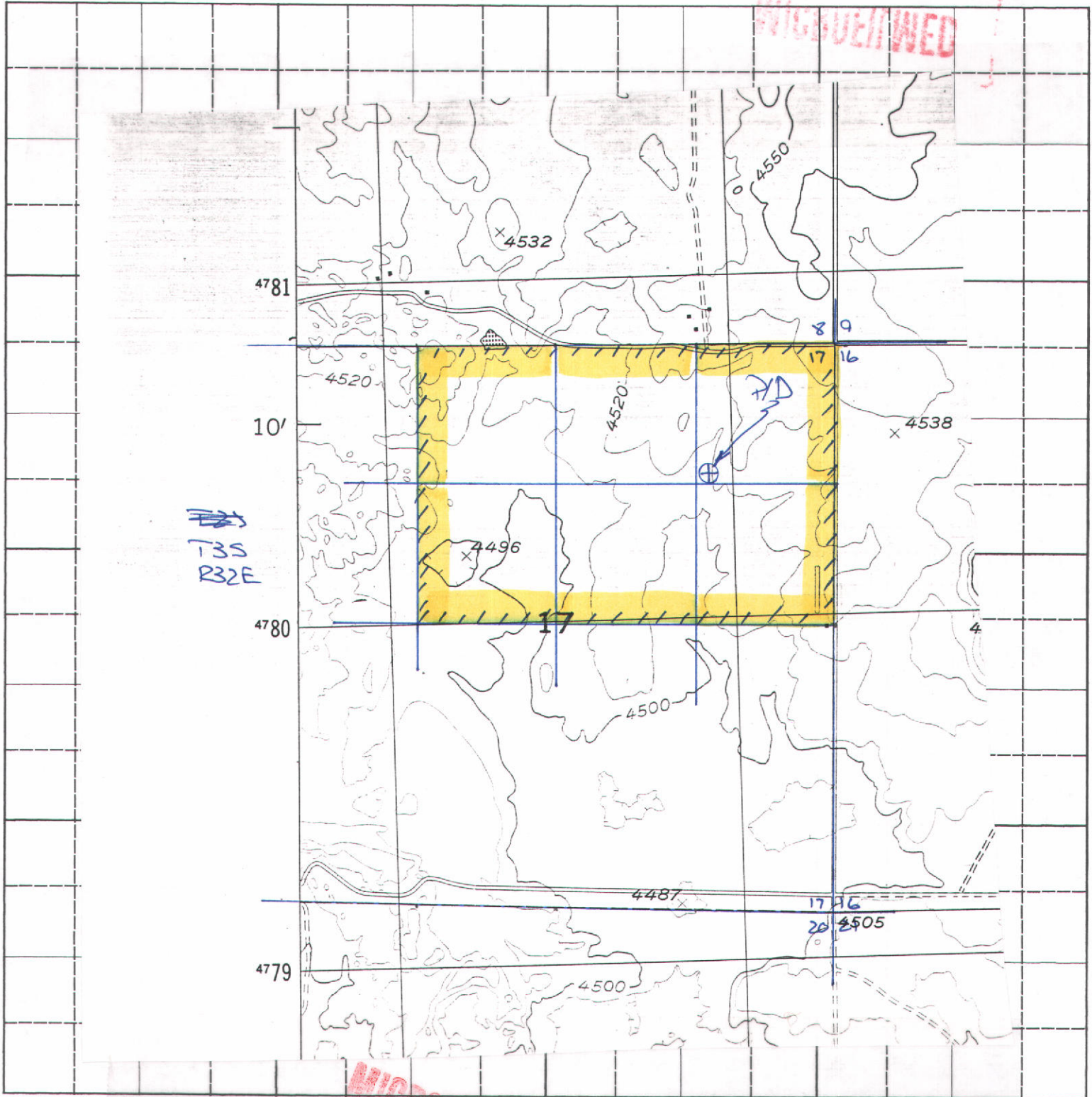


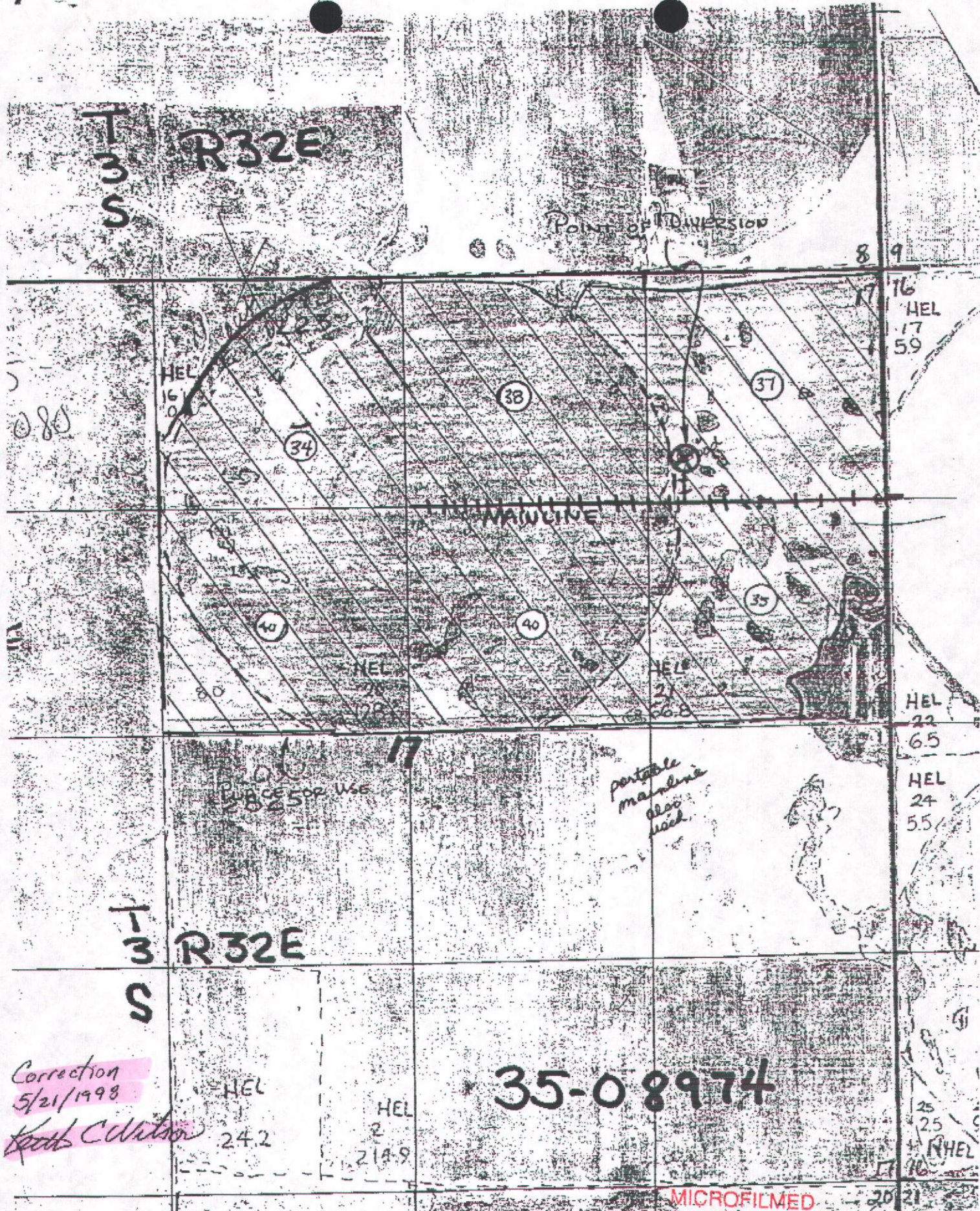
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Jerry Elliott
 Partner (Applicant)



JUN 25 1998

T
3
S

R32E

POINT OF DIVERSION

8 9

17

16

HEL
17
5.9

HEL
16
0

N out
out

25

38

37

MAINLINE

40

40

34

HEL
20
28.5

HEL
21
66.8

out

HEL
22
6.5

PLACE OF USE

portable
mainline
also
used

HEL
24
5.5

T
3
S

R32E

35-08974

MUNICIPAL
JUN 25 1998

HEL
24.2

HEL
2
214.9

25
2.5
99.5

HEL

17 16
20 21

R32E 10'

T3S

4781

POINT OF DIVERSION

4520

4528

4532

4550

4538

4780

17

PLACE OF USE

4551

4550

4487

17

4505

4779

4500

35-08974

540 000
FEET

MICROFILMED
JUN 20 1998



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

OCT 30 1995

Department of Water Resources

DATE OF CLOSING: 8/24/95Date of Signature: 8-16-95 *See attached*

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____

Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, RM _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

NOV 01 1995

Department of Water Resources
Eastern District Office

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

- [] Water Right Number(s)
Assigned by IDWR:

~~1A35-02229, 1A35-07463~~35-08974

- [] Name and Address of Former
Owner/Claimant(s)(Seller):

Fieldbrook Farms, A General Partnership

- [] New Owner/Claimant
(Purchaser):

Darwin R. Brown and Barbara A. Brown

- [] New Mailing Address:

350 East 4th South, RExburg, ID 83440

- [] New Telephone Number:

(208) 356- 7801

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of
ownership, describe
proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New
Owner/Claimant(s)

Darwin R. Brown
Barbara A. BrownDate 8/17/95Date 8/17/95

- [] Signature of Former
Owner/Claimant(s):

Fieldbrook Farms, A General PartnershipDate 8-16-95Date 8/16/95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-1-95 By: AL

Further Action Needed:

yes

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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DEC 10 1998

Department of Water Resources

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MAY 03 1999

WARRANTY DEED

For Value Received **Fieldbrook Farms, A General Partnership, John F. Nosler, Jr., Managing General Partner**

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Darwin R. Brown and Barbara A. Brown, husband and wife

whose address is: **350 East 4th South, Rexburg, ID 83440**

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

RECEIVED
OCT 30 1995

RECEIVED

DEC 10 1998

Department of Water Resources

SEE ATTACHED EXHIBIT "A"

BLAINE COUNTY RECORDER
BLAINE, IDAHO
SEE 6.4 DEP 88
95 AUG 24 PM 3 50
RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE

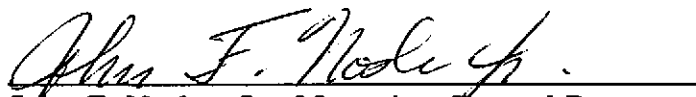
Together with all and singular the tenements, hereditament and appurtenances thereunto belonging or in anywise appertaining, including all water, including water license numbers #A35-02229, #A35-07463, water rights, ditch and ditch rights.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 16, 1995

Fieldbrook Farms, A General Partnership


John F. Nosler, Jr., Managing General Partner

MICROFILMED

STATE OF IDAHO)

: ss

COUNTY OF MADISON)

MAY 03 1999

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OCT 30 1995

Department of Water Resources

LEGAL DESCRIPTION

Township 3 South, Range 32 E.B.M., Bingham County, Idaho

Section 16: W $\frac{1}{2}$

Section 17: E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$; EXCEPT a portion of the NE $\frac{1}{4}$ of Section 17 described as:

Beginning at a point that is S. 00°03' E. 2428.92 feet along the Section line from the NE corner of said Section 17, and running thence S. 89°57' W. 117.00 feet; thence S. 00°03' E. 130.00 feet; thence N. 89°57' E. 117.00 feet; thence N. 00°03' W. 130.00 feet along the Section line to the point of beginning.

Sec. 16 W $\frac{1}{2}$ AS 291.0 AC. A35-02463

Sec. 17 E $\frac{1}{2}$ NW $\frac{1}{4}$ (w/exception) NB $\frac{1}{4}$ AS 240.0 AC. A35-02229

AND 35-08974(P) ASSIGNED
NO AQS. CLAIM ROAD.

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DEC 10 1998

Department of Water Resources

MICROFILMED

MICROFILMED

NOV 15 1996

MAY 03 1999

ATTACHED EXHIBIT "A"

Township 3 South, Range 32 E.B.M., Bingham County, Idaho

Section 16: W~~X~~

Section 17: E~~X~~NW~~X~~; NE~~X~~; EXCEPT a portion of the NE~~X~~ of Section 17 described as:

Beginning at a point that is S. 00°03' E. 2428.92 feet along the Section line from the NE corner of said Section 17, and running thence S. 89°57' W. 117.00 feet; thence S. 00°03' E. 130.00 feet; thence N. 89°57' E. 117.00 feet; thence N. 00°03' W. 130.00 feet along the Section line to the point of beginning.

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DEC 10 1998

Department of Water Resources

MICROFILMED

NOV 15 1996

MICROFILMED

MAY 03 1999

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-08974

Priority: December 23, 1991

Maximum Diversion Rate:

0.91 CFS

This is to certify, that **FLIELDBROOK FARMS PARTNERSHIP**
2220 W 200 S

PINGREE ID 83262 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 23, 1991; and has submitted Proof of Beneficial Use on March 30, 1993. An examination indicates that the works have a diversion capacity of 3.910 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.91 CFS	

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 17, Township 03S, Range 32E
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	32E	17	NENE 37	NWNE 38	SWNE 40	
			SENE 35	NENW 34	SENW 40	224

Total number of acres irrigated: 224

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

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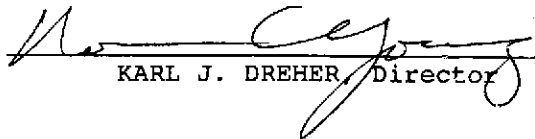
JUN 28 1996

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-08974

CONDITIONS OF APPROVAL AND REMARKS

8. Rights 35-02229 and 35-08974 when combined shall not exceed a total annual maximum diversion volume of 896.0 af at the field headgate and the irrigation of 224 acres.
9. Right 35-02229 is also diverted through the point(s) of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 11th day of JUNE, 1998.


KARL J. DREHER, Director

MICROFILMED
JUN 25 1998

RECEIVED
m 217
11/91

MAR 30 1993

Department of Water Resources
Eastern District Office

RECEIVED

APR - 2 1993

Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 125⁰⁰
Date 3-30-93
Receipt No. E018399
Receipt by Kaw

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 35-8974 Telephone No. 684-4668
2. Name(s) of Permit Holder(s): FIELD BROOK FARMS PARTNERSHIP
3. Mailing Address: 2220 W 200 S PINGREE ID 83262
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Unknown Date Drilled: 1952

OPTIONAL:

Pump horsepower: 150 Pressure (psi): 65 Dynamic pumping level (ft.): 120'

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 240 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 1.80 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 125⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

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

Name Jerry Elliott Telephone No. 684-4668 / 357-5088

Address _____

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

3/30/93
Date

Jerry Elliott
Signature (and title, if on behalf of a company or organization)

MAY 25 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08974

Proposed Priority: December 23, 1991 Maximum Diversion Rate: 1.80 CFS
This is to certify, that **FIELDBROOK FARMS PARTNERSHIP**
2349 W 300 S
PINGREE ID 83262
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 10/31	1.80 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 17, Township 03S, Range 32E
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	32E	17	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENE 40	240

Total number of acres irrigated: 240

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 3, 1993.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

MAY 15 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08974

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

17 ~~th~~ day of April, 1992

for J. Glen Saxton
R. Keith Higginson, Director

RECORDED

MAY 15 1992

\$65.00

35 8974

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant FIELDBROOK FARMS, PARTNERSHIP Phone 684-4668
Post office address 2349 W. 300 S., TINGREE, ID 83262
2. Source of water supply GROUNDWATER which is a tributary of NA
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 17 Township 3S Range 32E B.M. RYNGHAM County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

* Amount 1.80 for IRRIGATION purposes from 4/1 to 10/3/ (both dates inclusive)
(cfs or acre-feet per annum) BLM

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 is (a) 1.80 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & Pump to
SPRINKLER SYSTEM FOR IRRIGATION

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. ~~Proposed~~ ^{EXISTING} well diameter is 14" inches; ~~proposed~~ ^{EXISTING} depth of well is 120' feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water for proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED
MAY 15 1992

* Standard Irrigation Season

2661 S I MAY 5 1992

ACTION REQUIRED

FROM: H.W.S.

TO: Fieldbrook Farms apple.

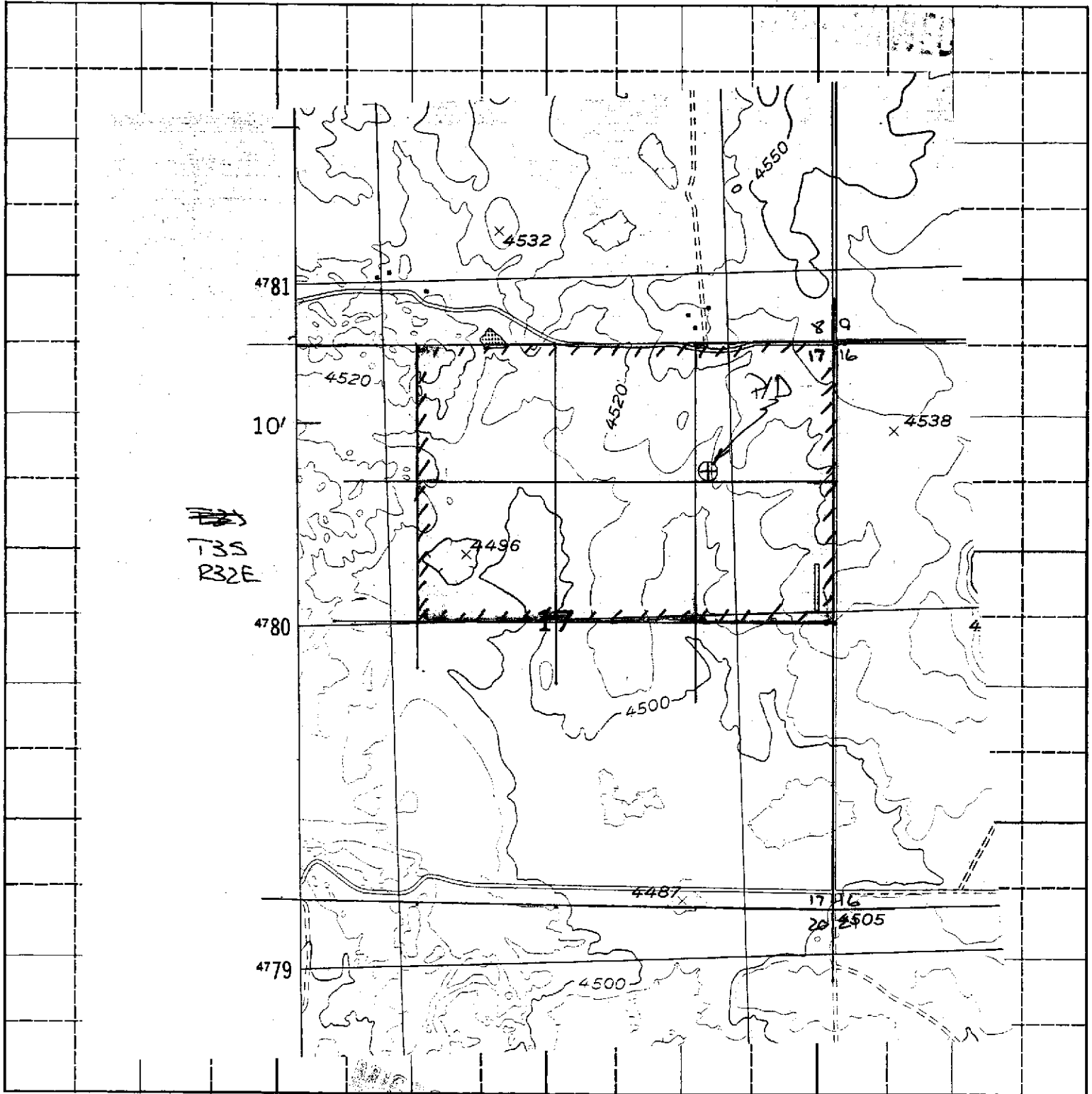
Panturus are;

Jerry Elliott (CNS)
Jay Smith
John E. Noster

12-26-91

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MAY 5 1992

13. 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 make application for permit to appropriate the public waters of the State of Idaho as herein set forth.

FILMED
MAY 15 1992

Jerry Elliott
Partner (Applicant)

MICROFILMED
MAY 15 1992

Received by ESU Date 12-23-91 Time _____
Preliminary check by AMJ
Fee \$ 65.44 # HA005565 Date _____
Publication prepared by KB Date 2-6-92 Published in Morning News
Publication approved KB Date 2-27-92
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____
1. Approval of said application is subject to the following limitations and conditions:
a. SUBJECT TO ALL PRIOR WATER RIGHTS.
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
e. Other: _____

~~NOV 23 1991~~
DEC 23 1991

REQUEST FOR WITHDRAWAL OF CLAIM

Form 25a

Name of Claimant: FLEUBROOK FARMS
(Please Print)
Mailing Address: 2349 W 300 S, PIGEON, ID. 83262
Amount: \$ 300⁰⁰ Receipt No.: 11003565
County of Water Right: BINGHAM
Claim No(s): A35-11070, 11071, 11072, 11079, 11080 AND A35-11081

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ☒ /do not request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund. (OVER)

<u><i>Jerry Elliott</i></u> (Signature of Claimant)	<u>12 23 91</u> (Date)
<u>TITLE: Partner</u> (Signature of Claimant)	 (Date)
 (Signature of Claimant)	 (Date)

Return to:

Idaho Department of Water Resources
Adjudication Section

For IDWR Use

	<u>Initials</u>	<u>Date</u>
Approval Region -	<u> </u>	<u> </u>
Approval State Office	<u> </u>	<u> </u>
Data Entry	<u> </u>	<u> </u>
Claim File	<u> </u>	<u> </u>

MICROFILMED
MAY 15 1992

WHEN WE FILED THESE CLAIMS IN 1989, WE HAD NO EXPERIENCE
WHY THE WELLS SAKE WE HAD JUST PURCHASED THE FARM THAT
SPRING. SINCE WE DIDN'T KNOW THE CAPACITIES OF EACH WELL
UNDER LICENSES 35-2344, 35-02361, 35-2329, 35-02332, 35-02229
AND 35-02262 WE FILED ADDITIONAL CLAIMS FOR ADDITIONAL
WATER ABOVE THE LICENSED DIVERSION RATES SO THE TOTAL
DIVERSION FOR EACH LICENSE WOULD EQUAL 1 MINUTE 1000 GPM PER Acre.

WE HAVE SINCE FOUND THAT 3 OF THE WELLS ARE STILL PRODUCING
JUST THE LICENSED DIVERSION RATE. 3 OF THEM ARE PRODUCING
MORE. FOR THE 3 PRODUCING ABOVE THEIR LICENSED RATE, IT
APPEARS FROM OUR RESEARCH THAT ANY CHANGES THAT WERE MADE
TO THE SYSTEMS TO INCREASE CAPACITY OCCURRED IN THE 1970'S.

RATHER THAN RELY ON THE BENEFICIAL USE CLAIMS TO COVER THE
ADDITIONAL DIVERSION RATES, WE HAVE CHOSEN TO WITHDRAW THE
CLAIMS AND FILE APPLICATIONS FOR PERMITS. SINCE THE OTHER
3 WELLS ARE NOT PRODUCING MORE THAN THEIR LICENSED RATE,
WE WILL WITHDRAW THESE CLAIMS ALSO.

WE REQUEST THAT THE FILING FEE PAID ON THESE 6 CLAIMS,
(\$300⁰⁰) BE REFUNDED BACK TO US SINCE THEY WERE FILED
IN ERROR. WE ASK THAT \$215.00 OF THIS AMOUNT BE TRANSFERRED
TO PAY FOR 3 NEW APPLICATIONS FOR PERMIT THAT WE HAVE
FILED @ THE EASTERN OFFICE. THE BALANCE, RETURN TO US.

RECEIVED
MAY 15 1992

Jimmy Elliott
SIGNED

MICROFILMED
MAY 15 1992

Water Right Number - A35-02229 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 22850

*** C - CURRENT OWNER ***
Last Name - First Name - Address -
FIELDBROOK FARMS

*** D - ORIGINAL OWNER ***
WILSON RONALD B.
1 - 2349 WEST 300 SOUTH
2 -
3 -
City- PINGREE
Phone - 208-684-4668
State- ID Zip- 83262

REED LEONA M.
1 -
2 -
3 -
City- IDAHO FALLS
Phone - 208-000-0000
State- ID Zip- 83401

City- MA
Phone - 208-000-0000
State- ID Zip- 00000

Priority Date - 06/16/1952 Region - 15 EASTERN Stage - L - LICENSE Status -

Source - GROUNDWATER Tributary -

Town - 035 Ring - 32E Section - 17 Tract - SW NE NE Lot - (11) BINGHAM Point of Diversion -
Stream Index (Blank if no Index Code)

Code - 01 - IRRIGATION Description - Period From - 04/01 Period To - 11/01 Water Use - Diversion Rate - 3.000 Diversion Volume -
01 - IRRIGATION

Total Div. Rate - 3.000 Total Div. Volume - Total Div. Capacity - Total Consumptive Use - 0.0 KW Usage -

diversion rate = .675"/acre
Total Acres: 240.0

Town	Ring	Section	Tract	Lot	Acres	Code	Description	County
035	32E	17	NE NE		40.0	01	IRRIGATION	(11) BINGHAM
035	32E	17	NW NE		40.0	01	IRRIGATION	(11) BINGHAM
035	32E	17	SW NE		40.0	01	IRRIGATION	(11) BINGHAM
035	32E	17	SE NE		40.0	01	IRRIGATION	(11) BINGHAM
035	32E	17	NE NW		40.0	01	IRRIGATION	(11) BINGHAM
035	32E	17	SE NW		40.0	01	IRRIGATION	(11) BINGHAM

- - - Diversion Means - WELL 150 HP PUMP, 1 PIVOT, 4 HANDLINES

MICROFILMED
MAY 15 1992

Water right number - A35-02229

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A3511080 SUPPLEMENTAL

[illegible][illegible]

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+ - - - - - + - - - - - + - - - - -
```

- Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - +

Decree Defendant

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 05/11/89 BAUMHOFF

+ - - - - Comments - - - - No Comments Found

Adjudication Rights Dates and Flags Area

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	05/20/1985	Old Judicial District	-	
Claim Received Date	-	05/11/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	M003565	Federal/State Indicator	-	S
Claims Tape Error Flag	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-		Notice of Error Flag	-	

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-07551

MORRIS, Kim
MORRIS, Michelle
584 East, 400 North
Firth, Idaho 83236

Source: GROUNDWATER
Diversion Pt: LOT 2 (SWNW) Sec. 7, T.
02S, R. 37E, in BINGHAM County.
Use: IRRIGATION (1.860 CFS)
Total Diversion: (1.860 CFS)
Date Filed: 1/23/1992
In: BINGHAM County
T02S, R37E, S07, NENW, Lot 1
(NWNW), Lot 2 (SWNW), SENW.
93.0 ACRES TOTAL

27-07552

HALL, Lee
1493 W. 800 S.
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 9, T. 04S, R.
33E, in BINGHAM County.
Use: IRRIGATION (.340 CFS)
Total Diversion (.340 CFS)
Date Filed: 1/23/1992
In: BINGHAM County
T04S, R33E, S09, SWSE
17.0 ACRES TOTAL

35-08972

FLDDBROOK FARMS PARTNERSHIP
2349 W. 300 S.
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: NWNE, Sec. 19, T. 0'3S,
R. 32E, in BINGHAM County.
Use: IRRIGATION (2.760 CFS)
Total Diversion: (2.760 CFS)
Date Filed: 12/23/1991
In: BINGHAM County, T03S, R32E,
S19, NENE, NWNE, SWNE, SENE,
NENW, NWNW, SWNW, SENW.
320.0 ACRES TOTAL

35-08974

FLDDBROOK FARMS PARTNERSHIP
2349 W. 300 S.
Pingree, Idaho 83262
Source: GROUNDWATER
Diversion Pt: NENE, Sec. 17, T. 03S, R.
32E, in BINGHAM County.
Use: IRRIGATION (1.800 CFS)
Total Diversion: (1.800 CFS)
Date Filed: 12/23/1991
In: BINGHAM County, T03S, R32E,
S17, NENE, NWNE, SWNE, SENE,
NENW, SENW.
240.0 ACRES TOTAL

35-08975

MECHAM BROTHERS
c/o Dale Mecham
408 South 1300 West
Pingree, Idaho 83262
Source: GROUNDWATER
Diversion Pt: NWSE, Sec. 26, T. 03S, R.
33E, in BINGHAM County.
Use: IRRIGATION (3.840 CFS)
Total Diversion (3.840 CFS)
Date Filed: 1/22/1992
In: BINGHAM County, T03S, R33E,
S25, NWSW, S26, SENE, NESE, NWSE,
SWSE, SESE.
192.0 ACRES TOTAL

35-08978

RICHARDS, Randy Gary
510 N. 400 W.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 5, T. 02S, R.
35E, in BINGHAM County.
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.070 CFS)
Date Filed: 1/22/1992
In: BINGHAM County, T02S, R35E,
S05, SESE
1.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Eastern Region, 150 Shoup Avenue,
Suite 15, Idaho Falls, Idaho, 83402, on or
before FEBRUARY 24, 1992.

R. KEITH HIGGINSON
Director

(1374)
Sub.: 2/6, 13

Legals

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

State of Idaho)

I, Kaye Dayton do
solemnly

swear that I am the Publisher of
The Morning News, which is a daily news-
paper 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 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices required by law or by the order of
any Court of competent jurisdiction within
the State of Idaho shall be published to-
wit: of each week; that the notice at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive weeks
the first publication having been made on
the 6th day of February,
1992 and the last publication having
been made on the 13th day of
February, 1992; 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 pub-
lished in the newspaper and not in a sup-
plement.

On this 21st day of February, in
the year 1992, before me a Notary
Public of said State, personally appeared
Kaye Dayton

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that he executed the same.

Patricia A. Johnson

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
October 10, 1994

Affidavit Processing Fee. \$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 16, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DARWIN R BROWN
BARBARA A BROWN
350 E 4TH S
REXBURG ID 83440

RE: Water Right 35-08974

Dear Mr. & Mrs. Brown:

The Department is in receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

MAY 03 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 11, 1998

PHILIP E. BATT
GOVERNOR

FIELDBROOK FARMS PARTNERSHIP
2200 W 200 S
PINGREE ID 83262

KARL J. DREHER
DIRECTOR

RE: WATER RIGHTS 35-08973/35-08974

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are Preliminary Orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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JUN 25 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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

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JUN 25 1992

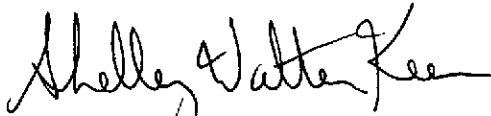
- iv. The real property or personal property that was the subject of the agency action is located.

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit 77-07207A, which was approved.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

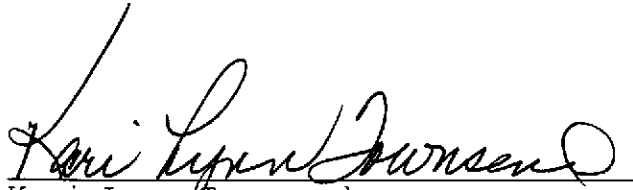
UNFILMED
JUN 25 1998

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Licenses) to the person(s) listed below:

Water Rights 35-08973/35-08974

FLDDBROOK FARMS PARTNERSHIP
2220 W 200 S
PINGREE ID 83262


Kari Lynn Townsend
Secretary

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JUN 25 1998

MEMORANDUM

TO: Files 35-08973 and 35-08974

FROM: Sharla

DATE: June 3, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit Nos. 35-08973 and 35-08974 are as follows:

H. RECOMMENDATIONS

35-08973:

Irrigation 4/1 - 10/31 0.85 cfs
Overlap Right 35-02561 licensed for 2.86 cfs for a combined total limited
by capacity of 3.71 cfs

35-08974:

Irrigation 4/1 - 10/31 0.91 cfs
Overlap Right 35-02229 licensed for 3.0 cfs for a combined total limited
by capacity of 3.91 cfs

Examiner: Keith Wilson
Exam Date: July 19, 1991

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JUN 25 1998

LICENSE REVIEW CHECKLIST

PERMIT NO.

35-08974

DATE

5/21/98

REVIEWER: SHARLA

NAME

Address

Change/OK

OK

SOURCE

OK

Does change clarify orig. intended source? If no, Void permit

POINT OF DIV

OK

Change (P39 /P47)

Add (P45/P42)

Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

Overlaps:

Right(s):

File reviewed Profile reports printed

PLACE OF USE

OK

Change (P41/P47)

Add (P41/P42)

Feds - P43

W60 (subd. desc)

W27 (ppu acre limit)

Overlaps:

Right(s):

File reviewed Profile reports printed

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate 1.80 cfs

Fee limit 2.00 cfs \$12500

Measured cfs

Theoretical 3.91 cfs 3.42 @ 65 psi and 120' lift (b/u form)

Recommended Total Div Rate cfs

WATER USES

OK

Change (P46)

Irr.

1.00 cfs

621.1 af

Irrig -

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

1.48 cfs

 af

supp. gw (WB7/065/079)

 cfs

 af

overlap spec. combined rts (W35)

 cfs

 af

<1acre (W31)

 cfs

 af

Domestic

(W01/WB5/070/071/075)

TOTALS

1.48 cfs

621.1 af

Power

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

Fish (042)

Fire (077)

Wtr Quality (081/R07)

Flow rate 1.48 cfs X 214 days X 1.08 = 627.1 af

896.0 af

REMARKS

W35 (35-2229, 224 ac, 896.0 af)

3.0 cfs = 1271.2

ADD'L CONDITIONS

 Watermaster Control WD#

 GW Measurement/Measuring Device

 Others Trust (052/R55 - remove 051)

Non-trust (048/049)

Advance Priority yes no

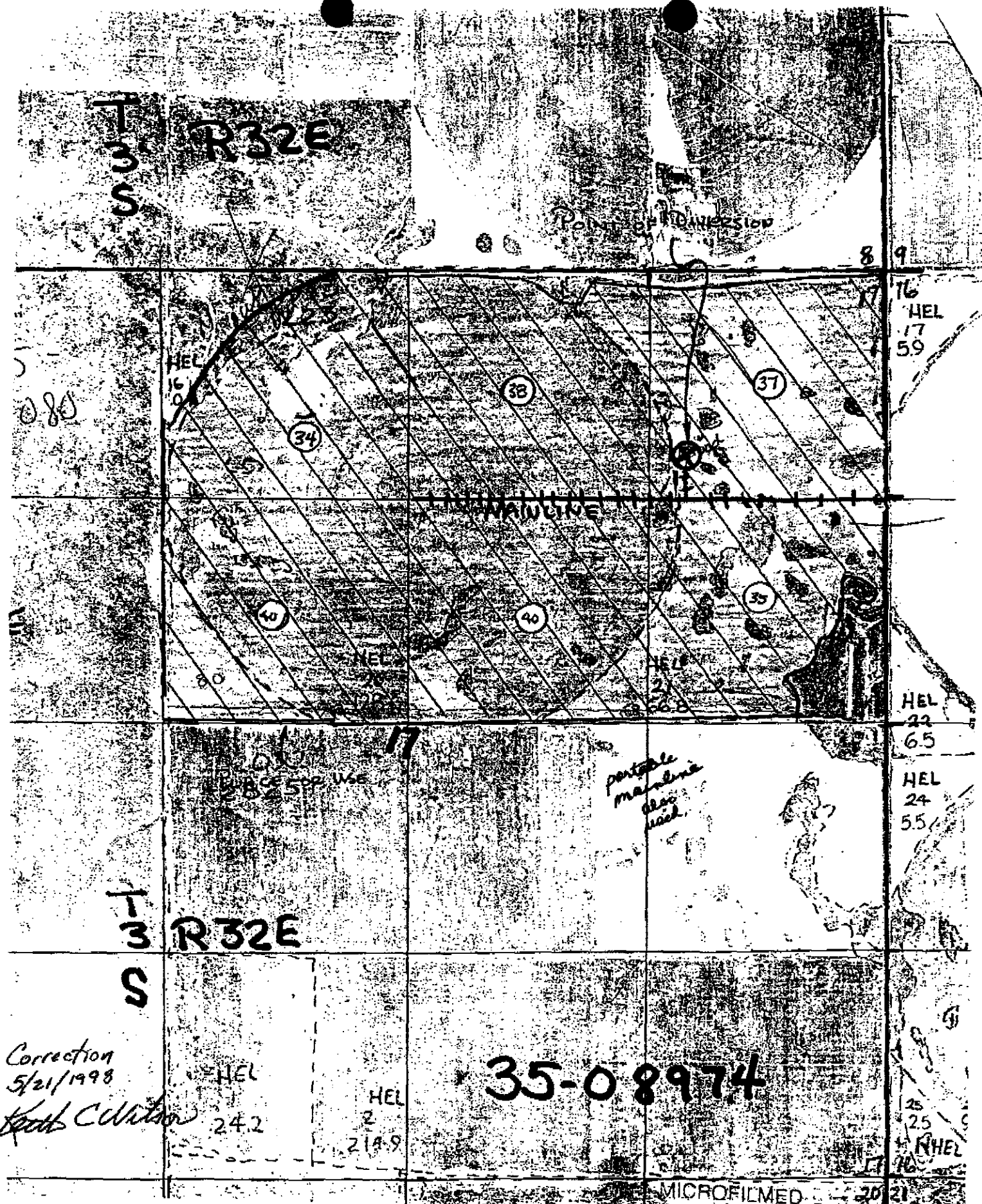
SRBA Claim NA

Adjust Memo

Amend letters

acres/blank

4/1-10/31 season



JUN 25 1998

RECEIVED

NOV 28 1997

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

35-8974

A35-2029

A. GENERAL INFORMATIONPermit No. A35-110801. Owner: Fieldbrook Farms

Phone No. _____

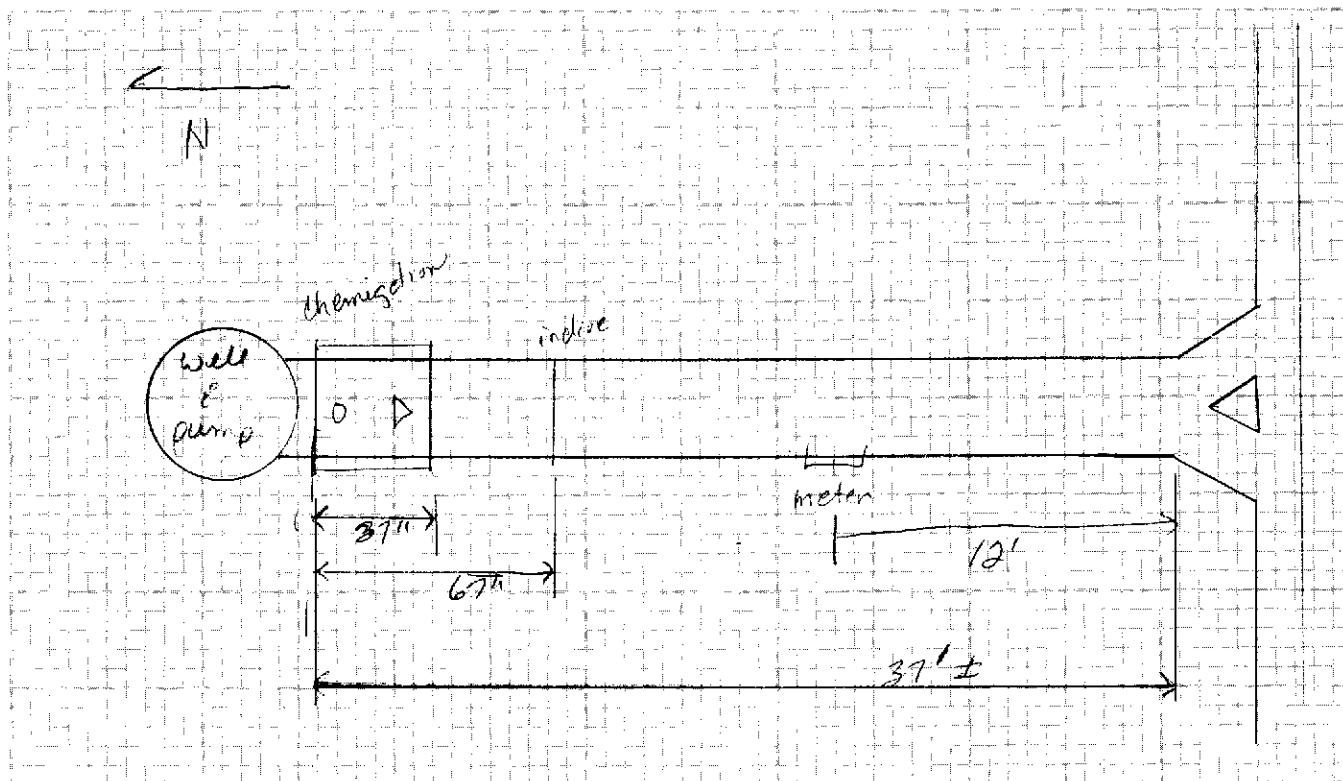
Current Address: 2220 W 200 SPingree2. Accompanied by: Jerry ElliottEXAM. DATE: 7-19-1991

Address: _____

Phone No. _____

Relationship to Permit Holder: owner3. Source: groundwater tributary to _____**B. OVERLAP REVIEW**1. Other water rights with same place of use: 35-02229☐ Copies Attached2. Other water rights with same point of diversion: 35-02229☐ Copies Attached☐ Copies of Field Exam's Attached**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

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2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JUN 25 1998

System Description (continued)

- 3. Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well pump to mainline "y" E & W. to center pivot, wheel line
& handlines.

- 1080 gpm noted high-pressure center pivot w/ end gun, $\frac{1}{4}$ mi long
- + 4 wheel lines @ 32 birds w/ $\frac{9}{64}$ " nozzles at 47 psi (measured)
- + 2 handlines @ 32 birds w/ $\frac{9}{64}$ " nozzles at 47 psi "

~ 4.0 gpm

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
field 11 pilot 6	GE	150	MKJ1218167	Johnston	10"

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

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination ON SITE FSA Aerial

[illegible]

Do not use this material
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Do not use this space

Sonic meter would not yield steady reading

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>pressure gauge</i>				<i>TD #</i>	<i>0.760</i>	

2. Measurements:

47 psi (3 times) - in line
110' static depth (acc'd to owner)
≈ 57 psi at well

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: *Theoretical Q = 3.91 cfs*

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 214 \text{ ac} \times 4 = 856$

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 764.0$

2. Volume Calculations for Other Uses:

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JUN 25 1998

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Assuming Center Point rated @ 1000 gpm, each of the six sprinkler lines, w/ 32'-9" nozzles (x 4.07 gpm) would deliver a total of 1781.4 gpm for a total of 1781.4 gpm (Theoretical capacity = 1754 gpm)

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
----------------	--------------------------	------------------------------	--------------------------

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

J. AUTHENTICATION

Field Examiner's Name Kent C Wilson
Signature [Signature]
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{150} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{95} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{10} \text{ ft.} \\ &\text{Lift} = \underline{105} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{57} \text{ psi}$$

$$Q_{cfs} = \left[\frac{150}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] \div \left[\frac{105}{Lift} + \left(\frac{57}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{925.47} \right] \div \left[\underline{236.556} \right]$$

$$Q_{cfs} = \underline{3.91} \text{ cfs}$$

MICROFILMED PERMIT NO. 35-0 8974

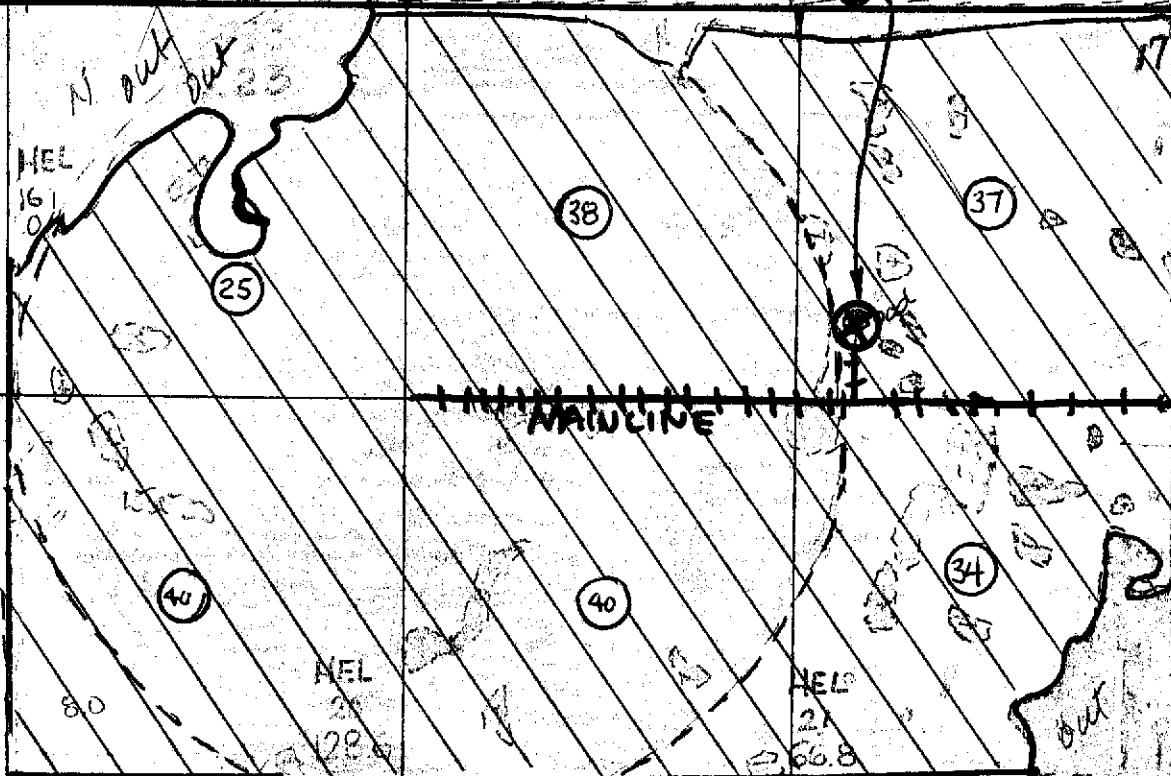
JUN 25 1998

T
3
S

R32E

POINT OF DIVERSION

5 -
1080



PLACE OF USE

portable
mainline
also
used

T
3
S

R32E

35-08974

JUN 25 1998

20 21

R32E

T3S

4781

POINT OF DIVERSION

4520

4528

X 4532

4550

X 4538

4780

X 4496

PLACE OF USE

4551

4550

4487

17

20

21

4505

4779

4500

35-08974

540 000
FEET

MICROFILMED
JUN 20 1938

4500

April 9, 1993

FIELDBROOK FARMS PARTNERSHIP
2220 W 200 S
PINGREE ID 83262

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08974

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

UNRECORDED

MAY 25 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08974

Reviewed by Klg

Date 3/6/93

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate - 240
Correct Uses? yes

SOURCE OF WATER

____ Surface water source
✓ Ground water source

NA Drilling permit required?

1952 / Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct?

Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
25 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address 2220 W 200S 4/6/93 Klg

Proof Made 3/30/93
4/9/93 Klg

February 28, 1993

FIELDBROOK FARMS PARTNERSHIP
2349 W 300 S
PINGREE ID 83262

PROOF DUE NOTICE

RE: PERMIT NO. 35-08974

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, 1993. (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.

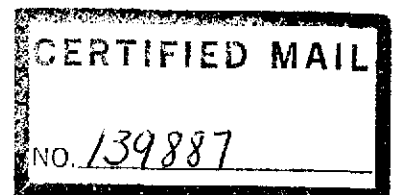
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MAY 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 20, 1992

FIELDBROOK FARMS PARTNERSHIP
2349 W 300 S
PINGREE ID 83262

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08973 & 35-08974

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.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by

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APR 15 1992

state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:clh

Enclosure

RECEIVED
MAY 15 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

RE: APP. NO. 35-8973 & 35-8974/FIELDBROOK FARMS
Trust Water Processing & Rule 4,5,3 Info.

DATE: ~~4-17-92~~ 4-15-92

The above applications are trust water filings which have been forwarded to the state office for final review and processing.

Both applications appear to have been filed in order to appropriate an increased rate of diversion from existing wells which are used for existing licensed irrigation developments. The points of diversion and place of use under the applications are covered by existing licensed rights (licenses issued prior to 1984). These applications will bring the developments to a full inch per acre. Since these are essentially supplemental filings, acreage under the filings will not count as trust acreage. Trust conditions however are still applicable.

The region has recommended waiving the rule 4,5,3 information requirements since the filings only represent increased rates of diversion and not new irrigation development. I concur with this analysis.

MICROFILMED
MAY 15 1992

MEMORANDUM

TO: Files 35-08972/08973/08974
[Applications]
FROM: Brenda Miller *Brenda*
DATE: April 13, 1992
RE: Fees

=====

The applicants for the above referenced applications, Fieldbrook Farms, Partnership, have requested the withdrawal of six adjudication claims and have requested those funds be applied to the fees (\$215) for the above applications; the balance to refunded to them (\$85).

A memo from Harold Jones (Eastern office) stated that Don Shaff would transfer the \$215 needed from the adjudication funds to the allocation account. I sent Don copies of the applications for that purpose.

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MAY 15 1992

4-13-92

*Sally said this
has been processed*

APPLICATION FOR PERMIT REVIEW

Application #: 35-8974
Date: 4-12-92

Reviewer: Brenda Miller

✓ SYSTEM COMPLETED:

- No - 26A-P17
- ✓ Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

✓ GROUNDWATER:

- ✓ GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- ✓ LT. 0.2 cfs - No measurement required <flow chart>

✓ Drilling Permit:

- Approved w/permit - P99
- ✓ Not included - 046-P23 (All GW, even existing wells)
- SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

✓ LOCATION:

- ✓ Water Districts - WD No. 01
- Surface water - 005, 005-01H-P01 (LT.2 w/pump)
- 005-01J-P08 (GT.2)
- ✓ Groundwater EXISTING - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- ✓ Swan Falls Flag - 7 (1, Blank or Other)
- ✓ Trust - 051-052-053-P74 (Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021(restricted areas)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

✓ Beneficial Use Due Date: - 05-03-1993

Other Conditions Recommended ROUTE FOR TRUST REVIEW

* NOTE: RULE 4, 5, 3 INFO NOT REQUESTED
SYSTEM IN PLACE MANY YEARS.

Dist. for staffing: 09-Jan-1992
Submitted for advertising: 1-14-92

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Dunn **DATE** 10/6/92 **APPLICATION NO.** 35 8974
APPLICANT NAME: FLIEDBROOK FARMS, PARTNERSHIP

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☐ Address
☐ Source (See USGS Quad for names of water sources)
☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☐ County
☐ Quantity (flow and/or volume)
☐ Period of Use
☐ Nature of proposed use (Include description of use.)
☐ Description of diverting works
☐ Time required for beneficial use of water
☐ Place of use or acres irrigated
☐ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

MAR 2 1992

Department of Water Resources

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

SEND COPIES TO None 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 2-24-92
☐ 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. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 12-23-91
By HWT Date 2-27-92

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

Condition; OIG

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation District
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Division of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

35-08974

FLDDBROOK FARMS PARTNERSHIP
2349 W 300 S
PINGREE, ID 83262

Source: GROUNDWATER

Diversion Pt: NENE Sec 17 T 03S R 32E in BINGHAM County.

Use: IRRIGATION (1.800 CFS)
Total Diversion: (1.800 CFS)

Date Filed: 12/23/1991

In: BINGHAM County				
T03S R32E S17	NENE	NWNE	SWNE	SENE
	NENW	SENW		

240.0 ACRES TOTAL

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MAY 15 1992