 48

SOC = 33.8%

AERATION = 0.000

FLUID (F/S) = 4863.33

REYNOLDS NO. = 420471

PROFILE FACTOR = 0.3449

FLOW: = 1172.697 GPM

7.862 F/S

FLOW 1102.753 GPM

7.882 F/S

FLOW 2.633 OFS

7.875 F/S

27-07326

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

2'30"

BLACKFOOT (U.S. 26, 91, & 191) 4.8 MI

(BLACKFOOT 162500)

T. 3. S.

10'

R36E

BLACKFOOT

TAYLOR RIVER

DITCH

LANE

Point of View
27-02118

27-07326

MICROFILMEN

FEB 10 2004

D

1591

HEL
38.2

HEL
3
21.0

158.0

158.0

5
3.0

6
57.6

T25122
2836

T3S
R36E

T179
2897

HEL
128.0

NHEL
51.2

T25123
2897

NHEL
32.2

27-070078

27-02118

POD
40

24

LT 2

LT 1

LT 2

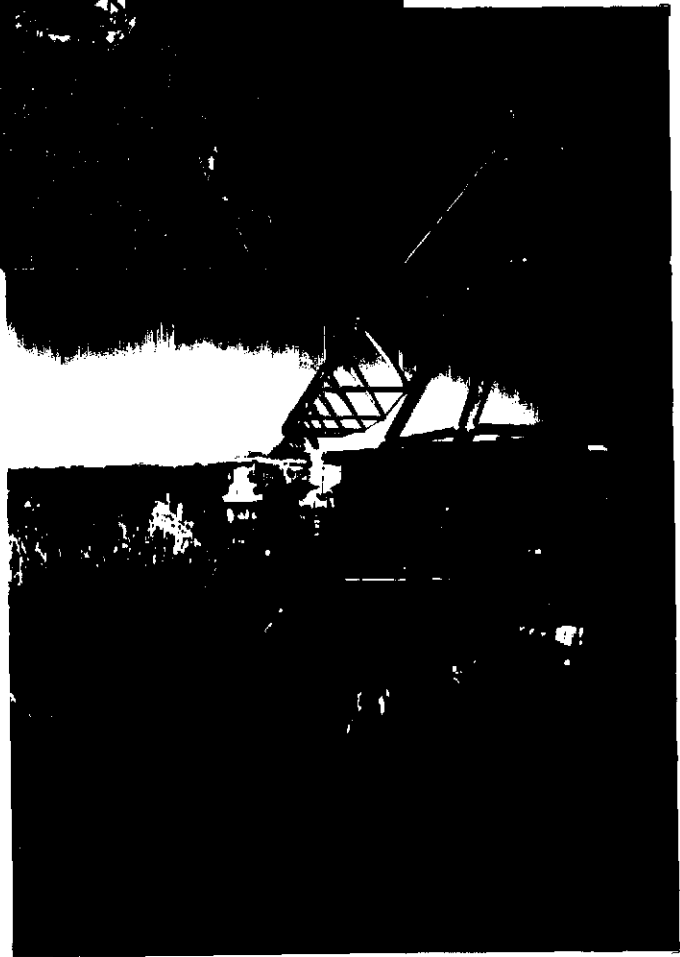
21

10

Blackfoot River

27-7326

Point of diversion



27-7326

MICROFILMED

FEB 10 2004

noiz19

Negatives

27-7326

E. NARRATIVE/REMARKS/COMMENTS

Well to 8" mainline to center pivot.

The place of use is very difficult to determine without reviewing bordering licenses as the acreage under the center pivot is divided between at least 2 water permits/licenses. I have included copies of the intended place of use and bordering permit numbers.

Overlap: license 27-02118 fills in the gaps in this pivot.

27-02118 has this same well as one ppd.

pro rata share: 27-2118 2.40 cfs 120 ac

this well serves 74 ac 1.48 cfs of license

27-2118 40 ac + 24 ac + 10 ac = 74 ac

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

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FEB 10 2004

F. FLOW CALCULATIONS

Measured Method:

Polysonic 1182.753 GPM

$$80 \text{ ac} (1.02) = 1.80 \text{ cfs}$$

$$\frac{\text{GPM}}{448.8} = \text{cfs} \quad \frac{1182.753}{448.8} = 2.6354 \text{ cfs capacity}$$

$$\text{Total } Q = 2.64 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 90 \times 4 \text{ af} = 360$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.80 \times 214 \times 1.9835 = 764.0$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 360$$

2. Volume Calculations for Other Uses:

$$\text{Total } Q = 2.64 \text{ this well}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRE	4/01	10/31	1.80	360
Totals:			1.80	360

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. AUTHENTICATION

Field Examiner's Name Steve Mueller Date 7-25-95

Reviewer DAVE CARLSON Date 4/30/97

SEAL
MICROFILMED
FEB 10 2004

May 22, 1991

Re: Permit No. 27-07326

George Oleson
Box 317E, Rich Lane
Blackfoot, ID 83221

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you and Mr. Steve Oleson. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

cc: Steve Oleson

MICROFILMED
MAY 30 1991

April 30, 1991

GEORGE OLESON
BOX 317E, RICH LANE
BLACKFOOT ID 83210

Dear Mr. Oleson:

Re: Permit No. 27-7326

PROOF ACKNOWLEDGEMENT LETTER

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the department's records.

The department received the proof of beneficial use form. The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Eastern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

Note that the installation of a flow measurement port is a condition of your permit and should be completed by the time the department representative conducts the examination unless the department has rescinded the requirement. In some cases, the equipment required can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: Region

MICROFILMED
MAY 07 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 87-7326

Date 4-

GENERAL CONSIDERATIONS

2^y Name same as permit?
2^y Address same as permit? If no, indicate below.
2^y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

2^y Surface water source
2^y Ground water source
2^y Drill permit req'd?
2^y Copy in file? Drill permit no. _____
2^y Amt paid for drilling permit? _____ Correct?
2^y Well log in file?

LICENSE EXAMINATION FEE

2^y Required?
2^y Amount submitted?
2^y Correct amount?

MEASURING DEVICE

2^y Measuring device or access port required?
2^y Installed?
2^y Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- Need flow meas. port
Proof acceptable

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

[Signature]

138101

February 28, 1991

TRIPLE B LAND CO.
P.O. BOX 41
BLACKFOOT, ID 832210000

PROOF DUE NOTICE

RE: PERMIT NO. 27-07326

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 May 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

MICROFILMED

MAY 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
April 3, 1990

TRIPLE B LAND CO.
P.O. BOX 41
BLACKFOOT, ID 832210000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P27-07326

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

APR 17 1990

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

MICROFILMED

APR 17 1990

PROCESSING

☐ Yes ☐ No form for advertising
☐ Yes ☐ No Statewide advertising
☐ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 27
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 8-4-1982
By _____ Date _____

STATE OFFICE REVIEW P05, P23, P03, P16 46 48 49 016

☐ See below for additional information
By kw Date 3/23/90

ADDITIONAL INFORMATION

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

send cc to: Farm Credit Services
P.O. Box 10
Blackfoot, ID
83221



Farm Credit Services
Blackfoot

COPY

10 West Judicial
P.O. Box 10
Blackfoot, Idaho 83221
208/785-0820

November 14, 1988

RECEIVED
NOV 30 1988

Idaho Department of Water Resources
Eastern District Office
150 Shoup
Idaho Falls ID 83402

Department of Water Resources

RE: Blaine Shoemaker
Application Number 27-7326
FCB Loan No. F-190794-9

Dear Sirs:

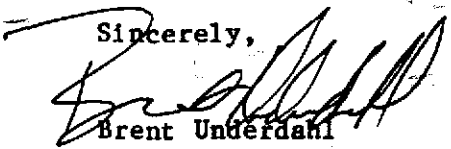
This letter is to notify you that Farm Credit Bank of Spokane has perfected a lien on the application for Permit No. 27-7326 for security purposes. This is evidenced by Security Agreement dated September 30, 1988 and Assignment of Application Permit dated September 30, 1988. The appropriate UCC-1 forms have been filed with both the Secretary of State and Bingham County. A copy of all of these documents is enclosed for your reference.

We are reluctant to have you process the original Assignment of Application for Permit at this time in that we would like the application for permit to remain in the user's name. We request that we be notified prior to making any change in the application or the subsequent permit which would include, but not be limited to, the cancellation of the Application of Permit due to non-use or the lack of filing a Proof of Beneficial Use.

Please sign the bottom of this letter confessing acknowledgement of receipt and return the same to this office. An extra copy of this letter and a self-addressed, stamped envelope has been enclosed for your convenience.

We appreciate your assistance in this matter.

Sincerely,

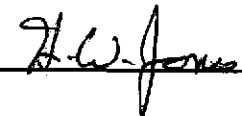

Brent Underdahl
Credit Officer

BU:swl
Encls.

The Idaho Department of Water Resources hereby acknowledges receipt of this letter. DATED this 17 day of November, 1988.

RECEIVED

NOV 17 1990

By: 

STATE OF IDAHO
Department of Water Resources
ASSIGNMENT OF APPLICATION FOR PERMIT

**COPY
RECEIVED**

NOV 30 1988

I, J. BLAINE SHOEMAKER, hereby assign to Department of Water Resources
of Post Office Box 10 Blackfoot Idaho 83221
Address

all my right, title, and interest in and to Application for Permit No.
27-7326 to appropriate the public waters of the State of
Idaho.

Made this 30 day of September, 1988.

J. Blaine Shoemaker
Applicant

~~Sponsor of Applicant~~

State of Idaho)
County of Bingham) ss.

On this 30 day of September, 1988, personally
appeared before me the signer(s) of the above instrument, who duly
acknowledged to me that he (she) (they) executed the same.

s e a l

Phil Blain
Notary Public residing at
Blackfoot

My commission expires:

12-1-88

RECORDED

APR 17 1990

1. Debtor(s) (last name first, and mailing address)

J. Blaine Shoemaker
64 South 200 East
Blackfoot ID 83221

2. Secured Party(ies) and address(es)

Farm Credit Bank of Spokane
c/o Farm Credit Services
Post Office Box 10
10 West Judicial
Blackfoot ID 83221

76976

1988 OCT 17 PM 3:31

4. This Financing Statement covers the following types (or items) of property (Use this space for Real Property legal description and name of record owner if required.)

5. Assignee(s) of Secured Party(ies) and address(es)

(a) All right, title & interest in & to an Application for Permit to appropriate public waters of the State of ID, Ident. #27-7326 for 2.0 cfs, priority date 8-4-82 to irrigate 100 acres.

(b) 1 P-700 11 Tower 1453' Pierce Center Pivot, Serial # D211120057020, and 1 P-600 8 Tower 1202' Pierce Center Pivot Circle, Serial # D-208086056930, plus motors, panels & hook-ups & replacements thereto.

THIS IS A FIXTURE FILING TO BE FILED BOTH IN THE REAL ESTATE RECORDS &

CHECK ☒ IF COVERED ☐ Products of collateral are also covered.

UCC-1 RECORDS

Filed with: ☐ Secretary of State ☒ County Recorder of Bingham County.

If one of the following boxes is checked, the secured party may sign the financing statement. The collateral described herein is:

- ☐ Brought into this state already subject to a security interest in another jurisdiction
- ☐ Subject to a security interest in another jurisdiction, and the debtor's location has changed to this state.
- ☐ Proceeds of the original collateral described above in which a security interest was perfected.
- ☐ The subject of a financing statement which has lapsed.
- ☐ Subject to a security interest perfected under a prior name or identity of the debtor.

COPY

BY:

Signature(s) of Debtor(s)

4-FILE COPY-SECURED PARTY(IES)

BY:

SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF RECORD

Idaho Form UCC-1 Rev. 5-81

FORM APPROVED BY PETE T. CENARRUSA, SECRETARY OF STATE



Department of Water Resources

APR 17 1988

1. Debtor(s): (last name first, and mailing address)

J. Blaine Shoemaker
24 South 200 East
Blackfoot ID 83221

2. Secured Party(ies) and address(es)

Farm Credit Bank of Idaho
c/o Farm Credit Services
Post Office Box 10
10 West Judicial
Blackfoot ID 83221

10/17/88 11013 #67835

4. This Financing Statement covers the following types (or items) of property
 (Use this space for Real Property legal description and name of record owner, if required.)

(a) All right, title & interest in & to an Application for Permit to appropriate public waters of the State of ID, Ident. #27-7326 for 2.0 cfs, priority date 8-4-82 to irrigate 100 acres.
(b) 1 P700 11 Tower 1453' Pierce Center Pivot Circle, Serial No. D211120057020; and 1 P-600 8 Tower 1202' Pierce Center Pivot Circle, Serial # D-208086056930, plus motors, panels & hook-ups & replacements.

5. Assignee(s) of Secured Party(ies) and address(es)

CHECK ☒ IF COVERED ☐ Products of collateral are also covered.

Filed with: ☒ Secretary of State ☐ County Recorder of _____ County.

If one of the following boxes is checked, the secured party may sign the financing statement. The collateral described herein is:

- ☐ Brought into this state already subject to a security interest in another jurisdiction.
- ☐ Subject to a security interest in another jurisdiction, and the debtor's location has changed to this state.
- ☐ Proceeds of the original collateral described above in which a security interest was perfected.
- ☐ The subject of a financing statement which has lapsed.
- ☐ Subject to a security interest perfected under a prior name or identity of the debtor.

BY: _____

Signature(s) of Debtor(s)

4—FILE COPY—SECURED PARTY(IES)

BY: _____

SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF RECORD

Idaho Form UCC-1 Rev. 5-81

FORM APPROVED BY PETE T. CENARRUSA, SECRETARY OF STATE

COPY

RECEIVED

NOV 30 1988

Department of Water Resources

RECEIVED

NOV 17 1988

COPY

EXHIBIT "A"

Loan No. F-190794-9

SECURITY AGREEMENT

Department of Water Resources
MAY 30 1988
THIS AGREEMENT made and entered into this 30 day of September, 1988, by and between J. BLAINE SHOEMAKER, a single man, hereinafter referred to as "Debtor," and FARM CREDIT BANK OF SPOKANE, successor by merger to The Federal Land Bank of Spokane, a corporation with its office and principal place of business at W. 601 First Avenue, Spokane, Washington, 99220-4005, hereinafter referred to as "Secured Party."

WITNESSETH:

WHEREAS, J. Blaine Shoemaker and Betty M. Shoemaker (now deceased), husband and wife, executed a mortgage on certain real property to the Secured Party, recorded January 11, 1982, as Instrument No. 288192, Re-recorded June 24, 1982 as Instrument No. 294541; Supplemental Mortgage dated May 14, 1987, recorded June 5, 1987, Instrument No. 361897, Re-recorded June 18, 1987, Instrument No. 362337, and that certain Mortgage Reamortization Agreement dated May 14, 1987, recorded June 5, 1987, Instrument No. 361899, Real Property Records of Bingham County, Idaho, which mortgage(s) were given to secure a promissory note for \$200,000.00, payable in thirty (30) annual installments, the last payment being due April 1, 2012.

WHEREAS, Debtor and the Secured Party have agreed to restructure and modify the terms of the above-referenced Note.

NOW, THEREFORE, Debtor hereby grants the Secured Party a lien on the following (a) water rights and (b) irrigation equipment;

(a) All right, title and interest in and to an Application for Permit to appropriate public waters of the State of Idaho, Identification No. 27-7326 for 2.0 cfs, priority date August 4, 1982 to irrigate 100 acres.

(b) One P-700 11 Tower 1453' Pierce Center Pivot Circle, Serial #D211120057020;

One P-600 8 Tower 1202' Pierce Center Pivot Circle, Serial Number D-208086056930;

Motors, panels and hook-ups and any replacements thereof

This Security Agreement is given to secure the payment and performance of all indebtedness and obligations of Debtor to Secured Party pursuant to the terms of the above-described Note and Mortgage and until said Note is paid in full.

APR 11 1988

IT IS HEREBY AGREED that this Security Agreement, without affecting its validity as a Security Agreement, is also executed and shall be construed as a Security Agreement and Financing Statement covering all of the above-listed equipment which are considered fixtures under the Idaho Uniform Commercial Code, granting to the Mortgagee a security interest in the personal property collateral specifically described herein regardless of whether the goods described herein are considered equipment, fixtures and/or goods which are to become fixtures. In addition to the rights and remedies provided herein, the Mortgagee shall have all rights and remedies granted as provided in the Idaho Uniform Commercial Code, and reasonable notice, when notice is requested, shall be five (5) days.

For the purpose of the fixture and/or goods Financing Statement, the Debtor is the Mortgagor, the Secured Party is the Mortgagee and the address of the Secured Party from which information concerning the security interest may be obtained is: 10 West Judicial, Post Office Box 10, Blackfoot, Idaho 83221; and the mailing address of the Debtor is: Post Office Box 41, Blackfoot, Idaho 83221.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year hereinabove first written.

SECURED PARTY:
FARM CREDIT BANK OF SPOKANE

By: *Harry B. Stoller*
Its: Authorized Agent

DEBTOR:

J. Blaine Shoemaker
J. BLAINE SHOEMAKER

MICROFILMED
APR 17 1990

July 6, 1988

J. Blaine Shoemaker
Triple B Land Company
P.O. Box 41
Blackfoot, ID 83221

RE: APPLICATION FOR PERMIT NO. 27-7326 - TRIPLE B LAND CO.

Dear Mr. Shoemaker:

The department acknowledges receipt of a letter from Thomas G. Nelson written on behalf of Idaho Power Company which states the company has no objection to the processing of the above referenced application.

As a follow-up to our phone conversation today, I have reviewed the application file and have determined the following:

1. The application does not need to be readvertised.
(Water Appropriation Rule 4,2,2,2.)
2. The use of water is outside the trust water area.
3. The application is not subject to reprocessing under the provisions of Section 42-203D, Idaho Code, since the application was filed before July 1, 1985 and the use of the water for the land began prior to October 1, 1984.

Based on this information, the application does not appear to be affected by the Swan Falls matter. The application is, however, potentially affected by a petition from the Twin Falls Canal Company which requests that a moratorium be placed upon certain (it is not clear what) groundwater development upstream from Milner Dam. The department has not ruled on the request, but plans to conduct fact finding hearings on the issue in the immediate future.

For this reason, the department will continue to hold the application until the moratorium request matter has been addressed.

I am sorry that the department cannot proceed with permit issuance as you have requested. I suspect that you and others are wondering if there ever will be an end to these water related problems.

MICROFILMED

APR 17 1990

J. Blaine Shoemaker

-2-

July 6, 1988

Please feel free to contact me if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: E. Region

MICROFILMED

APR 17 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
C. RICHARD BEVAN
MICK HODGES

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700

RECEIVED
JUN 23 1988

June 22, 1988

Department of Water Resources

Mr. L. Glen Saxton
Chief, Operations Bureau
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Triple B Land Company, Permit No. 27-7326

Dear Mr. Saxton:

You will recall that we have had some correspondence on this permit in the previous years. I understand that the permit has come up for processing. In reviewing the matter, it appears that this particular permit would have been entitled to the benefits of the SB 1180 contract except for the fact that it was not included in the Complaint. Therefore, I cannot offer to dismiss the permit from the Complaint.

However, Idaho Power Company has no objection to your processing this permit. To that extent, any protest which you have considered as having been filed, may be considered withdrawn as to this particular permit.

Yours very truly,

Thomas G. Nelson

TGN/sj
cc: Blaine Shoemaker
P.L. Jauregui
00451

MICROFILMED

APR 17 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

October 1, 1985

J. Blaine Shoemaker
Triple B Land Company
P.O. Box 41
Blackfoot, ID 83221

Re: Application for Permit No. 27-7326, Permit No. 27-7325 and
License No. 27-2118

Dear Mr. Shoemaker:

I have received and reviewed your letter dated September 26, 1985, which explains the inter-relationships among License No. 27-2118, Permit No. 27-7325 and Application for Permit No. 27-7326 and the respective locations of the wells.

Based on your letter and a review of Department files, the Department will change the location designation shown on the well log from the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, Twp. 3S, Rge 36E. To further identify the well log in question, the log shows that the well was drilled by Barrus Drilling with work starting on February 28, 1982 and completing on March 27, 1982. The log also shows a sixteen-inch diameter hole drilled to 100 feet.

As indicated in previous correspondence on this matter, the application for permit was not included in Idaho Power Company's lawsuit against later-in-time water users. Also by letter dated July 2, 1985, Tom Nelson, an attorney representing Idaho Power Company, has indicated that the benefits of the SB 1180 contract would be extended to Application No. 27-7326.

If you could obtain a written disclaimer or similar information from Idaho Power Company relative to your application and provide a copy to this Department, we would then know that Idaho Power Company does not protest issuance of a permit on Application No. 27-7326.

Assuming Idaho Power Company provides the information you seek, there are several other factors to consider before the Department can issue a permit including potential readvertisement to comply with amended

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APR 17 1990

J. Blaine Shoemaker
October 1, 1985
Page 2

Section 42-203, Idaho Code, which became effective July 1, 1985. The Draft Rules and Regulations, which are presently being drafted and are about to be circulated for public review and comment, also bear directly on approval of applications after July 1, 1985.

Outside of the disclaimer described above, there does not appear to be any Department requirements for you to pursue at this point in time.

If you have questions or if this office may be of assistance to you, please contact us.

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

ls

cc: Eastern Region
Tom Nelson

MICROFILMED

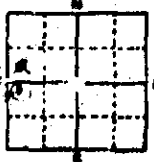
APR 17 1990

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

JUN 30 1982

1. WELL OWNER Sard don farm Name <u>Dale S. Sard</u> Address <u>Box 41, Blackfoot, Idaho</u> Owner's Permit No. <u>27-7326</u>		7. WATER LEVEL Static water level <u>7</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow Temperature <u>58</u> F. Quality <u>Good</u> Artesian closed-in pressure <u>PSI</u> Controlled by ☐ Valve ☐ Cap ☐ Plug	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)		8. WELL TEST DATA ☐ Pump ☒ Bailor ☐ Other Discharge G.P.M. <u> </u> Draw Down <u> </u> Hours Pumped <u> </u>	
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG Hole Diam. Depth From To Material Water Yes No 10 0 7 14 Gravel Sand + 16 7 14 20 Gravel Sand + 16 14 20 25 Gravel Sand + 16 20 25 30 Gravel Sand + 16 30 35 40 Gravel Sand + 16 40 45 50 Gravel Sand + 16 50 55 60 Gravel Sand + 16 60 65 70 Gravel Sand + 16 70 75 80 Gravel Sand + 16 80 85 90 Gravel Sand + 16 90 95 100 Gravel Sand +	
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other			
5. WELL CONSTRUCTION Diameter of hole <u>16</u> inches Total depth <u>100</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness <u>16</u> inches Diameter <u>16</u> inches From <u>1</u> feet To <u>100</u> feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>1/2</u> inches by <u>2</u> inches Number <u>440</u> From <u>50</u> feet To <u>97</u> feet perforations <u> </u> feet <u> </u> feet perforations <u> </u> feet <u> </u> feet Well screen installed? ☐ Yes ☒ No Manufacturer's name <u> </u> Model No. <u> </u> Diameter <u> </u> Slot size <u> </u> Set from <u> </u> feet to <u> </u> feet Diameter <u> </u> Slot size <u> </u> Set from <u> </u> feet to <u> </u> feet Gravel packed? ☐ Yes ☒ No Size of gravel <u> </u> Placed from <u> </u> feet to <u> </u> feet Surface seal depth <u>30</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☒ Slurry pit ☐ Temporary surface casing ☐ Overbore to seal depth			
6. LOCATION OF WELL Sketch map location must agree with written location.  Subsection Name <u> </u> Lot No. <u> </u> Block No. <u> </u> County <u>Blaine</u> SESE Sec. 3 T3SR36E M ₁₆ R ₃₆ S ₃ T ₃ R ₃₆ S ₃ E ₁₆		10. Work started <u>2/28/82</u> finished <u>3/27/82</u>	
		11. DRILLER'S CERTIFICATION Firm Name <u>Bozeman Drilling</u> Firm No. <u>25</u> Address <u>Box 208, Lemhi, ID</u> Date <u>3/29/82</u> Signed by (Firm Official) <u> </u> and <u> </u> (Operator) <u> </u>	

Correct legal and water right no. per owners letter in wr file 27-7326
JEB 10/1/85

MICROFILMED

APR 17 1990

September 26, 1985

P. O. Box 41
Blackfoot, Idaho 83221

Mr. L. Glen Saxton, Chief
Operations Bureau
Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED
SEP 27 1985

Department of Water Res.

Re: Application for Permit No. 27-7326

Dear Mr. Saxton:

Thank you for your letter of September 9, 1985.

You have rejected our previous explanation of error because application #27-7325 shows a water source from that exact location. The subject application shows a change of water source from License #27-2118 for 100 acres, and the application for 75 acres under application #27-7326.

Application #27-7325 was intended to use the well which was originally under license 27-2118. No new well has been drilled for application #27-7325.

After talking to you on the phone, I noted that the mentioned aerial photo was dated 1978 - that was before the subject application was submitted. At that time, the water was diverted from the well under license #27-2118. Your field inspection is correct. The well log carried the wrong legal description, for which I apologize.

I trust this information will clarify the matter.

Sincerely,

J. Blaine Shoemaker
J. Blaine Shoemaker

JBS:jt

MICROFILMED

APR 17 1990

September 9, 1985

J. Blaine Shoemaker
Triple B Land Co.
P. O. Box 41
Blackfoot, ID 83221

Dear Mr. Shoemaker:

Re: Application for Permit No. 27-7326

I have corresponded with you on June 11, 1985 and July 26, 1985 in an effort to obtain evidence when the well in the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E was drilled and when it was first used. On August 26, 1985, you called this office and advised that the driller apparently had placed the wrong legal description on the well log.

In order to assist in the clarification of this matter, on August 26, 1985, a department representative conducted an on-site inspection. The inspection determined the following:

1. There is a well located in the NW1/4SW1/4, Sec. 3 and in the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E.
2. A 1978 photo from the Blackfoot ASCS office shows a circle in the SE1/4SE1/4 (the photo, however, does not show the source of water or well location).

Enclosed is a copy of the well log which I assume you were referring to as having the wrong legal description. I have highlighted in yellow the permit number shown (27-7325) and the legal description shown (NWSW, Sec. 3, Twp. 3S, Rge. 36E). This legal description corresponds with the description shown on water right permit No. 27-7325. Thus, I conclude this well log does not have an incorrect legal description.

In summary, the Department does not have evidence to show when the well in the SE1/4SE1/4, Sec. 4 was drilled, or by whom or when that particular well was first used. Please provide appropriate evidence to answer these questions.

MICROFILMED

APR 17 1990

J. Blaine Shoemaker

- 2 -

Sept. 9, 1985

The purpose of my letters is to determine whether Application No. 27-7326 can be approved without being subject to Idaho Power Company's water rights. The evidence you provide will be used to make that determination.

Please contact this office if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosure

RECEIVED

APR 17 1990

MEMORANDUM

8-27-1985

RECEIVED

SEP 5 1985

From: Gerald F. Ramsey

To: File

Department of Water Resources

On 8/26/85 an inspection of two wells located on or near land located in Sect.3,NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sect.4 was conducted to determine if construction dates could be established. Physical evidence at both sites do not indicate any clues as to the construction dates or the pump installation dates. A check at the Blackfoot ASCS office shows there was a circle located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sect.4 T3S R36E as identified in the 1978 overflight. Subsequent to that date two more circles have been added in section 4. It is my opinion that the well drilled in 1982 was drilled in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of sect.3 T3S R36E. Evidence of drilling for the well should be the well log, pump installation record, tax return that indicate depreciation on the pump, or affidavits. There was no physical evidence to support or deny the existence that the well had been constructed in 1982.

MICROFILMED

APR 17 1990

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well. JUN 30 1982

1. WELL OWNER

Sand seen farms

Name Triple B Land Co

(J B Shomaker) - section 404 -

Address PO Box 41, Blackfoot, IdahoOwner's Permit No. 27-7325

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 16 inches Total depth 101 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>.250</u> inches	<u>16</u> inches	<u>+ 1</u> feet	<u>100</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☒ Yes ☐ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ TorchSize of perforation 1/2 inches by 2 inches

Number	From	To
<u>440</u> perforations	<u>50</u> feet	<u>97</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

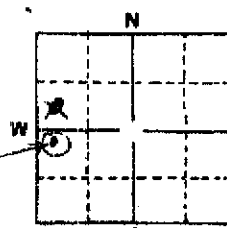
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 38 Material used in seal ☐ Cement grout☒ Pudding clay ☐ Well cuttingsSealing procedure used ☒ Sherry pit ☐ Temporary surface casing☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Bingham

SW 1/4 Sec. 3, T. 3, R. 36 E/W

7. WATER LEVEL

Department of Water Resources
Eastern District OfficeStatic water level 7 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	We Yes
	From	To		
16	0	7	Washity sand	+
16	7	14	Gravle & sand	+
16	14	38	Sandy pee gravle	+
16	38	55	clay seamed gravle	+
16	45	58	gravle & sand	+
16	58	72	clay seamed gravle	+
16	72	80	gravle	+
16	80	95	clay seamed gravle	+
16	95	100	clay filled gravle	+

REPROFILMED

APR 17 1990

10.

Work started 2/28/82 finished 3/27/82

11. DRILLERS CERTIFICATION

Firm Name Bowling drilling Firm No. 2Address box 558 basalt id. Date 3/27/82Signed by (Firm Official): Tom B. Basm

and

(Operator) Steve Basm

27-7326 SESE 4 35 36E
27-7325 NWSW 3 35 36E

UNIT 1A

UNIT 1A

33 34
4 3

RICH LANE

Circle added
after 1978 and
before 1983

131.9

WELL
27-7325

HOUSE

MICROFILMED

APR 17 1978

WELL
POSSIBLE
27-7326

Circle added
after 1978 and
before 1983

1978 OVERFLIGHT
BY ABCS

GATHERED BY
G.F. Ramsey 8/26/85

MEMORANDUM

FROM: Rita Fleck *RF*
DATE: August 26, 1985
RE: Well Logs

Last week Blaine Shoemaker called to say that the wrong description had been placed on the well log submitted on June 30, 1982. The description should be SESE, Sec. 4, Twp 3S, Rge 36E. However, ~~this~~ is the same description as Permit No. 27-7325's proposed well. *the error on the well log*

Mr. Shoemaker said that Gerald Ramsey had written him a letter on July 16, 1982 advising him that a water right filing was needed for the well log Gerald had received in the office. Consequently, he filed 27-7326 which we are now holding for action.

I thought maybe Ramsey had a well log in his office that the State office didn't, so I called him. It appears that Eastern has the same well log record as the State office.

It is hard to determine if there are really two wells out there and the well driller submitted only one log, or if there are really two logs with incorrect land descriptions.

To collect more information on this matter, Gerald Ramsey is going to field check the systems described under Water Right No. 27-7325 and 27-7326 to see where the wells are located.

MICROFILMED

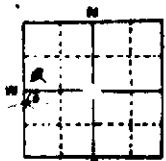
APR 17 1990

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

13.0617
70

1. WELL OWNER Name <u>Edith L. Taylor</u> Address <u>Box 558, Ingham, Idaho</u> Owner's Permit No. <u>27-7325</u>		7. WATER LEVEL Static water level <u>9</u> feet below land surface Pumping? ☒ Yes ☐ No G.P.M. flow _____ Temperature _____ F. Quality _____ Artesian closed in pressure _____ P.S.I. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																							
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (Describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☒ Bailor ☐ Other _____ Discharge (G.P.M.) _____ Draw Down _____ Hours Pumping _____																																																																																																							
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USE ADDITIONAL SHEETS IF NECESSARY FORWARD THE WHITE COPY TO THE DEPARTMENT

MICROFILMED
APR 17 1980

July 26, 1985

J. Blaine Shoemaker
Triple B Land Co.
P. O. Box 41
Blackfoot, ID 83221

Dear Mr. Shoemaker:

Re: Application for Permit No. 27-7326

In response to my letter dated June 11, 1985, you submitted proof of beneficial in connection with the above-referenced application. The application proposes a well in the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E and the proof states that water was first diverted under the application on June 1, 1982. The discrepancy for which I need clarification is that the Department does not have a well log for a well in the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E.

Please provide a copy of the well log at your earliest convenience.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

MICROFILMED

APR 17 1990

July 26, 1985

Thomas G. Nelson
NELSON, RUSHOLT, ROBERTSON, TOLMAN & TUCKER
P. O. Box 1906
Twin Falls, ID 83303

Re: Application for Permit No. 27-7326 - Triple B Land Co.

Dear Mr. Nelson:

By letter dated July 2, 1985, you advised that if development under the above-referenced application is subject to the terms of the SB1180 contract, you essentially had no objection to its approval even though it was not named in the IPCo lawsuit.

Enclosed is a copy of the proof of beneficial use submitted on July 1, 1985 in connection with the application. Assuming the proof to be factual and that water was diverted on June 1, 1982 as claimed on the proof, it appears you would have no objection against the application.

Please advise me relative to this matter.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosure

MICROFILMED

APR 17 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW
142 3RD AVE NO.

MAILING ADDRESS: P.O. Box 1906
TWIN FALLS, ID 83303-1906
TELEPHONE (208) 734-0700
SUN VALLEY (208) 726-4661

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

Department of Water Resources

TERRY T. UHLING
LAIRD B. STONE
GARY D. SLETTE

July 2, 1985

Mr. L. Glen Saxton
Chief, Operations Bureau
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Application No. 27-7326

Dear Mr. Saxton:

Thank you for sending me a copy of your letter of June 11, 1985 to Triple B Land Company concerning the above numbered permit. You mentioned in the last paragraph of your letter, on the first page, that Application No. 27-7326 was not named in the lawsuit. I have checked our records, and you are entirely correct. The computer printout which we obtained from the Department was the basis for the initial filing. That list did not show 27-7326, nor was the application in the file at the time the copies were physically made. Therefore, 7326 was not included in the list of rights named in the lawsuit.

If that particular permit is subject to the terms of the SB 1180 contract, we will of course, extend the benefits of that contract to that permit. Since it was not included, it will not be possible to dismiss it from the case with prejudice unless we join it and then dismiss it.

By copy of this letter to Triple B Land Company, I am enclosing our explanatory letters together with Form B, in the event that this particular permit is not ready for proof at this time. I also invite the management of Triple B Land Company to contact us directly if they have any questions about how we might best handle this particular application.

Yours very truly,

Thomas G. Nelson

TGN:gjc
Enclosures

cc: Paul L. Jauregui, Esq.

RECEIVED

JUL 8 1985

MICROFILMED

APR 17 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW
142 3RD AVE NO.

MAILING ADDRESS: P.O. Box 1906
TWIN FALLS, ID 83303-1906
TELEPHONE (208) 734-0700
SUN VALLEY (208) 726-4661

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

February 21, 1985

TERRY T. UHLING
LAIRD B. STONE
GARY D. SLETTE

Re: IDAHO POWER COMPANY vs.
IDAHO DEPARTMENT OF WATER RESOURCES
Case No. 81375

On October 25, 1984, Governor Evans and Idaho Power Company executed a contract to implement the terms of Senate Bill 1180 (now Idaho Code Sections 61-539 and 61-540). Under the contract, holders of permits, licenses or valid use rights who had actually used water pursuant to those rights on or before November 19, 1982, may be dismissed from the above lawsuit with prejudice. Also, holders of applications or permits who had made substantial investments as of November 19, 1982, may be dismissed with prejudice, even if water had not actually been used prior to November 19, 1982. (A "substantial investment" is defined as \$15,000 or 25% of the total projected cost of the irrigation project, whichever is less). Dismissal with prejudice will allow permits to develop and applications to be processed by IDWR without protest by Idaho Power Company.

In cooperation with the Idaho Department of Water Resources, we are trying to determine who is entitled to dismissal pursuant to the contract. Enclosed are two forms, Form A and Form B, to be used if you believe you qualify for dismissal. Read these instructions carefully.

FORM A. Use this form if you were using water on or before November 19, 1982, pursuant to a valid permit and are now ready to prove beneficial use for the entire project under that permit. Fill out the form in its entirety, place it in the enclosed self-addressed envelope, put on a stamp, and mail it to us. When we have reviewed it, we will forward it to the

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APR 17 1990

Department of Water Resources for their use. Submission of Form A is a statement to the Department that no further development is intended and is a request that a license be issued. (If you have already sent a proof form to the Department, please go ahead and fill this one out also. It contains some information not included in the earlier Department of Water Resources forms, and the additional information is needed to determine if dismissal is required under the Senate Bill 1180 contract.)

FORM B. Use this form if you intend to claim that an application or permit comes within the terms of the Senate Bill 1180 contract and, (1) you were using water on or before November 19, 1982, pursuant to a valid permit but are not now ready to file proof of beneficial use for the entire project; or (2) you had made substantial investment (\$15,000 or 25%) on or before November 19, 1982, pursuant to the application or permit. Fill out the form in its entirety, sign it before a notary, have the notary sign it and affix a seal, place it in the enclosed self-addressed envelope, put on a stamp, and mail it to us. When we have reviewed it, we will send it to the Department of Water Resources for their use.

Be sure to include all of the information requested, as we cannot make a decision without it. Remember, use Form A only if you were using water as of November 19, 1982, pursuant to a valid permit and if you are now ready to prove beneficial use on the whole project. Use Form B in all other cases where you believe you qualify under the Senate Bill 1180 contract.

Yours very truly,

Thomas G. Nelson

TGN:gjc

P. S. In case of questions, call me or Cynthia Cranston-Felton.

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FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. _____

Name(s) of Permit Holder: _____

Post Office Address: _____

Telephone No. _____

Source of Water: _____

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? _____ Yes _____ No
Installed? _____ Yes _____ No

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

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

(Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Date _____

Signature of Permit
(and Title, if appropriate)

APR 17 1980

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: _____

Name(s) of Permit Holder: _____

Post Office Address: _____

Telephone No. _____

Indicate the date water was first diverted and beneficially used under this permit: _____

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 _____ NO _____

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 _____ NO _____

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.

APR 17 1990

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

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).

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

YES _____ NO _____

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

SUBSCRIBED and SWORN to before me this _____ day of _____, 1985.

NOTARY PUBLIC FOR
Residing at: _____

RECEIVED

JUL 1 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JUN 25 1985

Department of Water Resources
Eastern District Office

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 27-7326Name(s) of Permit Holder: TRIPLE B. LAND CO.Post Office Address: P.O. Box 41 BLACKFOOT ID 83221Telephone No. 785-5936Source of Water: GROUND WATER

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 100 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: JUNE 1 1982Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ NoFlow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

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

J. BLAINE SHOEMAKER

(Name)

P.O. Box 41 BLACKFOOT ID

(Address)

785-5936

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Date

6/25/85

Signature of Permit Holder (and Title, if appropriate)

Triple B Land Co by J Blaine Shoemaker
Pres.Statement of development for exemption
from Swan Falls processing. Not acceptable
as proof of beneficial use.

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

000854

Blackfoot, Idaho 83221

Phone: (208)-785-1435

MAILING ADDRESS _____ CITY _____ STATE _____

JOB LOCATION _____ AUTHORIZED AGENT
FOR DELIVERY _____ PHONE _____

TERMS OF PAYMENT Cash when pump is set. DATE PROMISED _____

SECONDARY SECURITY PLEDGED _____

DATE COMPLETED _____ 19____ CUSTOMER CONTRIBUTES _____ INSTALLATION FOREMAN _____

[illegible]

RECEIVED

JUN 25 1985

Department of Water Resources
Eastern District Office

THE UNDERSIGNED CUSTOMER HEREBY PURCHASES THE ABOVE DESCRIBED MERCHANDISE AND LABOR FROM DEWEY IRRIGATION. THE FOREGOING, TOGETHER WITH THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF THIS SHEET CONSTITUTES THE ENTIRE CONTRACT BETWEEN DEWEY IRRIGATION AS SELLER AND THE UNDERSIGNED CUSTOMER AS PURCHASER.

TOTAL CHARGE	9,925.00
---------------------	-----------------

DO NOT SIGN UNTIL YOU HAVE READ COMPLETELY ALSO DO NOT SIGN IF THERE ARE ANY BLANK SPACES.
CONTRACT TO BE COMPLETELY FILLED IN; BALANCE CAN BE PAID OFF AT ANY TIME AND UNDER CERTAIN
CONDITIONS BUYER IS ENTITLED TO PARTIAL RETURN OF SERVICE CHARGE.
MAKE ALL CHECKS PAYABLE TO DEWEY IRRIGATION

ACCEPTED
DEWEY IRRIGATION

MICROFILMED

~~APR 1 1990~~ ^{TE}

CUSTOMER'S SIGNATURE

SALES CONTRACT

DATE _____

DEWEY IRRIGATION

000855

P.O. Box 221 - Collins Siding

Blackfoot, Idaho 83221

Phone: (208)-785-1435

CUSTOMER'S NAME Dance & Yamada DATE January 4 19 82
 MAILING ADDRESS _____ CITY _____ STATE _____
 JOB LOCATION _____ AUTHORIZED AGENT FOR DELIVERY _____ PHONE _____
 TERMS OF PAYMENT -7 Year Lease by Customer- DATE PROMISED _____
20% Down Balance Progressive Payment
 SECONDARY SECURITY PLEDGED _____
 DATE COMPLETED _____ 19 _____ CUSTOMER CONTRIBUTES _____ INSTALLATION FOREMAN _____

QUANTITY	SIZE	DESCRIPTION	PRICE	AMOUNT
1	F-700	11 Tower, 1453' Pierce Circle Master Short Span		43,119 00
with	10-126-1-168	1 1/2 HP Motor 40 per tower		440 00
1		Disconnect Panel at Pump		400 00
1	F-600	8 Tower, 1202' 1 1/2 HP		34,376 00
with	3-160-5-140	Motors 40 per tower		320 00
3000'	8 5/8"	PVC Mainline		8,190 00
3000'		Mainline Installation		1,500 00
3000'	#4	4 Strand w/12-2	90	2,700 00
2		Disconnect at Pump	400 00	800 00
2		Pivot Goosenecks	150 00	300 00
1		Pump Gooseneck		150 00
1		Pivot Wye-Tee Tie-In		275 00
2	8'	Butterfly Valves at Pump		600 00
1		New Sprinkler Package & Pad. Relocate Pivot		2,665 00
PIVOT & MAINLINE TOTAL				95,835 00

RECEIVED

JUN 25 1985

Department of Water Resources
 Eastern District Office

THE UNDERSIGNED CUSTOMER HEREBY PURCHASES THE ABOVE DESCRIBED MERCHANDISE AND LABOR FROM DEWEY IRRIGATION. THE FOREGOING, TOGETHER WITH THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF THIS SHEET CONSTITUTES THE ENTIRE CONTRACT BETWEEN DEWEY IRRIGATION AS SELLER AND THE UNDERSIGNED CUSTOMER AS PURCHASER.

TOTAL CHARGE

95,835.00

- PLEASE TO
 OVER
- DO NOT SIGN UNTIL YOU HAVE READ COMPLETELY. ALSO DO NOT SIGN IF THERE ARE ANY BLANK SPACES.
 - CONTRACT TO BE COMPLETELY FULLY PAID. BALANCE CAN BE PAID OFF AT ANY TIME AND UNDER CERTAIN CONDITIONS BUYER IS ENTITLED TO A RETURN OF SERVICE CHARGE.
 - MAKE ALL CHECKS PAYABLE TO DEWEY IRRIGATION.

MICROFILMED

SALES CONTRACT

ACCEPTED
 DEWEY IRRIGATION

APR 17 1990

DATE

CUSTOMER'S SIGNATURE

Dean St. Jensen
Pro Yamada

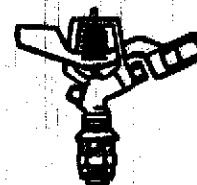
DATE

DEWEY IRRIGATION

TURBINE PUMPS



IRRIGATION EQUIPMENT



P.O. Box 221 - Collins Siding
Blackfoot, Idaho 83221
Phone: (208)-785-1435

SOLD TO	Dance & Yamada	SHIP TO	
	Rt. 4, Box 328		
	Blackfoot, ID 83221		

CUSTOMER ORDER NO.	SHIP VIA	DATE	DELIVERY TICKET NO.
		October 28, 1982	

QUANTITY	SIZE	DESCRIPTION	PRICE	AMOUNT
		SG #000854 Original		95,835 00
		SG #000855 Original		9,925 00
4		Thrust Blocks	75 00	300 00
4		Fertilizer Disconnects		900 00
1		Pad for Idaho Power		200 00
1		Pad for Utah Power - Weeding		200 00
1	6"	NGO Valve		300 09
1	440 VT	Trans., 440 VT Time Clock & TLC Labor w/Discs.		504 55
630'	6 5/8	PVC Mainline	1 50	945 00
630'		PVC Installation - no trenching	30	189 00
2	6 5/8	Starter Couplers	16 80	33 60
2	6"	Flanges w/Bolts		35 50
2	6"x45°	Steel Fills	29 90	59 80
4'	6"	Bare Steel	3 00	12 00
1		Rockford Hookup PVC & Cap Main		150 00
1	P-600	Over the Hill Gang		485 00
10		Time Change Done		3,000 00
		Less Wheelines not taken but paid for on lease		114,013 54
		Less Down Payment on Account		-11,000 00
		Payments made 3/25/82, 3/25/82 and 5/17/82 upon completion.		103,013 54
				-102,537 72
				475 82
			TOTAL	475 82

Net 30 days. A FINANCE CHARGE of 1 1/2% (One and One-Half Per Cent per month ANNUAL RATE of 18%) will be made on any balances remaining unpaid for a period of 30 days from the date of the statement which the charges first appear.

I certify that the property which I have here purchased will be used for mining, manufacturing, processing, or farming, or repair thereof. Describe machinery or equipment: _____

I certify that all statements are true and correct. Nature of business _____

Signature of Purchaser _____

RECEIPT OF ABOVE MATERIAL ACCEPTED

002887

SIGN
HERE

MICROFILMED

Thank You

APR 17 1990

RECEIVED

JUN 25 1985

Dept of Water Resources
Print Office

DEWEY IRRIGATION

005626

P.O. Box 2 Collins Siding
Blackfoot Idaho 83221

DATE

4/14/82

CUSTOMER'S
ORDER NO.

SOLD TO

ADDRESS

SHIP TO

ADDRESS

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT	MOSE RET'D	PAID OUT	SHIP VIA	PREPAID ☐	COLLECT ☐
<i>B</i>				<i>✓</i>					
QUANTITY	DESCRIPTION						PRICE	AMOUNT	
1	3100'	85/8 125# PVC							
2									
3	60'	PERMANENT TYPING							
4									
5									
6									
7									
8									
9									
10									
11									
12									

Net 30 days. A FINANCE CHARGE of $1\frac{1}{2}\%$ (One and One-Half Per Cent) per month (ANNUAL RATE OF 18%) will be made on any balances remaining unpaid for a period of 30 days from the date of the statement which the charges first appear.

I CERTIFY THAT THE PROPERTY WHICH I HAVE HERE PURCHASED WILL BE USED FOR MINING, MANUFACTURING, PROCESSING, OR FARMING OR REPAIR THEREOF

DESCRIBE MACHINERY OR EQUIPMENT _____

I CERTIFY THAT ALL STATEMENTS ARE TRUE AND CORRECT

NATURE OF BUSINESS _____

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL

DATE _____

19 _____

SIGNATURE OF PURCHASER _____

RECEIVED

JUN 25 1985

Department of Water Resources
Eastern District Office

MICROFILMED

APR 17 1980

DEWET IRRIGATION

P.O. Box 227 Collins Siding
Blackfoot Idaho 83221

005716

DATE

CUSTOMER'S
ORDER NO.

4/28/82

SOLD TO

Dance - Yonada

ADDRESS

Rich Ln

SHIP TO

ADDRESS

SOLD BY	CASH	C.O.D.	CHARGE	ON ACC	MOSE RET'D	PAID OUT	SHIP VIA	PREPAID COLLECT
QUANTITY	DESCRIPTION	PRICE	AMOUNT					
1	Pump + Pump Lines							
2	Roller and							
3	30' 8" Pipe							
4	8' 45" ell							
5	4' 8" Starter P/C							
6	1' 12" x 10" Core Red							
7	2' 10' x 8' " "							
8	2' Air Reg w/pipper							
9	2' 25' Surge w/pump							
10	2' 4" Comp 1/2" 1/4" plug							
11	2' 2" Thrust Brackets							
12	2' 10' Pump Red 27 P/C							

Net 30 days. A FINANCE CHARGE of 1 1/2 (One and One-Half Per Cent) per month (ANNUAL RATE OF 18%) will be made on any balances remaining unpaid for a period of 30 days from the date of the statement which the charges first appear.

I CERTIFY THAT THE PROPERTY WHICH I HAVE HERE PURCHASED WILL BE USED FOR MINING, MANUFACTURING, PROCESSING OR FARMING OR REPAIR THEREOF

DESCRIBE MACHINERY OR EQUIPMENT

I CERTIFY THAT ALL STATEMENTS ARE TRUE AND CORRECT

NATURE OF BUSINESS

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL

DATE

19

SIGNATURE OF PURCHASER

RECEIVED

JUN 25 1985

Department of Water Resources
Eastern District Office

MICROFILMED

APR 17 1990

PRINT REQUESTED BY HAMMOND W

REQUESTED AT 12:40 06/14/85

ACCT NUMBER-- 0172-011583-0 CUSTOMER NAME SAND DUNES FARM
ACCT STATUS-- INACTIVE SERV LOCATION S 3 3 *
CONN/DISC---- 09/17/84 SERV CTYSTZIP BLACKFOOT ID 83221 *
DIS ACTIVITY- NONE PENDING RATE----- 24

SUBPAGE

4

* * * * * TRANSACTION ITEMIZATION INFORMATION * * * * *

TRN ID	BATCH/ ORDER	PROCESS DATE	TRANS AMOUNT	DESCRIPTIVE INFORMATION	ACCOUNT BALANCE
280 03		10/31/83			
850 00		10/03/83	15.01	** Billing	
500 00	72131	09/30/83	158.16-	**	
850 00		09/01/83	158.16	** Billing	
950 00	72684	08/30/83		0272-011583-0	
950 00	72382	07/13/83		0272-011583-0	
780 04		07/05/83		UNBILLED =	.18-
110 03	EX101	03/22/83	connect in 1983		
780 04		08/04/82		UNBILLED =	.57-
100 04	15350	06/21/82	- connect date in 1982		

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APR 17 1990

RECEIVED

JUN 25 1985

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing Address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 11, 1985

Triple B Land Co.
P. O. Box 41
Blackfoot, ID 83221

Gentlemen:

Re: Application for Permit No. 27-7326
Triple B Land Co.

On August 4, 1982, you submitted the above-referenced application for permit and an application for transfer on licensed water right No. 27-2118. Both documents were in connection with a center pivot irrigation system with the center located in the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E.

The transfer which was approved on November 17, 1982 authorized a well in the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E in addition to the original well in the NW1/4SW1/4, Sec. 3, Twp. 3S, Rge. 36E. The application for permit has not been approved since its approval was subject to the unknown effects of the Swan Falls controversy which became apparent in November 1982.

In general, the Idaho Power Company (IPCo) filed suit against certain application and permit holders whose uses or proposed uses could interfere with the company's water right.

A contract signed in October 1984 provided that Idaho Power Co. would release from the law suit certain categories of uses or proposed uses including domestic, commercial, municipal, industrial (DCMI) and certain irrigation uses which have made "substantial investment in irrigation wells and irrigation equipment". The contract goes on to further define "substantial investment" and those irrigation uses which could be included in it.

A review, however, of those named as defendants in the IPCo. law suit shows that Application No. 27-7326 was not named in the law suit. Since it is not clear to the Department why the application was not named, please provide information and/or evidence relative to any investment or use which ~~may have been made~~ relative to the proposed pivot irrigation system with ~~its center in the~~ SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E.

APR 11 1985

The Department is of the opinion that it would be inequitable to you to approve the pending application and then have you potentially subject to the law suit if your use did not comply with provisions of the contract.

I have reviewed copies of well logs on file with the Department, however, but I did not find a log describing a well within the SE1/4SE1/4, Sec. 4, Twp. 3S, Rge. 36E.

Pursuant to Blaine Shoemaker's recent telephone conversation of this office, the date of filing for Application No. 27-7326 is August 4, 1982. If approved, Application No. 27-7326 would bear that date of priority. Enclosed at your request is a copy of Application No. 27-7326 and a form for filing proof of beneficial use, if proof submittal is applicable depending on development you may have made.

Please provide the requested information at an early date in order that the Department can further consider the pending application.

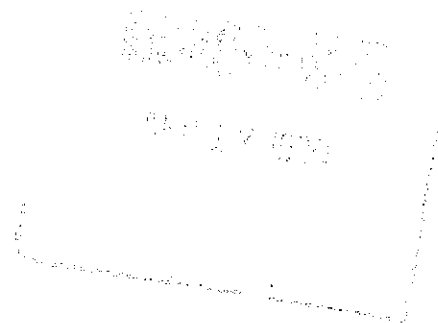
Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enc: Application No. 27-7326
Proof of Beneficial Use form

cc: Eastern Region
Tom Nelson





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

December 30, 1982

MEMO

TO: Jim Johnson

FROM: Stan Szczepanowski *SS*

SUBJECT: Application #27-7326 for a 100' deep, 16" diameter
irrigation well (2 cfs) in T3S R36E Section 4 SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Bingham County

It is reported, on several logs for domestic wells in Section 4, that a near surface clay unit (at least 5' thick) exists. The first aquifer, sand and/or gravel, is found beneath the clay and this water bearing zone has artesian pressure; depths to water in 6 non-flowing artesian wells range from 6 to 10 ft. below land surface datum.

While a 1963 USGS water supply paper on this area indicates that the Blackfoot River flows above the water table and contributes water to the groundwater system, it would seem that a well cased through the clay unit would not interfere with surface flows. How localized this artesian zone may be is an unknown.

SS:mb

MICROFILMED

APR 17 1990

Memo

11-3-82

TO: Glen

FROM: Jim

RE: App. for Permit 27-7326

Eastern recommended Hydrology review for possible surface water interference.

I reviewed the well logs on file in sections 4 & 3.

I found 10 logs which on the average have around 80 feet depth and a static water level of 10 to 35 feet.

The soils are clay, sand and sand gravel mix. There is some variation as to the location below the surface these different types are found.

Because the proposed well is located so close to the Blackfoot River and it appears from the well logs that there may be an interconnected surface ground water system in this area. I believe that hydrology review is perhaps justified.

P.S. IF YOU CONCUR I WILL PUT A NOTE IN TRANSFER FILED ON 27-2118 NOT TO PROCESS UNTIL REVIEW IS COMPLETE.

27-2118 2.4 cfs 2-20-1959
No special well casing conditions

From well drillers report →

80' well
10' standing level
perforated 25' to 80'

9 well logs on record in Sec 4

ONE well log on file
Static level 35'
80' well

Location of ~~proposed~~ diversion
~~same well used as well 27-2118~~

New well is being drilled for center pivot SPRINKLER SYSTEM. Part of water diverted will be under right 27-2118 WHICH HAS TRANSFER APP. APPLIED FOR ADDING A P/D IN THE SESE. Total amount to be diverted under both rights is 3.5 cfs.

Handwritten Annotations:

- Top Right:** ONE well log on file Static level 35' 80' well
- Center:** 27-2118 2.4 cfs - 2-20-1959 No special well casing conditions
- Middle Left:** From Well drillers report → 80' well 10' standing level perforated 25' to 80'
- Bottom Left:** 9 well logs on record in Sec 4
- Bottom Right:** Location of proposed diversion same well used as W.R. 27-2118
New well is being drilled for center pivot SPRINKLER SYSTEM. Part of water diverted will be under right 27-2118 WHICH HAS TRANSFER APP. APPLIED FOR ADDING A P/D IN THE SESE.
Total amount to be diverted under both rights is 3.5 cfs.

Map Labels: RIVER, BLACKFOOT, BOUNDARY, MILE 19, INDIAN RESERVATION, BORROW PIT, CANAL, CENTER ST, EASTERN LANE, PIPELINE, SLOUGH, LLOYD, RICH, LANE, WEST, EAST, NORTH, SOUTH.

27-2118 2.4 cfs 2-20-1959
No special well casing conditions

From well drillers report →

80' well
10' standing level
perforated 25' to 80'

9 well logs on record in Sec 4

ONE well log on file
Static level 35'
80' well

Location of ~~proposed~~ diversion
~~same well used as well 27-2118~~

New well is being drilled for center pivot SPRINKLER SYSTEM. Part of water diverted will be under right 27-2118 WHICH HAS TRANSFER APP. APPLIED FOR ADDING A P/D IN THE SESE. Total amount to be diverted under both rights is 3.5 cfs.

27-2118 2.4 cfs 2-20-1959
No special well casing conditions

From well drillers report →

80' well
10' standing level
perforated 25' to 80'

9 well logs on record in Sec 4

ONE well log on file
Static level 35'
80' well

Location of ~~proposed~~ diversion
~~same well used as well 27-2118~~

New well is being drilled for center pivot SPRINKLER SYSTEM. Part of water diverted will be under right 27-2118 WHICH HAS TRANSFER APP. APPLIED FOR ADDING A P/D IN THE SESE. Total amount to be diverted under both rights is 3.5 cfs.

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

APPLICATION NUMBER: 27 7326

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
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. Transf pending # 27-2181

27-7007 (30 acres in NWSB-RD)

In form for advertising.

Final date for protests: Sept. 6, 1982

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-1-82
☒ 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? 27

4-8-4-82 Date of priority recommended.

Special conditions of approval or cover letter. _____

Code 26

app. not identified in S.F. suit

By: Ernest Carlson

Date: Sept. 7, 1982

STATE OFFICE REVIEW:

SL/112 103

26 OIC

☐ See attached sheet for more information.

By: 103, 105, 117

Date: 9/15/82

26 OIC 19

6/6/85

SEP 14 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

22-2326

TRIPLE B LAND COMPANY

P.O. BOX 41, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 08/04/1982

Amount: 2.00 CFS

Diversion Point: SESE Sec 04 T 03S R 36E, BINGHAM Co.

Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15

Place of Use: NESE NWSE SWSE Sec 04 T 03S R 36E NENE NWNE Sec 09 T 03S R 36E
NWNW Sec 10 T 03S R 36E FOR 100 ACRES

Diversion Means: WELL, PUMP & CENTER PIVOT

MICROFILMED

APR 17 1990

