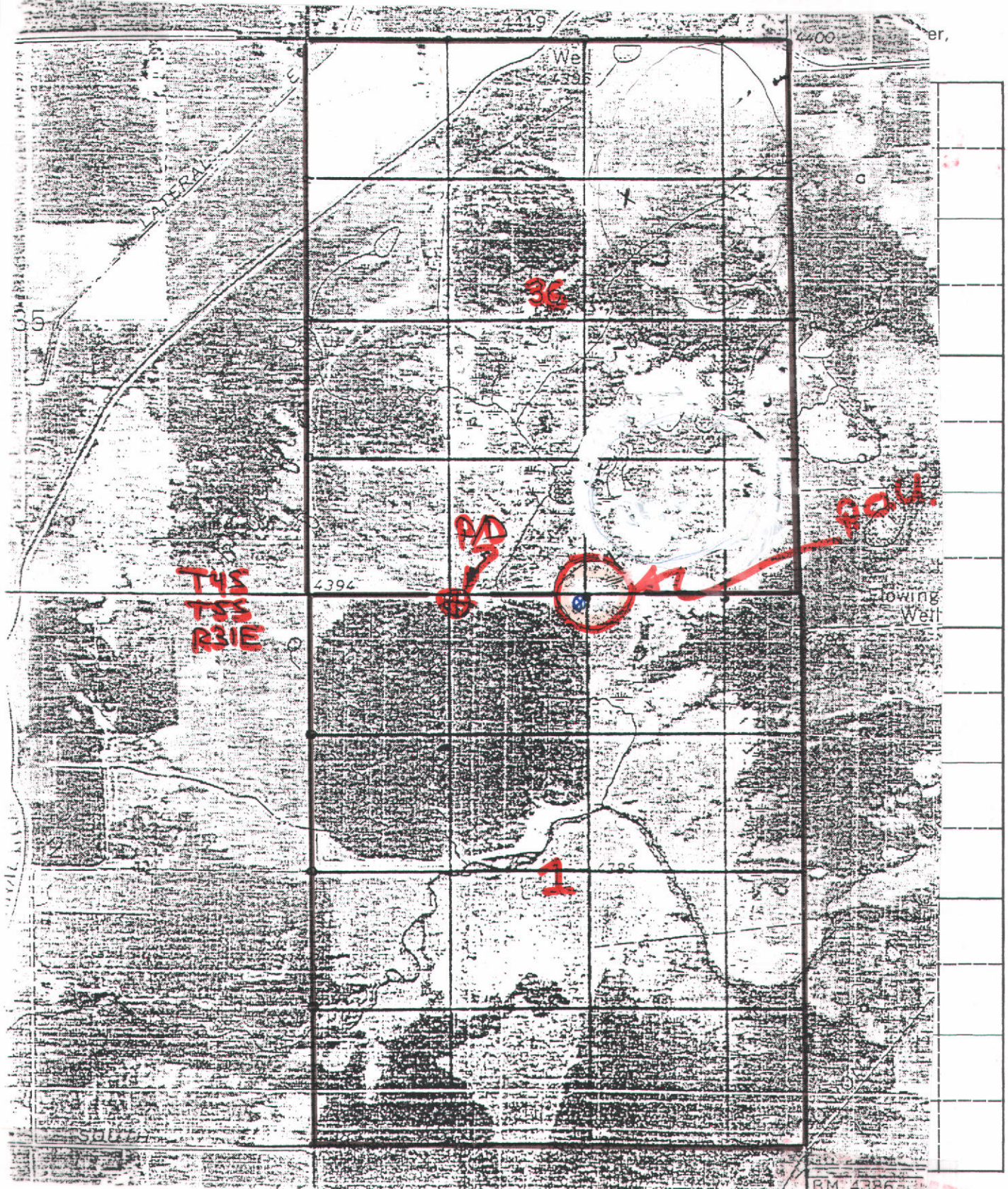


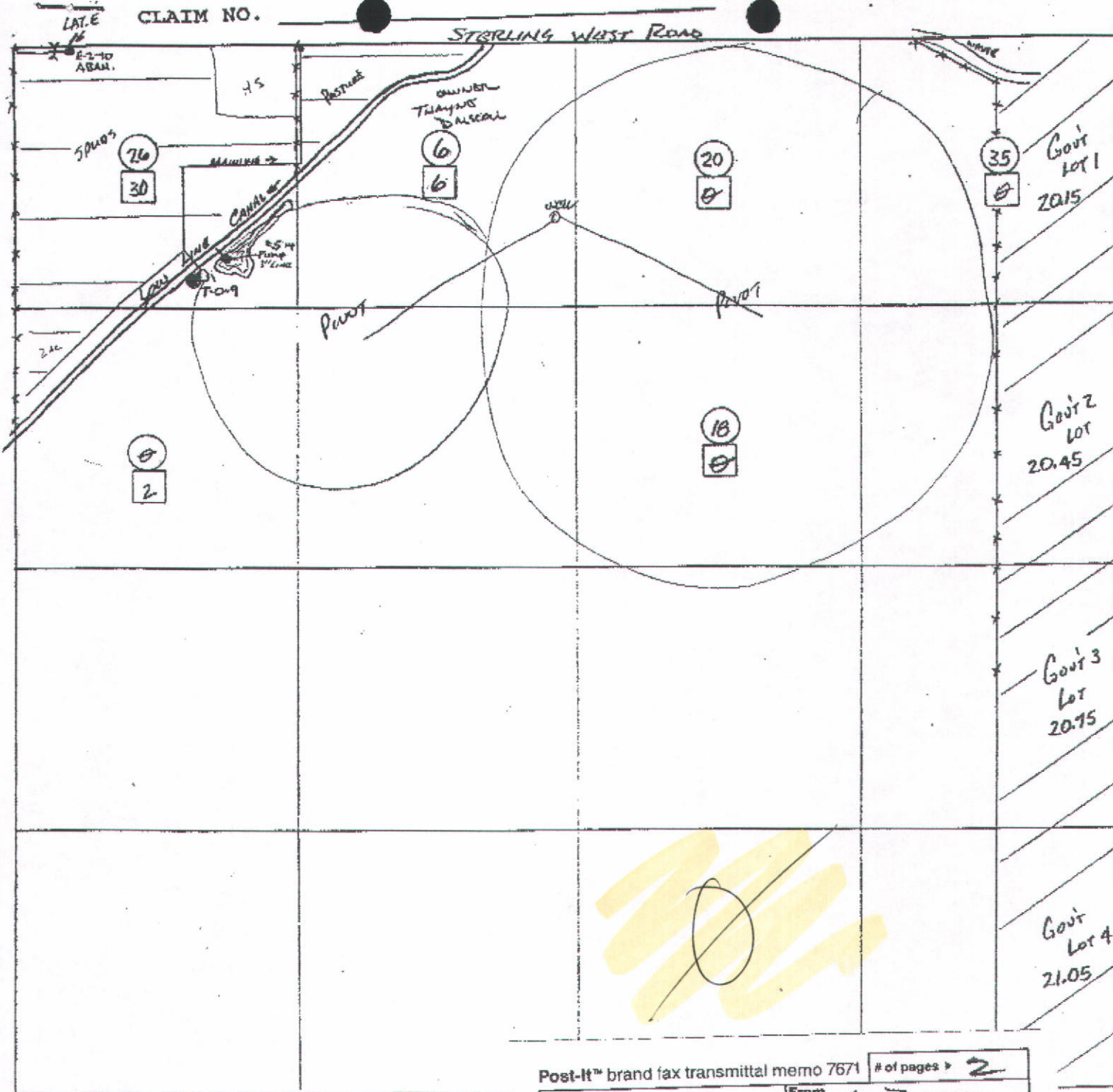


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Wallace F. Briscoe
(Applicant)

RECEIVED
MAY 19 1992

CLAIM NO.



SCALE: 8" = 1 MILE

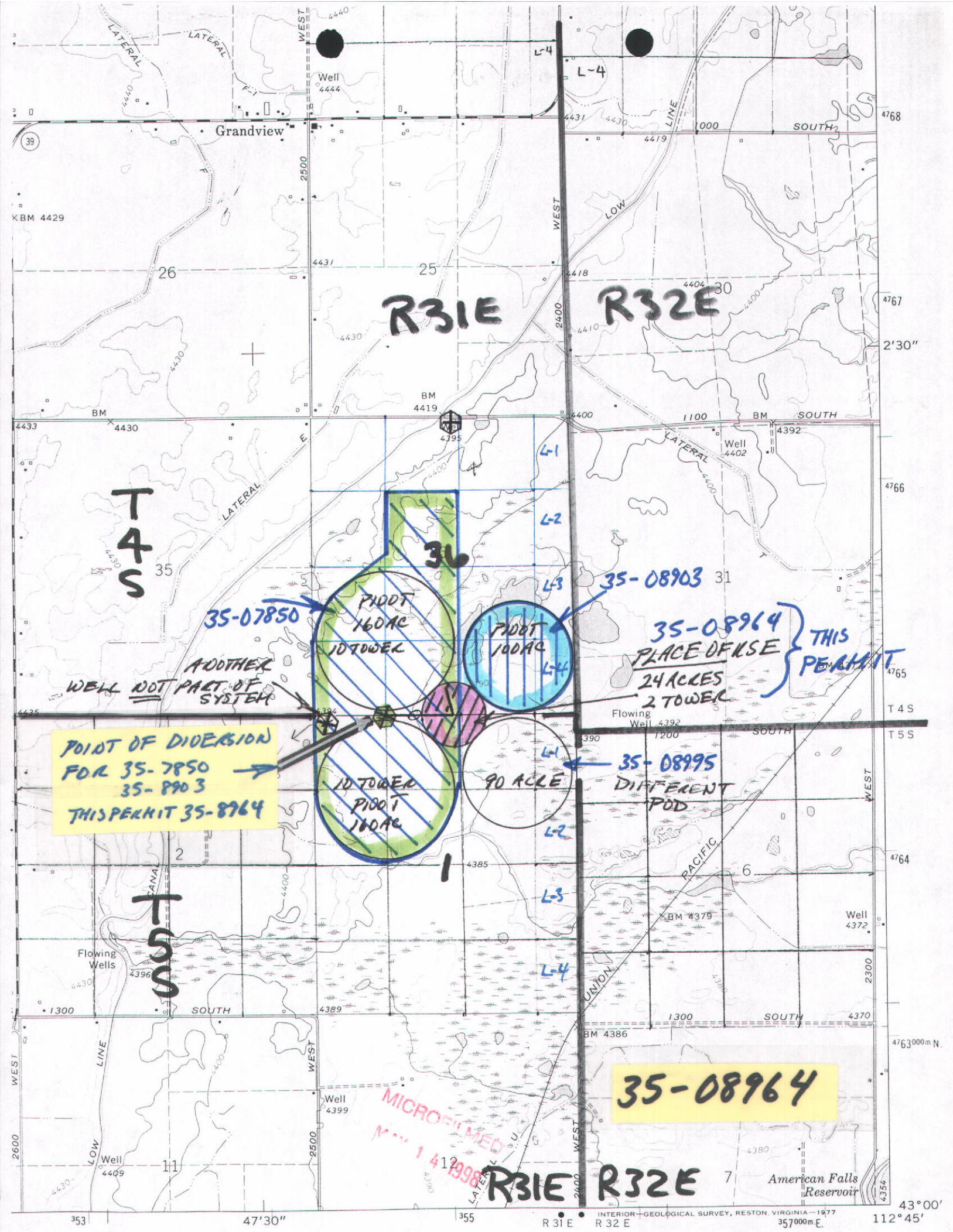
Post-It™ brand fax transmittal memo 7671		# of pages > 2
To <u>STANLEY CURTIS</u>	From <u>AL ZUBSARY</u>	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

T. 45 R. 31E SEC. 36DATE 7/19/93 AGENT MSAOQ MAP REF. E-86NAPP REF. E-86-55

MICROFILMED

MAY 14 1998

File 35-08964



1- 30.2

NHEL
3- 43.7

NHEL
4- 107.5

Lot 2

R31E R32E

36

Lot 3

R31E

1547

Driscoll Bros.
(W. Driscoll)

T
4
S

35-07850

NHEL
5- 142.0

35-08903

Lot 4

698.2

36

31
6

POINT
OF DIVERSION

PLACE OF
USE

270W
PIVOT

8-180

Lot 1

T
5
S

35-07850

R31E

MICROFILMED
MAY 14 1998

NHEL
7- 138.9

Lot 2

R31E R32E

35-08964

WALLACE PRISCOLL

IRRIGATION

2 of 3

VIEW OF
PLACE OF
USE

2 TOWER
PLOT



VIEW OF
PLACE OF
USE.



MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08964

WALLACE DRISCOLL

IRRIGATION

1 of 3



VIEW OF
POINT OF
DIVERSION

MICROFILMED
MAY 14 1998

PERMIT
NUMBER

35-08964

WALLACE DRISCOLL

IRRIGATION

3513

VIEW OF
POINT
POINT OF
USE



VIEW OF
PLACE OF
USE



PERMIT
NUMBER

35-08964

MICROFILMED
MAY 14 1998

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-08964

Priority: November 27, 1991

Maximum Diversion Rate:

0.13 CFS

Maximum Diversion Volume:

40.0 AF

This is to certify, that WALLACE DRISCOLL
MAURINE DRISCOLL

2459 W 1100 S

ABERDEEN ID 83210

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 27, 1991; and has submitted Proof of Beneficial Use on March 26, 1992. An examination indicates that the works have a diversion capacity of 5.560 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	0.13 CFS	40.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 1, Township 05S, Range 31E
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>
04S	31E	36	SWSE	5		5
05S	31E	1	NWNE	5		5

Total number of acres irrigated: 10

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.

MICROFILMED

MAY 14 1992

State of Idaho
Department of Water Resources**Water Right License**

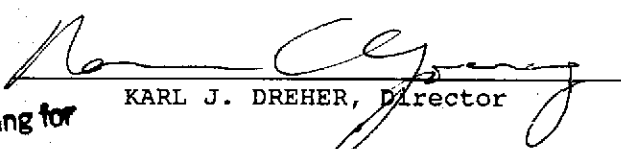
WATER RIGHT NO. 35-08964

CONDITIONS OF APPROVAL AND REMARKS

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. 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.
8. Rights 35-07850, 35-08903, and 35-08964 when combined shall not exceed a total diversion rate of 5.56 cfs.
9. Rights 35-07850 and 35-08903 are 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 5TH
day of MAY, 1998.

Acting for


KARL J. DREHER, Director

MICROFILMED

MAY 14 1998

RECEIVED
MAR 30 1992

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 100
Date 26 Mar 1992
Receipt No. FD17076
Received by DMD

DEPARTMENT OF WATER RESOURCES

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.

1. Permit No. 35-08964 Telephone No. (208) 328-2498

2. Name(s) of Permit Holder(s): Wallace Driscoll and Maurine Driscoll

3. Post Office Address: 2459 W. 1100 South Aberdeen, Idaho 83210

4. Source of Water: groundwater

a. If ground water, well driller's name: Vollmer Well Drilling Date drilled: 1975

b. Pump horsepower: 150 Pressure (psi): 90 lbs. Dynamic pumping level (ft.):

5. Extent of Use:

Domestic (No. of households) Irrigation 24 (No. of acres)

Stockwater (No. and type of stock) Other

6. Total rate and/or volume for which proof is submitted 48 cfs acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 100⁰⁰ (See License Examination Fee Schedule)

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

Wallace Driscoll
Name

208-328-2498
Telephone No.

2459 West 1100 South Aberdeen, Idaho 83210
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.

3-26-92
Date

Wallace A. Driscoll
Signature (and title if on behalf of a company or organization)

APR 08 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08964

Proposed Priority: November 27, 1991 Maximum Diversion Rate: 0.48 CFS
This is to certify, that WALLACE DRISCOLL

MAURINE DRISCOLL
2459 W 1100 S
ABERDEEN ID 83210

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

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

IRRIGATION	04/01 to 11/01	0.48 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWNENW, Sec. 1, Township 05S, Range 31E
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>
04S	31E	36	SESW 6	SWSE 6		12
05S	31E	1	NWNE 6	NENW 6		12

Total number of acres irrigated: 24

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 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. 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.
5. The Director retains jurisdiction of the right 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. 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.

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

2nd day of

March, 1992

MAR 05 1992

R. Keith Higginson, Director

H 5 Fee

35*8964

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 Wallace or Maurine Driscoll Phone 328-2498
Post office address 2459 West 1100 South Aberdeen, ID 83210

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 1 Township 5S Range 31E B.M. Bingham County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.48^{cfs} for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.48 cfs 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 small pivot

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.

Exists c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

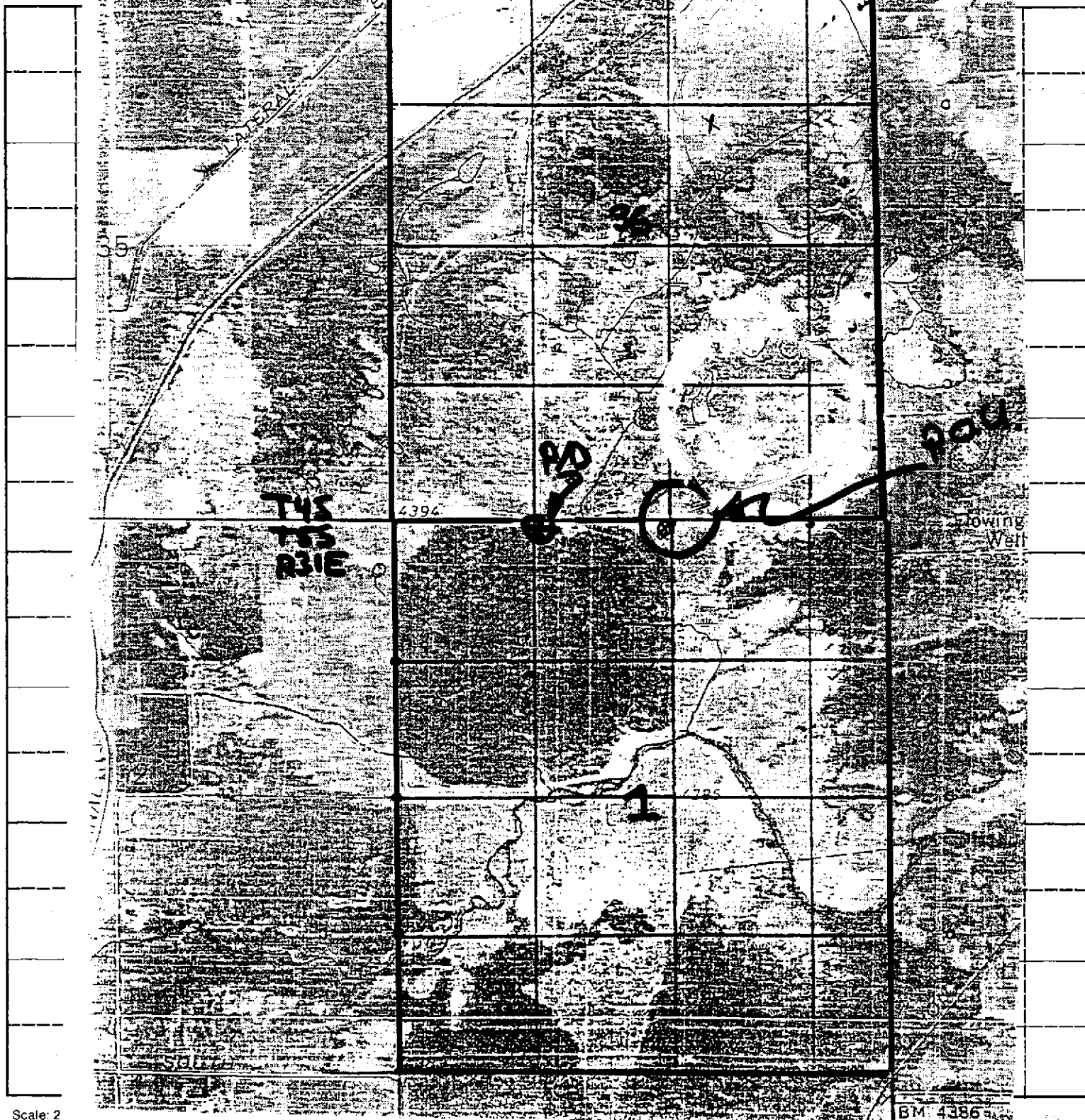
d. Is ground water with a temperature of greater than 90°F being sought? N

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

MAR 05 1992

706 9 0 1991

13.



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.

Wallace F. Waiscoll
(Applicant)

Received by QW Date 11-27-91 Time 11:52A
Preliminary check by _____
Fee \$ 45.00 Received by HWS # E 016704 Date 11-27-91
Publication prepared by RB Date 12-19-91 Published in Morning News
Publication approved RB Date 1-7-92

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: _____

11.23.65 1992

RECEIVED

JAN - 5 1992

Department of Water Resources
Eastern District Office

DEPT. OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOTICE OF APPLICATION
FOR WATER RIGHT

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

35-08962

MURDOCK, Ronald
MURDOCK, Steven
1065 W. 125 N.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SESW, Sec. 29, T. 02S,
R. 34E, in Bingham County.
Use: IRRIGATION (400 CFS)
Total Diversion: (400 CFS).
Date Filed: 11/21/1991
In: BINGHAM County
T02S, R34E, S29, SESW, SWSE
20.0 ACRES TOTAL

35-08963

BECKER, Milton
BECKER, Donald
P.O. Box 331
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NESE, Sec. 30, T. 05S, R.
31E, in BINGHAM County.
Use: IRRIGATION (2,860 CFS).
Total Diversion: (2,860 CFS).
Date Filed: 12/3/1991.
In: BINGHAM COUNTY
T05S, R31E, S30, NESW, SESW,
NESE, NWSE, SWSE, SESE.
143.0 ACRES TOTAL

35-08964

DRISCOLL, Wallace
DRISCOLL, Maurine
2549 W. 1100 S.
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NWNENW, Sec. 1, T.
05S, R. 31E, in BINGHAM County.
Use: IRRIGATION (480 CFS).
Total Diversion: (480 CFS).
Date Filed: 11/27/1991.
In: BINGHAM County
T04S, R31E, S36, SESW, SWSE,
T05S, R31E, S01, NWNENW, NENW.
24.0 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 JANUARY 6, 1992.

(1343)
Pub.: 12/19, 26

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

solemnly

Jacqueline Graham
I, *Jacqueline Graham*, do
swear that I am the *Legal Coordinator*
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 1911, approved
March 11, 1911, 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: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said
newspaper *two* consecutive *Weeks*

the first publication having been made on the
19th day of *December*, 1991;
and the last publication having been made on the
26th day of *December*, 1991;
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.

On this *2nd* day of *January*, in
the year 1992, before me a Notary Public of said State,
personally appeared

Jacqueline Graham
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires

November 10, 1994

October

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

May 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WALLACE DRISCOLL
MAURINE DRISCOLL
2459 W 1100 S
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08964

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 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.

RECEIVED

MAY 14 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
- iv. The real property or personal property that was the subject of the agency action is located.

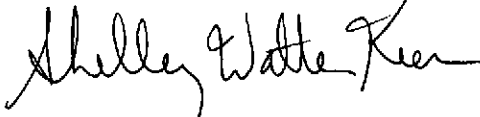
MICROFILMED

MAY 14 1988

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED

MAY 14 1998 3

CERTIFICATE OF MAILING

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

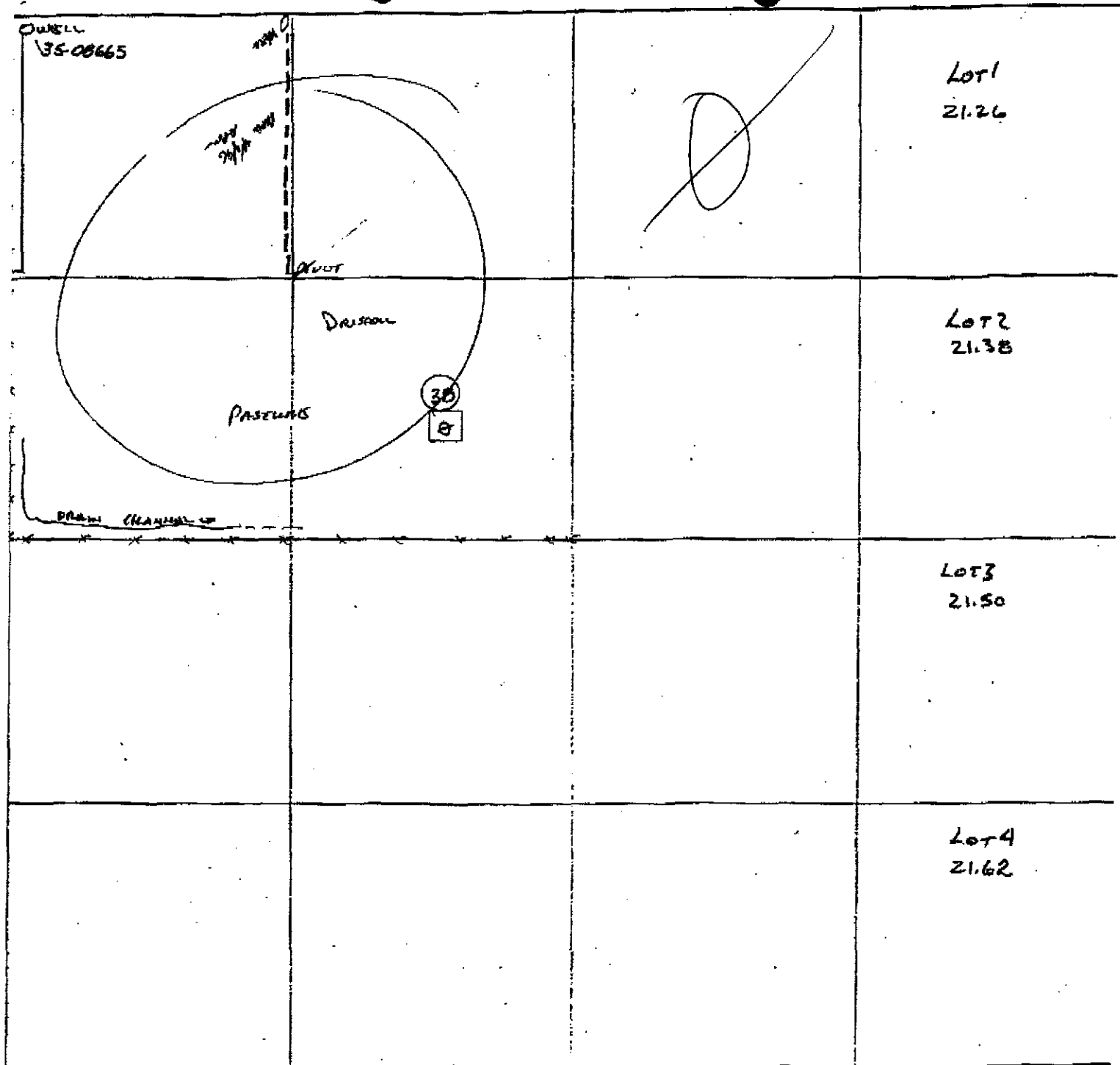
Water Right No. 35-08964

WALLACE DRISCOLL
MAURINE DRISCOLL
2459 W 1100 S
ABERDEEN ID 83210


Kari Lynn Townsend
Secretary

62777-4-11
MAY 14 1998

CLAIM NO.



SCALE: 8" = 1 MILE

T. 5S R. 3E SEC. 1

DATE 7/21/93 AGENT ADA

OQ MAP REF. 2-86 NAPP REF. 2-86NE

MAY 14 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08964

DATE 4/30/98

REVIEWER: SHARLA

NAME OK
Address OK

SOURCE OK

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

POINT OF DIV OK

Change (Para P39 - gov P40/P47) Add (P45/P42)

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

4.51/346

35.07850/35-08903

= .013 cfs/ac.

1.05/72 = .0145 cfs/ac.

5.56 cap

- 4.51

1.05

Overlaps:

Right(s): photo match

File reviewed ✓

Profile reports printed ✓

PLACE OF USE OK

Change (P41 - gov P43/P47)

Add (P41/P42)

W60 (subd. desc)

W27 (ppu acre limit)

Overlaps:

Right(s): photo match

File reviewed ✓

Profile reports printed ✓

RATE OF DIV

Permitted Rate .48 cfs

Fee limit

1.00 cfs #100.00

Measured

.31 cfs 5.56 on 8903

Theoretical

5.39 cfs

Recommended Total Div Rate cfs

WATER USES OK

Dom.

.13 cfs

10x4.0 af

Irrig -

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

supp. gw (WB7/065/079)

overlap spec. combined rts (W35)

<1acre (W31)

Domestic (W01/WB5/070/071/075)

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

Fish (042) Fire (077) Wtr Quality (081/R07)

TOTALS

.13 cfs

40.0 af

Flow rate .13 cfs X 214 days X 1.98 = 55.1 af

REMARKS

W36 (8903/7850)

W35 (5.56 cfs)

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 N/A

Adjust Memo

Amend letters

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 16 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08964

1. Owner: WALLACE OR MARLINE DRISCOLL Phone No. (208) 328-2498

Current Address: 2459 W 1100 S., ABERDEEN, IDAHO 83210

2. Accompanied by: WALLACE DRISCOLL EXAM DATE: 6/4/96

Address: N/A Phone No. N/A

Relationship to Permit Holder: OWNER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-07850

2. Other water rights with the same point of diversion: 35-08903 + 35-07850

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
		NW	NE	NW	01	05S	31E	BIDGAM	U.S.G.S. TOPO MAPS / NAAPP PHOTOS

2. Place(s) of Use:

Indicate Method of Determination ON SITE INSPECTION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	31E	1		5			~~8~~											10.5	
4S	31E	36											~~8~~			5		10.5	

MICROFILMED

MICROFILMED

MAY 14 1998

TOTAL ~~20~~

10
H.W.
O.S.

2. Measurements: SEE SAGE TAPE

2. Measurements: SEE SAUC TAPE

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PALYDAIC METER	TYPE-FLYIE	IF-P	7M0263			1997
PRESSURE GAGE	SPAD				0-160	50751

1.

D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	K.S. MOTOR	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		150	R-6375-02-831		10"

4.

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

Aerial Photo Attached

Photo of Unversion and System Attached

Score: _____

[illegible]

SEE ATTACHMENTS & PHOTOS

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.d. as applicable. *SEE ATTACHMENTS + PHOTOS*

E. NARRATIVE/REMARKS/COMMENTS

THIS IRRIGATION PERMIT UTILIZES ONE, HUNDRED AND FIFTY (150HP) HORSEPOWER, PUMP TO LIFT WATER TO A BURIED MAIN LINE, WHICH SUPPLIES WATER TO 4 PLOTS. TWO 10 TOWER PLOTS, ONE 4 TOWER PLOT AND ONE TWO TOWER PLOT (THIS PERMIT). ALL HAVE EUD GUNS.

LICENSE 35-07850 OVERLAPS ON POINT OF DIVERSION AND 10 ACRES OF THIS PERMIT. LICENSE 35-08903 OVERLAPS ON POINT OF DIVERSION ONLY.

* NOTE.

THERE IS SOME CONFUSION ON POD'S FOR 35-07850 AND 35-08903, THEY ARE THE SAME POD. AN ERROR WAS MADE IN ONE OF THE LEGALS.

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

MICROFILMED
MAY 14 1996

03-7-2004 AM

SEAL

Reviewer

Date _____

Field Examiner's Name _____

Date _____

514PK105

1. AUTHENTICATION

Change P.D. as reflected above

Change P.U. as reflected above

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

2. Recommended Amendments

Beneficial Use

1. Recommended Amounts

H. RECOMMENDATIONS

This print can be used with license 35-08903 & 35-07850 shall not exceed 5.56 lbs.

2. Volume Calculations for Other Uses:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 \times 4 = 40 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.13 \times 214 \times 1.9835 = 55.1 \text{ AFA}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 40 \text{ AFA}$$

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

THEORETICAL (DEF. LIC. # 35-08903) = 5.56 GFS PUMP MAX.

346 AC	35-07850	USES 1.05 GFS
72 AC	35-08903	
* 10 AC 35-08964 NOT DEPLETED		

428 ACES | 5.56 = 0.0129 GFS/ACRE X 10 ACES = 0.129 GFS

Measured Method:

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
4.0098 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.0902 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
2.282 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

06-04 03:2700 *R
+002.80 % AI2

MODE SELECT
TO CHECK

0145.8 MMSEC
100.77 % T0

06-04 03:3000 *R
+ 1.371E 26PM

35-08964

W. DEISCOLL

NOV 11 1964

PILOT
2571

35-08964

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water District No. 1
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

520521943 .00

RECEIVED
MAY 1 1974

WALLACE DRISCOLL
35-08964
SONIC TAPE

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{150} \\ Eff &= \text{Efficiency} = \underline{.70} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ \text{Static Water Level} &= \underline{-0} \text{ ft.} \\ \text{Assumed Draw down} &= + \underline{10} \text{ ft.} \\ \text{Lift} &= \underline{10} \end{aligned}$$

OR

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

$$psi = \text{Operating Pressure} = \underline{70} \text{ psi}$$

$$Q_{cfs} = \left[\frac{150}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{10}{Lift} + \left(\frac{70}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{925.47} \right] \div \left[\underline{171.56} \right]$$

$$Q_{cfs} = \underline{5.394} \text{ cfs}$$

FOR THIS PERMIT WILL USE THEORETICAL DATA
ON WELL FOR LICENSE 35-08903 (ATTACHED).

5.56 CFS

MICROFILMED
MAY 14 1982

PERMIT NO. 35-08964

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Theory

$$Q = \frac{(150)(8.814)(.7)}{(5) + (70)(2.308)} = 5.56 \text{ cfs (2494 gpm)}$$

$$5.56 \text{ cfs} - 4.51 \text{ cfs} (35 - 0.750) = \underline{1.05 \text{ cfs}} \text{ For licensing}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 72_{acres} \times 4_{cf} = 288_{af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{1.0576 \times 214 \times 1.9835}{1} = 445.7 \text{ af}$$

$V = \text{Smaller of } V_{in} \text{ and } V_{out} = 288 \text{ V}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af)
	From	To		
Irrigation	4-1	10-31	1.05 cfs	288 af
Totals:			1.05 cfs	288 af

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

1. AUTHENTICATION

Field Examiner's Name: Gary Buss Date: 8-4-93

Reviewer J. G. Jones Date 1-16-95

SEAL

ALCOHOLMED
MAY 14 1966

35-8964

FIELD EXAM NOTES

EXAM # 35-08964

DATE OF EXAM 6/4/96

PERMITEE NAME WALLACE DRISCOLL

OTHER WATER RIGHTS SAME POD dr. for out of well ^{PILOTS} 420 acres

OTHER WATER RIGHTS SAME POU possible overlap of Circle Pits see map.
35-8903?

PUMP #1 HP 150 MAKE U.S. Electric SERIAL # R-635-02-831 R213640MM
COLOR AND DESCRIPTION Gray/Orange / Black - In Green shed.
OUTPUT DIAMETER 10" SYSTEM PRESSURE 50 PSI WELL DEPTH _____
STATIC H2O -0' at base WELL DEPTH 58' DYNAMIC PUMP _____
PSI GAGE TYPE SPAN fixed CHECK VALVE [Y] (N) GATE VALVE (Y) [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____ PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

CIRCLE PIVOT (Y) [N] NUMBER OF TOWERS 2 PIVOT LENGTH 151' approx.
PRESSURE [H] (L) + End gun - 50ft.

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

SURFACE WATER TYPE OF MEASUREING DEVICE _____

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____/_____

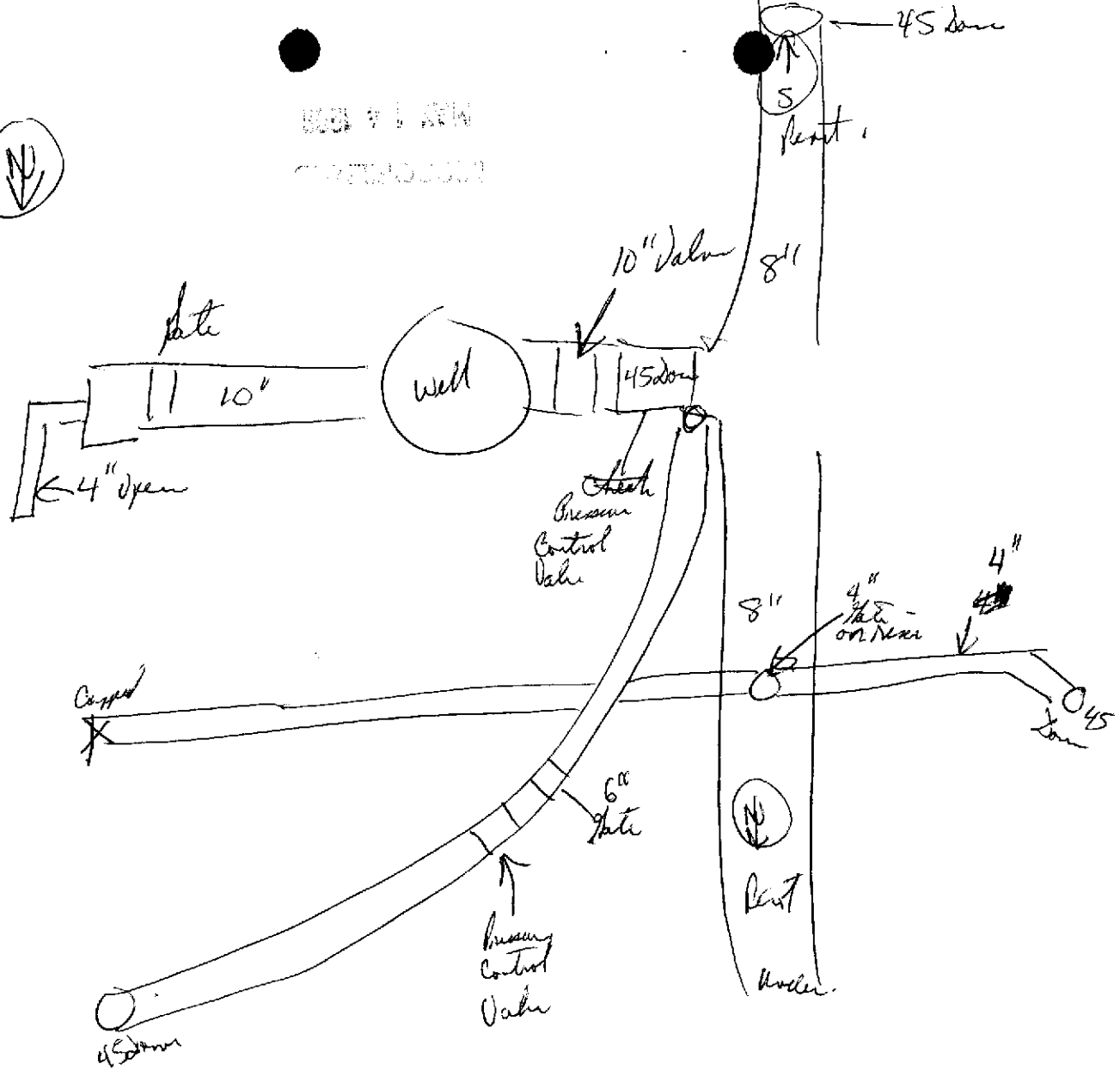
RECEIVED
MAY 14 1996

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

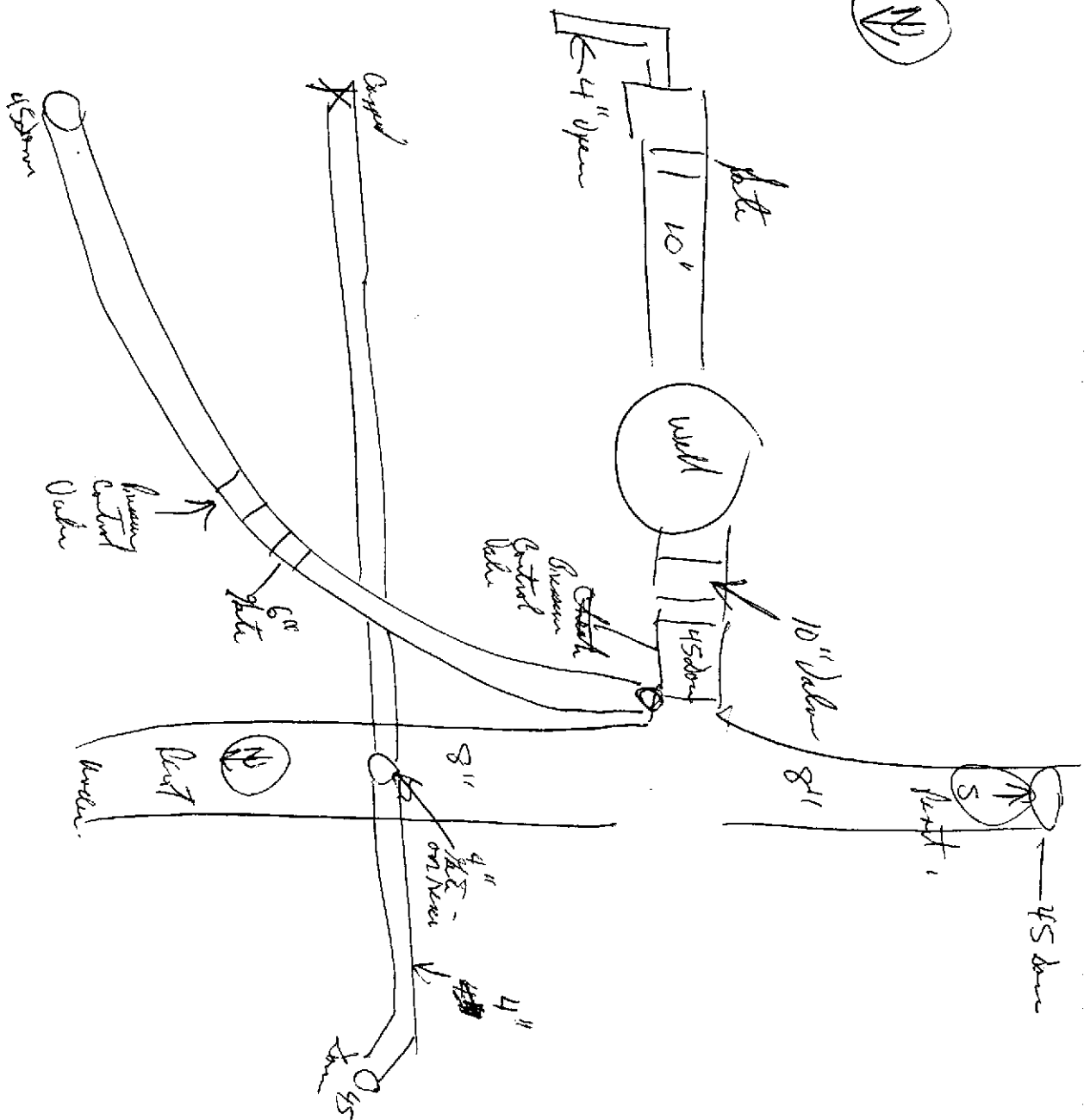
35-08964



WELL 7 & 8
CONTINUATION

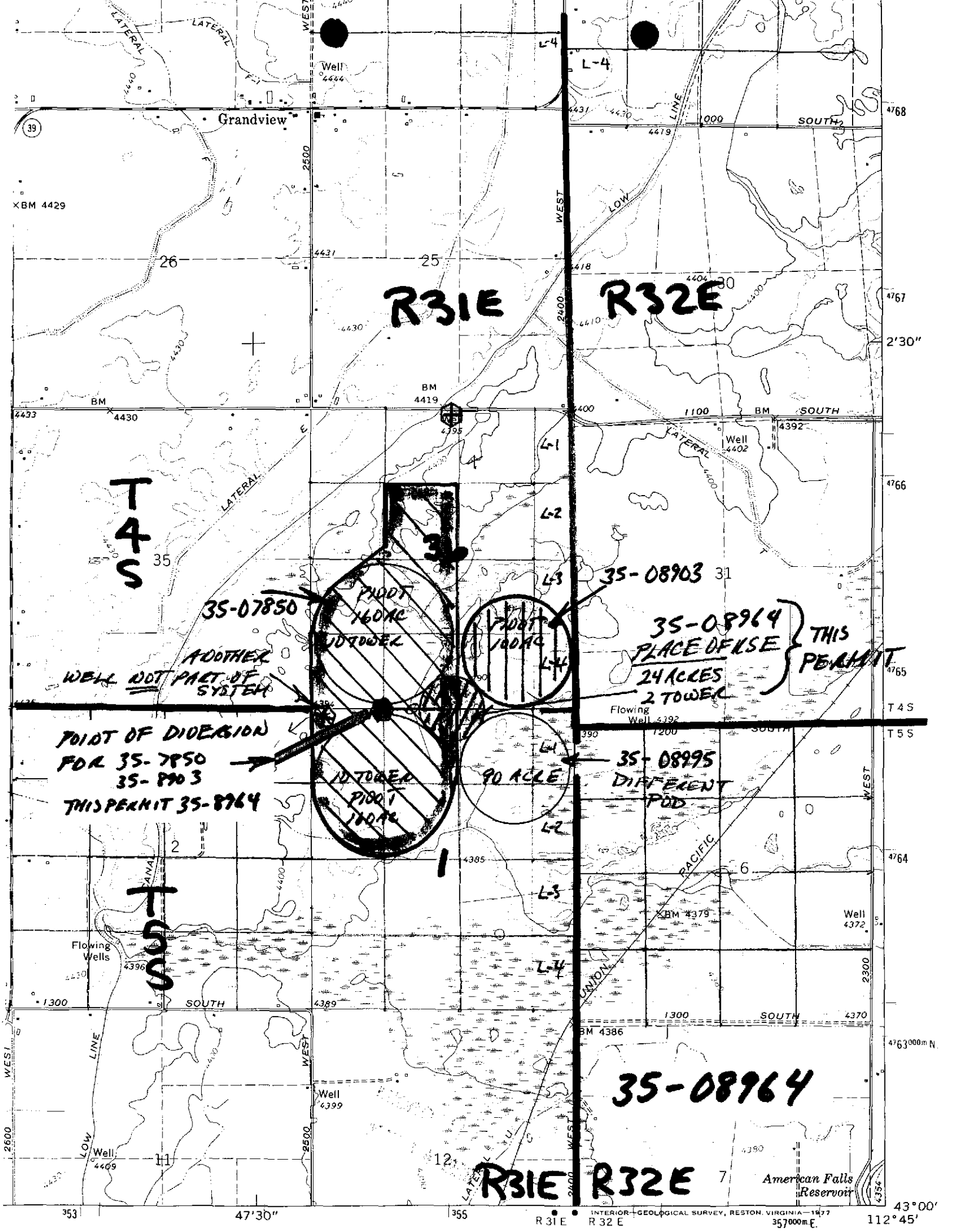


22-00880



RECEIVED
MAY 14 1968

35-08964



XBM 4429

Grandview

R31E

R32E

T4S

35-07850

35-08903

35-08964
PLACE OF USE
24 ACRES
2 TOWER

THIS PERMIT

POINT OF DIVERGENCE
FOR 35-7850
35-8903
THIS PERMIT 35-8964

35-08995
DIFFERENT
POB

35-08964

R31E R32E

American Falls Reservoir

30.2

NHEL
3-43.7

NHEL
4-107.5

Lot 2

R31E R32E

36

R31E

Lot 3

#1507
Driscoll & Bros.
(W. Driscoll)

35-08903

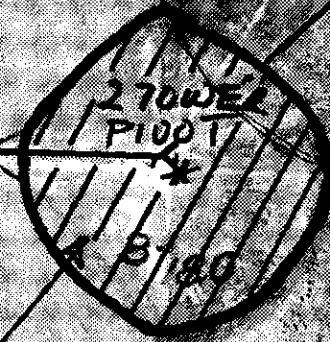
T
4
S

35-07850

Lot 4

35 36
2 1

NHEL
5-192.0



T
5
S

POINT
OF DIVERSION

PLACE OF
USE

Lot 1

35-07850

R31E

MAY 14 1938

NHEL
7-138.9

Lot 2

R31E R32E

35-08964

WALLACE PRISCOLL

IRRIGATION

2 of 3

VIEW OF
PLACE OF
USE

2 TOWER
POOT

VIEW OF
PLACE OF
USE.

PERMIT
NUMBER

35-08964

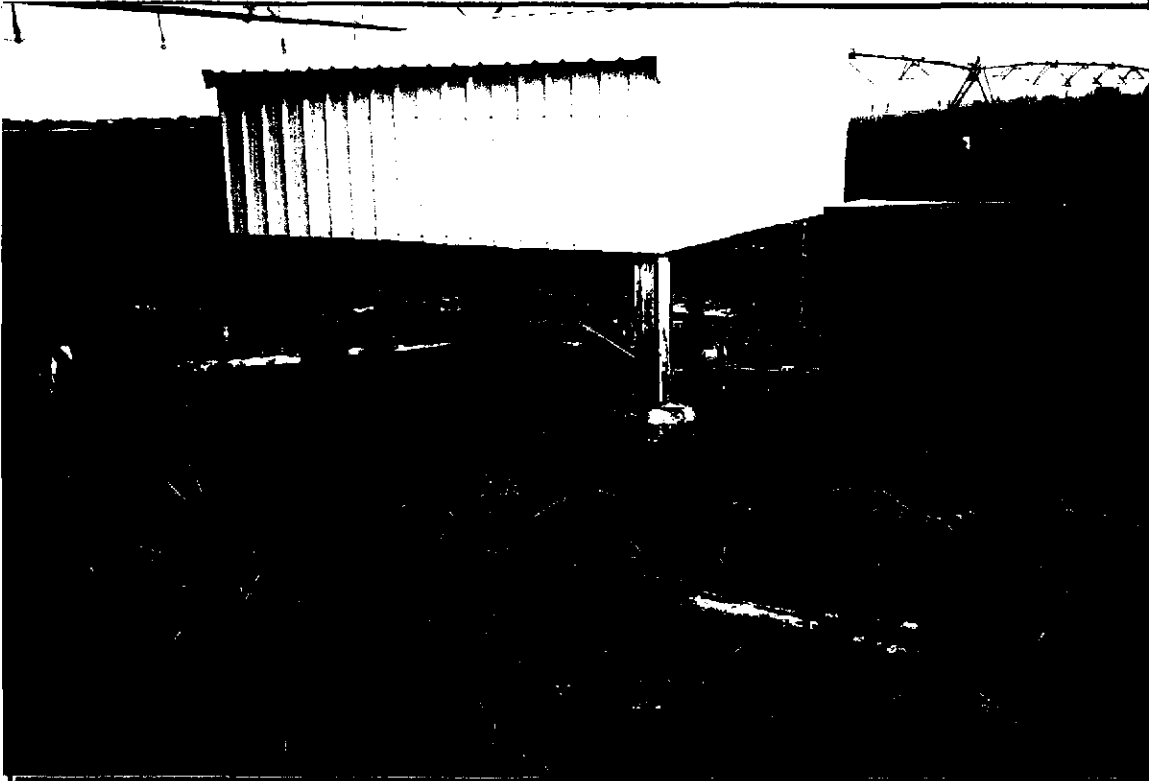
APPROVED
MAY 14 1938

WALLACE DRISCOLL

IRRIGATION

1 of 3

VIEW OF
POINT OF
DIVERSION



PERMIT
NUMBER

35-08964

MAY 4 1958

WALLACE DRISCOLL

IRRIGATION

35/3

VIEW OF
POINT
POINT OF
USE

VIEW OF
PLACE OF
USE

PERMIT
NUMBER

35-08964

MAY 14 1958

April 3, 1992

WALLACE DRISCOLL
MAURINE DRISCOLL
2459 W 1100 S
ABERDEEN ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08964

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

APR 08 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08964

Reviewed by Klg

Date 3/30/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigate - 24
yes Correct Uses?

SOURCE OF WATER

 Surface water source
✓ Ground water source

NA Drilling permit required?
1975 / Copy in the file? Drilling Permit No.
/ Amount paid for permit Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 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

Proof Made 3/30/92
4/3/92/Klg



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

March 3, 1992

WALLACE DRISCOLL
MAURINE DRISCOLL
2459 W 1100 S
ABERDEEN ID 83210

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08964

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.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:clh

Enclosures

RECEIVED
MAR 5 1992

APPLICATION FOR PERMIT REVIEW

Application #: 35-8964
Date: 2-14-92

Reviewer: Brenda L. Miller

Existing:

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)
LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23 (All GW, even existing wells)

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 - 1 (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: - 03-01-1993
Other Conditions Recommended

RECEIVED
FEB 15 1992

Dist. for staffing: 03-Dec-1991
Submitted for advertising: 12-9-91

Form No. 202a
4/87

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

INITIAL REVIEW BY James Dunn DATE 9 Dec 1991 APPLICATION NO. 35 8964
APPLICANT NAME: WALLACE OR MAURINE DRISCOLL

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
- ☐ Yes ☐ No 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 _____

RECEIVED
JAN 21 1992

Department of Water Resources

Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
NONE _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other

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

See below for additional information

Date of priority recommended 11-27-91
By HWS Date 1-7-92

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

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

DRISCOLL, WALLACE
DRISCOLL, MAURINE
2459 W 1100 S
ABERDEEN, ID 83210

Source: GROUNDWATER

Diversion Pt: NWNENW Sec 1 T 05S R 31E in BINGHAM County.

```

Use:  IRRIGATION      ( .480 CFS)
      Total Diversion: ( .480 CFS)

```

Date Filed: 11/27/1991

In: BINGHAM County
T04S R31E S36 SESW SWSE
T05S R31E S01 NWNE NENW

24.0 ACRES TOTAL

100-443880

MAR 05 1992

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 JANUARY 6, 1992.

R. KEITH HIGGINSON, Director

Published: 12/19/1991 & 12/26/1991

RECEIVED
MAR 1 1992

MAR 05 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

12-Dec-1991

WALLACE OR MAURINE DRISCOLL
2459 W 1100 S
ABERDEEN ID 83210

RE: Application No. 35-08964

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News on 12-19 & 26-91. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

DEC 15 1991