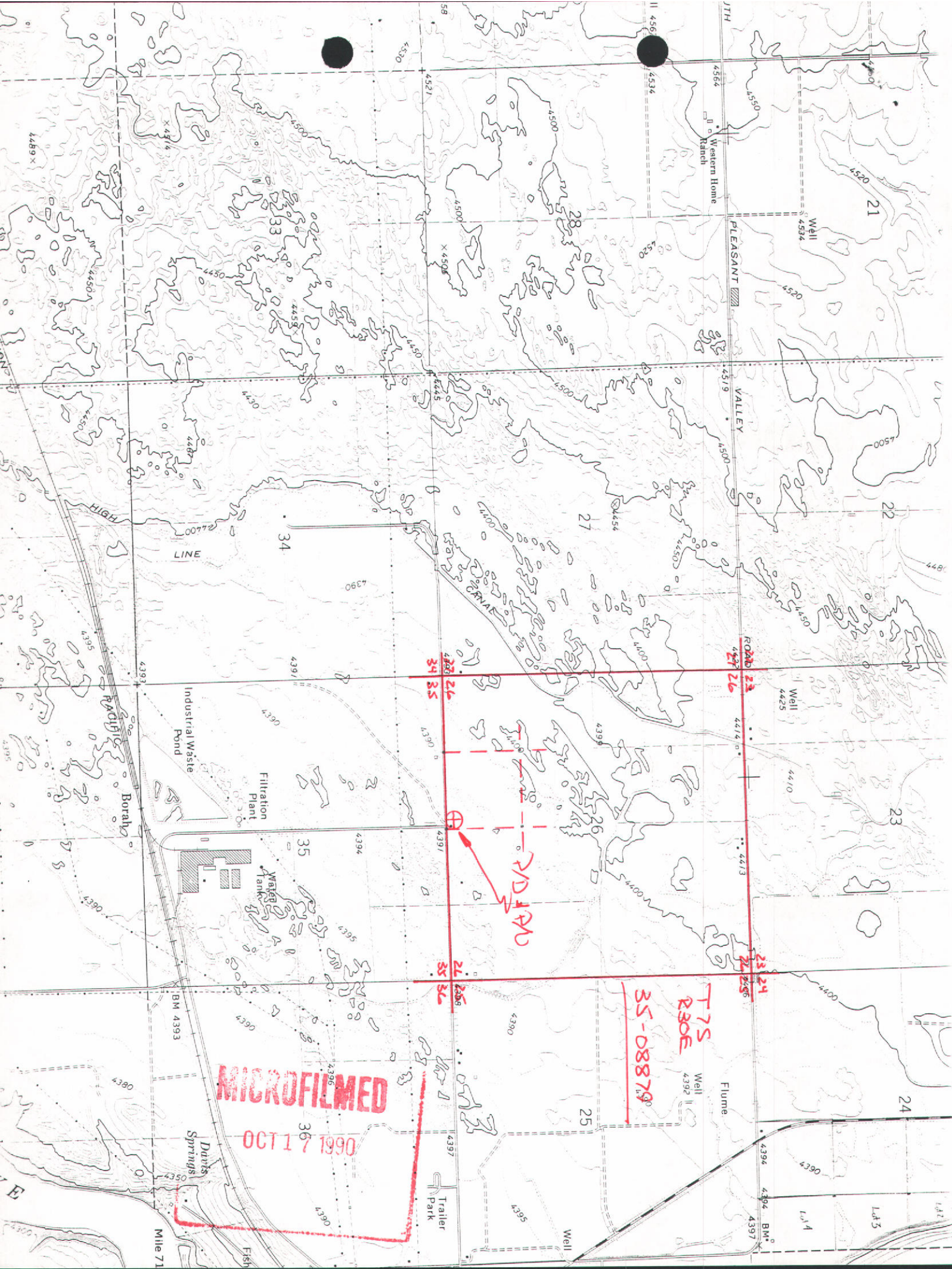
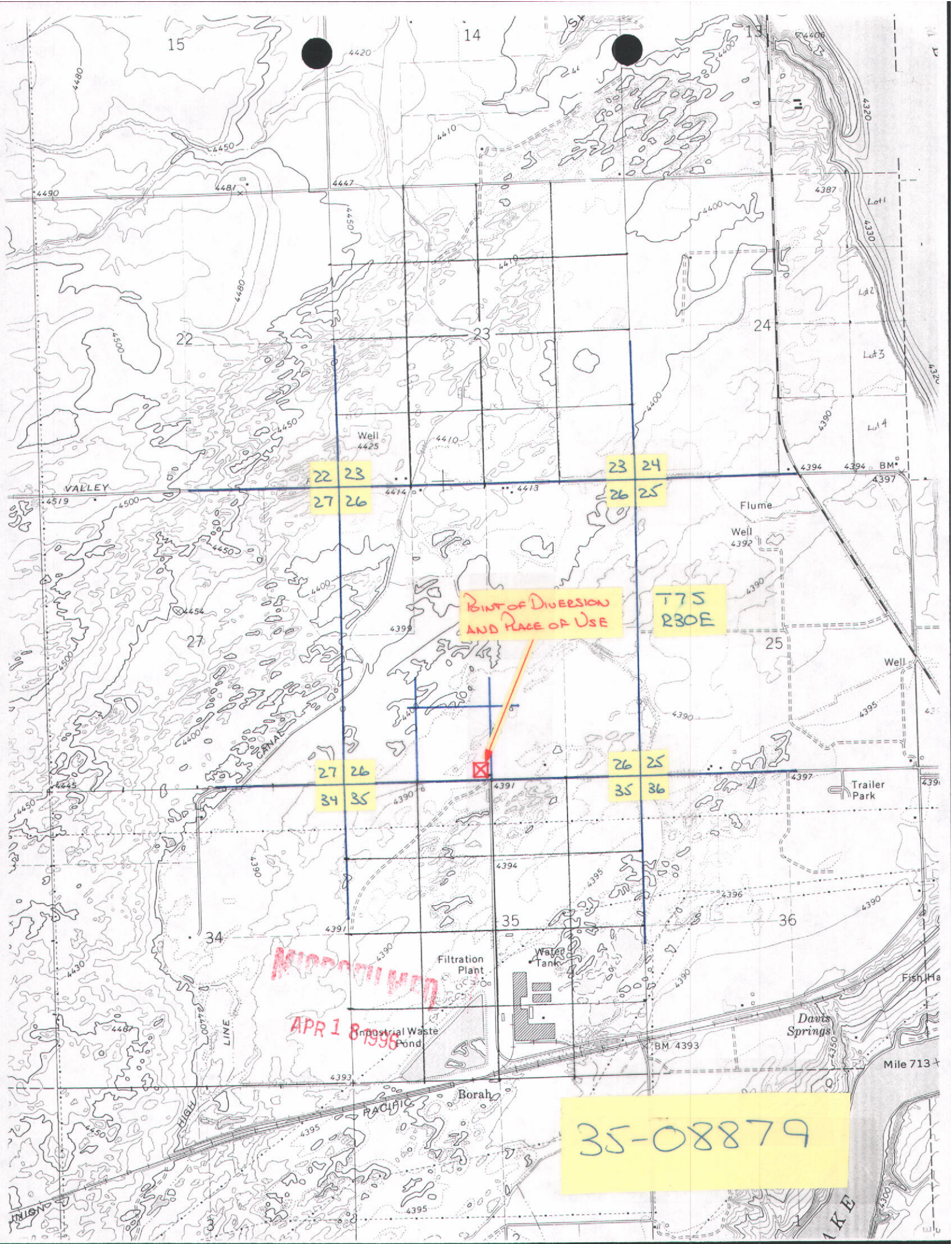




A red rectangular stamp or mark, possibly a seal or a signature, located in the upper right corner of the page. It appears to be a stylized 'L' or a similar symbol.



POINT OF DIVERSION
AND PLACE OF USE

T75
R30E

MIDCONTINENTAL
APR 18 1996

35-08879

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08879

Priority: March 21, 1990

Maximum Diversion Rate:

0.12 CFS

This is to certify, that LARRY K SIMMS
3151 W WHITNAH RD

AMERICAN FALLS ID 83211

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 21, 1990; and has submitted Proof of Beneficial Use on May 28, 1991. An examination indicates that the works have a diversion capacity of 0.130 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	0.09 CFS	
STOCKWATER	01/01 to 12/31	0.01 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	
	Totals	0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 26, Township 07S, Range 30E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	30E	26	SES	3		3

Total number of acres irrigated: 3

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
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 to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

APR 18 1996

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 35-08879

CONDITIONS OF APPROVAL AND REMARKS

6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 12.0 af for the lands above.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
9. Stockwater use is limited to the annual diversion volume of 0.1 af.
10. Domestic use is for 1 home.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
12. Domestic use is limited to the annual diversion volume of 0.6 af.

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 2nd
day of April, 1996.


Acting for **KARL J. DREHER, Director**

APR 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

MAY 28 1991

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

Permit No. 35-08896 *originally filed as #35-08879* Telephone No. 226-5449

Name(s) of Permit Holder(s): Larry K Simms

Post Office Address: 3151 W Whitnah Rd. American Falls Id. 83211

Source of Water: Groundwater

If ground water, well driller's name: Gary Vollmer Date drilled: 8-1978

Extent of Use:
Domestic 1 (No. of households) Irrigation 3 acres (No. of acres)
Stockwater 5 cattle & Horses (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.15 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 9-78

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

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

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Larry Simms 226 5449 - 226 5470
Name Telephone No.

3151 W Whitnah Rd American Falls Idaho 83211
Address

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

JUL 10 1991

4-22-91
Date

Larry Simms
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08879

Proposed Priority: March 21, 1990 Maximum Diversion Rate: 0.15 CFS
This is to certify, that **LARRY K. SIMMS**
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211
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	0.09 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.15 CFS

LOCATION OF POINT(S) OF DIVERSION: SESESW Sec. 26, Township 07S, Range 30E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	30E	26	SESW	3		3
Total number of acres irrigated:						3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

MICROFILMED

OCT 17 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08879

CONDITIONS/REMARKS:

7. Stockwater use is for 5 cattle and horses; domestic use is for one home.

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

21st day of September, 1990.

for R. Keith Higginson, Director
[Signature: R. Keith Higginson]

MICROFILMED

OCT 17 1990

Ident. No. 35-08879

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LARRY K. SIMMS 208-226-5449
Address: 3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SESESW Sec. 26, Township 07S, Range 30E
POWER County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 04/01 | 11/01 | 0.090 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
5. Total quantity appropriated is:
0.150 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP, LINE TO HOME AND SPRINKLER SYSTEM.
 - 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.
 - Proposed well diameter is 6 inches; proposed depth of well is 222
feet.
 - Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
IRRIGATION OF 3 ACRES, DOMESTIC AND STOCKWATER USES.
9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07S	30E	26	SES	3		3

OCT 17 1960

Place of Use: STOCKWATER

TWN RGE SEC
07S 30E 26 SESW

Place of Use: DOMESTIC

TWN RGE SEC
07S 30E 26 SESW

Total number of acres irrigated: 3

10. Describe any other water rights used for the same purposes.
N/A

11. a. Who owns the property at the point of diversion?
APPLICANT

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

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

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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.


Applicant

Received by CW Date 5-3-90 Time 12:00 Preliminary check by JEN

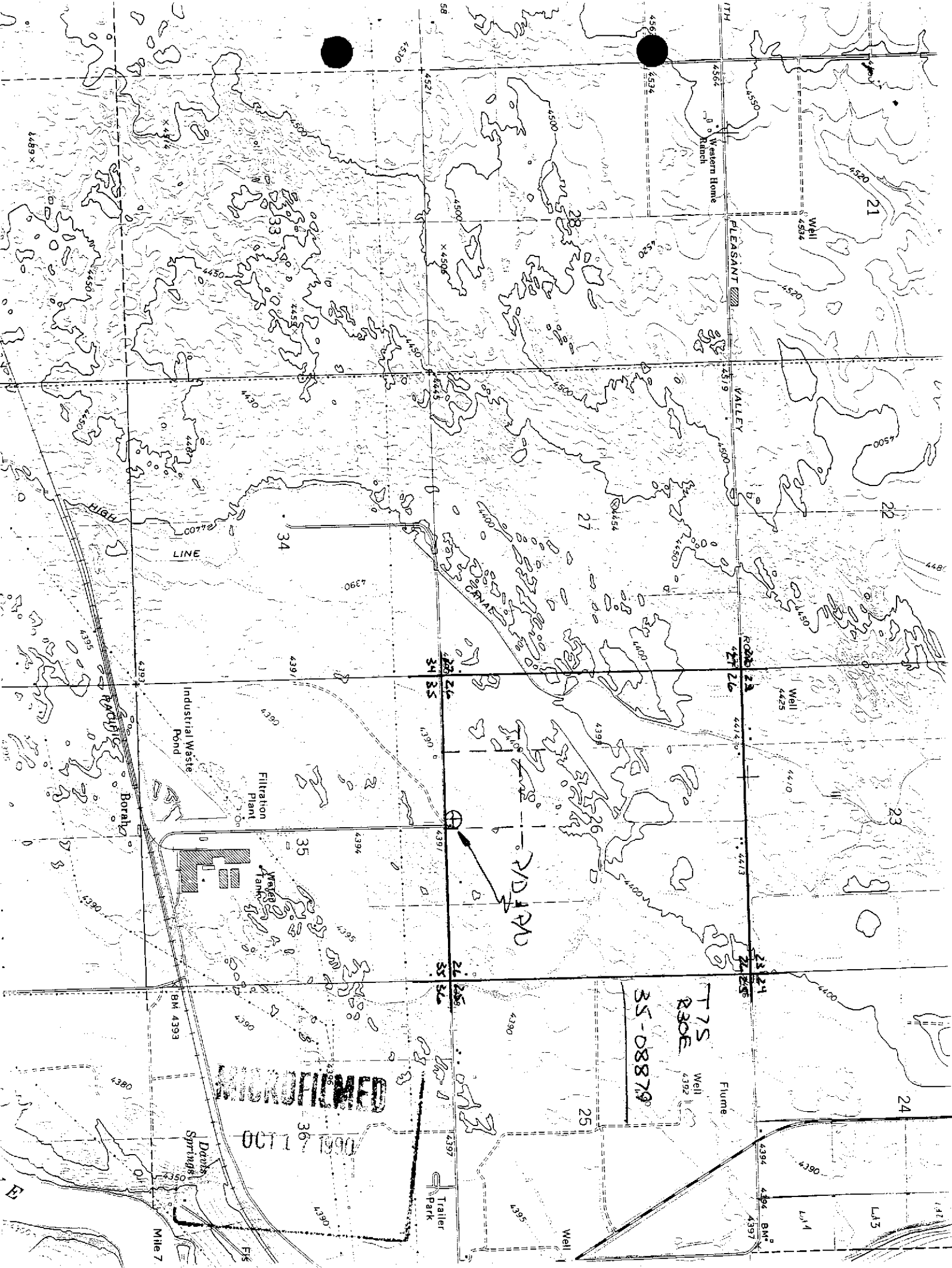
Fee \$ 30.00 Received by HWT # 5012471 Date 3-21-90

Publication prepared by RB Date 7-19-90 Published in Lower Cnty Press

Publication approved CW Date 8-01-90

MICROFILMED

OCT 17 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

Originally filed
as 35-8879
~~35-8896~~

To appropriate the public waters of the State of Idaho

1. Name of applicant LARRY K SIMMS Phone 226 5449
Post office address 3151 W WITHAM RD. AME FALLS IDAHO 83211
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 7S Range 30E B.M. POWER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .09 for Irrigation purposes from April 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stockwater purposes from Jan 1 to Dec 31 (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) .15 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well with 5 hp pump
Line to house + sprinkler system

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 6 inches; proposed depth of well is 222 feet.
d. Is ground water with a temperature of greater than 90°F being sought? N/A
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).

MICROFILMED

AUG 15 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 5 hd mixed horses + cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 house
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

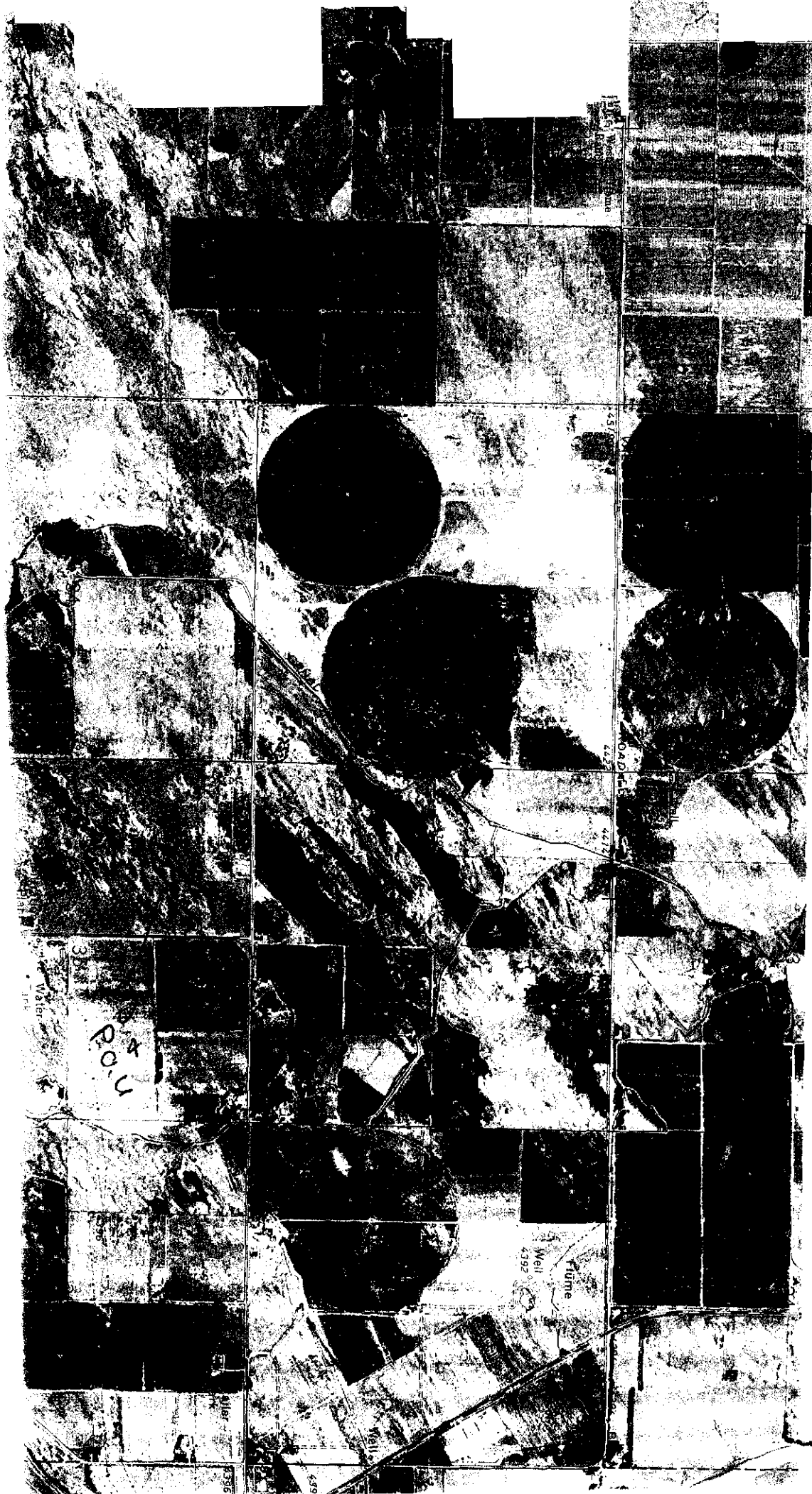
Total number of acres to be irrigated.

10. Describe any other water rights used for the same purposes as described above. _____
11. a. Who owns the property at the point of diversion? App.
b. Who owns the land to be irrigated or place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks:

CONFIDENTIAL

~~0661 91500~~



1-78
D30E

MICROFILMED

AUG 15 1990

A large grid of graph paper, likely for data recording or plotting. The grid consists of 20 columns and 20 rows of squares. In the bottom right corner, there is a rectangular stamp that reads "MICROFILMED" in a bold, sans-serif font. Below this stamp, the date "AUG 15 1980" is printed in a smaller, sans-serif font. The entire page is white with black grid lines and text.

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.

Larry Simon
(Applicant)

MICROFILMED
AUG 15 1990

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: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by OC Date 5-21-90 Time 12:10P Preliminary check by _____

Fee \$ 30.00 Received by HWS Date 5-21-90 # E012471 Date 3-21-90

Publication prepared by RB Date 5-14-90 Published in Bozeman Daily Press

Publication approved RB Date 5-26-90

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county continuously for over seventy-eight consecutive weeks without interruption and continuously for over seventy-eight consecutive weeks prior to the first publication of the annexed notice or advertisement: That the annexed notice or advertisement was published as per clip attached in the regular and entire edition of said newspaper and not in supplement thereof for 2 successive weekly issues thereof, GONZALES, FERNANDO B. GONZALES, IRENE STAR RT. BOX 67A POCATELLO, ID 83202

date of the first publication being the 18 day of July 1990 and the date of last publication being the 25 day of July 1990

(Signed)

State of Idaho

County of Power

On this 25 day of July in the year 1990, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, she declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton
Notary Public for Idaho
Residing at American Falls, Idaho, RT. 1, BOX 167
My commission expires: June 8, 1995



The Power County Press

Application for water right

29E
NWNW Sec 21 T 07S R 29E

Use: IRRIGATION (2,460 CFS)
Total Diversion: (2,460 CFS)

Date Filed: 2/8/1984

In: T07S R29E S20 NENE NWNW
SENE
S21 NENE NWNW NENW NWNW
SWNW SENW NESW NWSW
333.0 ACRES TOTAL

SIMMS, LARRY K.
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SESESW Sec 26 T 07S R
30E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.150 CFS)

Date Filed: 3/21/1990

In: T07S R30E S26 SESW
3.0 ACRES TOTAL

BETHKE, LARRY S.
2745 BREEDING RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SWNE Sec 23 T 07S R
29E
SWNW Sec 23 T 07S R 29E

Use: IRRIGATION (3,200 CFS)
Total Diversion: (3,200 CFS)

Date filed: 4/26/1990

In: T07S R29E S23 NENE NWNW
NENW NWNW
160.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 26, 1990.

R. Keith Higginson, Director

0661 2 1100

JUL 21 1990

Department of Water Resources
Eastern District Office

RECEIVED

29-07953

THOMPSON, LYNN
THOMPSON, BETTY L.
1761 W. SYPHON RD.
POCATELLO, ID 83202

Source: GROUNDWATER

Diversion Pt: NWNENE Sec 2 T 06S
R 33E

Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)

Date Filed: 4/4/1990

In: T06S R33E S02 NENE
5.0 ACRES TOTAL

29-07954

THARP, MYRLE A.
1861 TAGHEE LN.
POCATELLO, ID 83202

Source: GROUNDWATER

Diversion Pt: NESE Sec 2 T 06S R 33E

Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 4/5/1990

In: T06S R33E S02 NESE
10.0 ACRES TOTAL

35-08894

ADKINS, DARLENE A.
ADKINS, WILLIAM WESLEY
3249 S. PLEASANT VALLEY RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt. SWSE Sec 22 T 07S R
30E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.060 CFS)
Total Diversion: (.150 CFS)

Date Filed: 4/12/1990

In: T07S R30E S22 SWSE
3.0 ACRES TOTAL

35-08896

SIMMS, LARRY K.
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SESESW Sec 26 T 07S R
30E

Use: IRRIGATION (.090 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.150 CFS)

Date Filed: 3/21/1990

In: T07S R30E S26 SESW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 25, 1990.

R. Keith Higginson, Director

State of

County

Erma

That

general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 6 day of June 1990 and the date of last publication being the 13 day of June 1990.

(Signed)

State of Idaho

County of Power

On this 15 day of June in the year of 1990, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

FILED

JUN 15 1990

Brett Crompton
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

Department of Water Resources
Eastern District Office

Originally filed
as 35-8879.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1996

LARRY K SIMMS
3151 W WHITNAH RD
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-08879

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

APR 18 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 35-08879 Name: Simms Date: 3/11/96 ✓ Lots ✓

NAME Chng Same Or Address Change?

SOURCE ✓ Clarify source
Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? SES@SW P39
Overlap(s) _____

P/U ✓ Amendment Needed? _____ P41
Overlap(s) _____
(Gov't special #'s) *P/D & P/U Amend? P37

RATE ✓ Permit/fee limits: 0.15 / 0.15
Measured Q= _____ cfs/Theoretical Q= 0.13 cfs
 $(irr/3ac \times 0.03 \text{ cfs/ac} = 0.09) + (\text{stock} = 0.01) + (\text{dam} = 0.02) = 0.12$
 $(HP) \frac{8.8 \times 0.75 \times 3}{(80+10) + (2.31 \times \text{_____})} = \frac{19.8}{159.3} = 0.12 \approx 0.13$ (by examiner) OK
✓ Recommended capacity 0.13 cfs
✓ Recommended rate 0.12 cfs

VOLUME ✓ Season: in (C / 4.0) 4/1-10/31 = 214 days
Calculations:
 $(irr/3ac \times 4.0 \text{ AF/ac} = 12.0) + (\text{stock}/5 = 0.1) + (\text{dam} = 0.6) = 12.7$

Flow limit: 0.03 x 365 x 1.9835 = 21.7 AF
✓ Recommended volume 12.7 AF

USES ✓ Same Nature of Use? _____ P46
Amendment Needed? _____

REMARKS ✓ Multiple p/d's in $\frac{1}{4}$? W32
✓ ④ W85/1 ① W87 ② W88 ③ Stock/0.1 AF ⑤ Dam/0.6 AF.

CONDITIONS ✓ Measuring (R01)/Locking (R02) Devices
✓ Watermaster Control (R04) - WD # _____
✓ Irrigation rate/volume overlap
✓ GW irrigation replaces surface water (050)
✓ GW irrigation supplements surface water (065)
✓ Water Quality/Other _____

PRIORITY App Rcd 3/21/90 Due 10/1/91 Rc'd 5/28/91
Receipt# E016122 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? _____
If Yes, Advanced? Yes/No to: _____
Priority 3/21/90 Examined 11/9/95

COMMENTS: license at reduced rate

USE	CFS	DIV VOL	SRBA Overlap
<u>irr</u>	<u>0.09</u>	<u>-12.0</u>	<u>None</u>
<u>Stock</u>	<u>0.01</u>	<u>-0.1</u>	<u>Adjustment Memo</u>
<u>Dam</u>	<u>0.02</u>	<u>-0.6</u>	<u>LICENSE LTR: P49</u>
<u>TOTAL</u>	<u>0.12</u>	<u>-12.7</u>	<u>#1 AMEND LTR: _____/P38</u>
			<u>#2 AMEND LTR: P42/P47</u>

* NO PHOTOS! but did GPS tagging.

* examiner should be using dynamic level rather than static level to determine cfs theoretically.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 8 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08879

1. Owner: LARRY K SIMMS

Phone No. 226-5449

Current Address: 3151 W WINDY RD AMERICAN FALLS ID 83211

2. Accompanied by: LARRY K. SIMMS (TELECON)

EXAM DATE: 11-09-1995

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SW	26	7S	30E	Power	USGS, GPS, ONSITE

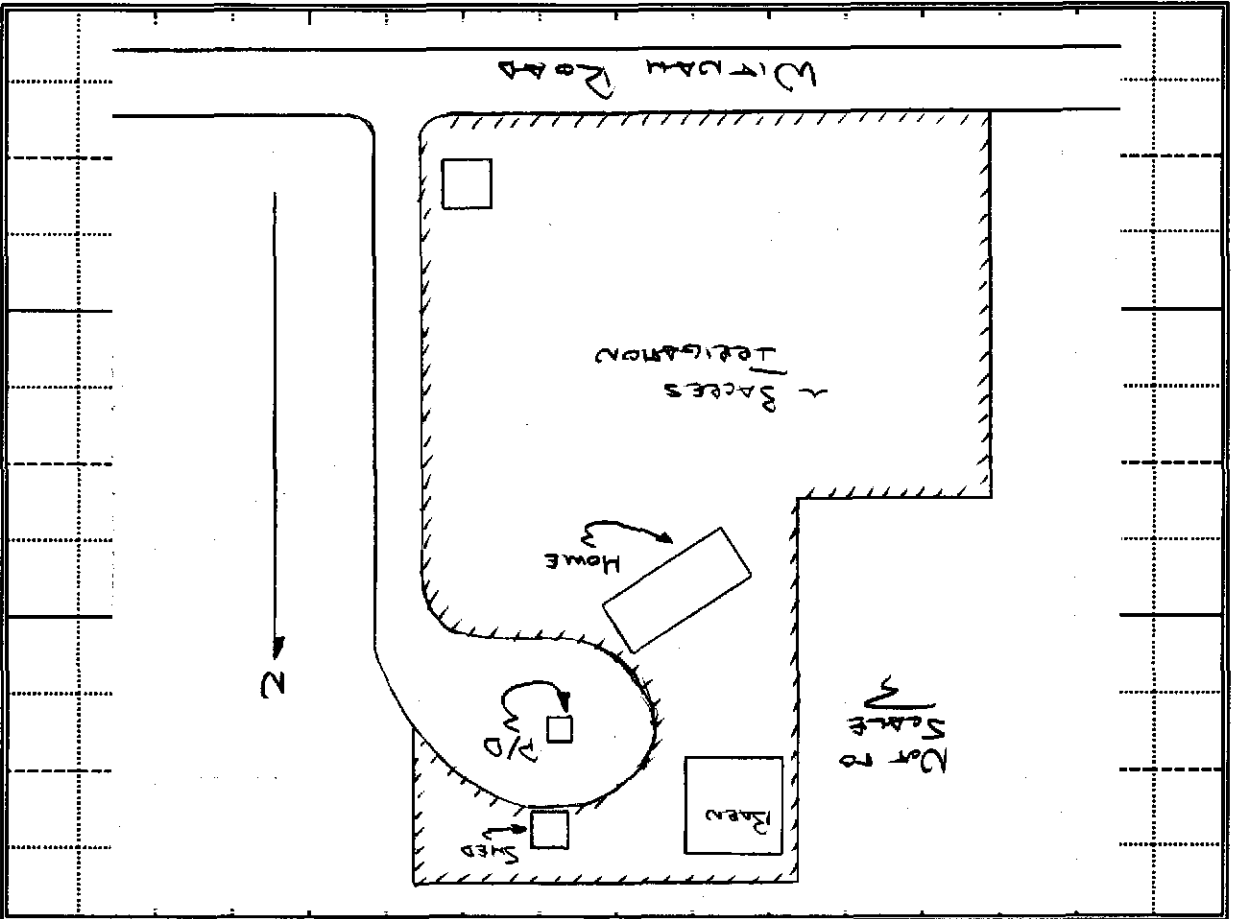
2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	30E	26												D/S					
														3					3

APR 18 1996

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



Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of _____
 point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached of _____
 (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached _____

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
40000126	FABULIN	3	282 3021 201		

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

APR 18 1996

E. NARRATIVE/REMARKS/COMMENTS

WELL WITH SUBMERSIBLE PUMP TO PIPE LINES TO SINGLE HOME, BARN AND SURROUNDING LAWN IRRIGATION (~3ac.). DOMESTIC USE IS FOR ONE HOME ONLY. STOCK WATER FOR UP TO 5 HEAD MIXED CATTLE AND HORSES. IRRIGATION OF APPROX 3 ACRES OF LARGE LAWN AND RECREATION AREA.

GPS TAG # A0000126 ON POWER POLE CONDUIT ABOVE WESEB. LATITUDE 42.778051° N, LONG 112.915073° W, 1
Datum: WGS-84. TIME: 17:28:25 ZULU.

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

APPROVED
APR 18 1996

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

SEE ATTACHED SHEET

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

SEE ATTACHED SHEET

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

DOMESTIC

STOCKWATER

IRRIGATION

From

1-1

1-1

4-1

Period of Use

To

12-31

12-31

10-31

Rate of Diversion

Q (cfs)

0.02

0.01

0.09

Annual Volume

V (ata)

0.6

0.1

12.0

12.7

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Other

I. AUTHENTICATION

Field Examiner's Name

Date

Reviewer

Date 2-22-96

SEAL

APR 18 1996



Q THEORETICAL:

Assume 30 PSI, 75% EFFICIENCY
FROM WELL LOG: STATIC H₂O AT 80'

$$Q_{THEOR} = \frac{(HP)(8.814)(EFF)}{(PSI)(2.308) + HP} = \frac{3HP(8.814)0.75}{(30.0PSI \times 2.308) + 80'} = \underline{0.13 CFS}$$

Q IRRIGATION:

$$3.0 \text{ ACRES} \times 0.03 \text{ CFS/AC} = \underline{0.09 \text{ CFS}}$$

Q DOMESTIC:

1 HOME (Irr covered under SEPARATE USE):

$$IDWR STD = \underline{0.02 \text{ CFS}}$$

Q STOCK:

5 MIXED STOCK

$$IDWR STD = \underline{0.01 \text{ CFS}}$$

Q TOTAL:

$$Q_{IRR} + Q_{DOM} + Q_{STK} = 0.09 + 0.02 + 0.01 = \underline{0.12 \text{ CFS}}$$

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APR 18 1996

35-08879

VOLUME CALCULATIONS

AFA IRRIGATION:

IDWR STD FOR LOCATION = 4.0 AFA/AL

$$3.0 \text{ AL} \times 4.0 \text{ AFA/AL} = \underline{12.0 \text{ AFA}}$$

$$0.09 \text{ CAS} \times 1.9835 \times 214 \text{ DAYS} = \underline{38.2 \text{ AFA}}$$

$$\ast \text{ LESSEE OF ABOVE} = \underline{12.0 \text{ AFA}}$$

AFA DOMESTIC:

IDWR STD FOR SINGLE HOME (SEPARATE IRR) = 0.6 AFA

AFA STOCK:

IDWR STD FOR 5 HD RANGE CATTLE = 0.1 AFA

AFA TOTAL:

$$\text{AFA}_{\text{IRR}} + \text{AFA}_{\text{DOM}} + \text{AFA}_{\text{STK}} = 12.0 + 0.6 + 0.1 = \underline{12.7 \text{ AFA}}$$



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35-08879-1
APR 18 1996

	Recs	Mean	Std Dev	Minimum	Maximum
Latitude	364	42.778051N	4.010661	42.778025N	42.778066N
Longitude	364	112.915073W	6.000251	112.915112W	112.915019W
Altitude	364	4411.035192	6.522450	4396.864511	4424.102337

No velocity records in file.

No DOP records in file.

Start GPS Week #826 on 11/09/95 at 17:28:25

End GPS Week #826 on 11/09/95 at 17:33:15

Datum : WGS-84
Coordinate System : Latitude/Longitude
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Feet
Velocity Units : Feet/Second

APR 18 1996

35-08879

Form 178

FEB 13 1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PEN

RECEIVED

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

JAN 24 1979

1. WELL OWNER

Name Larry Simms
Box 545 PA 136-5449
Address American Falls, Idaho 83211
Owner's Permit No. _____

7. WATER LEVEL

Static water level 80' feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ of. Quality _____

2. NATURE OF WORK

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

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M. _____ Pumping Level _____ Hours Pumped _____

3. PROPOSED USE

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

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250	Inches 6"	Inches + 1	feet 222
	Inches	Inches	feet
	Inches	Inches	feet
	Inches	Inches	feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 32 Material used in seal: ☐ Cement grout☐ Puddling clay ☒ Well cuttingsSealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded ☐ Solvent☐ Cemented between strata

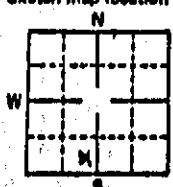
Describe access port _____

10.

Work started 8-19-78 finished 8-23-78

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

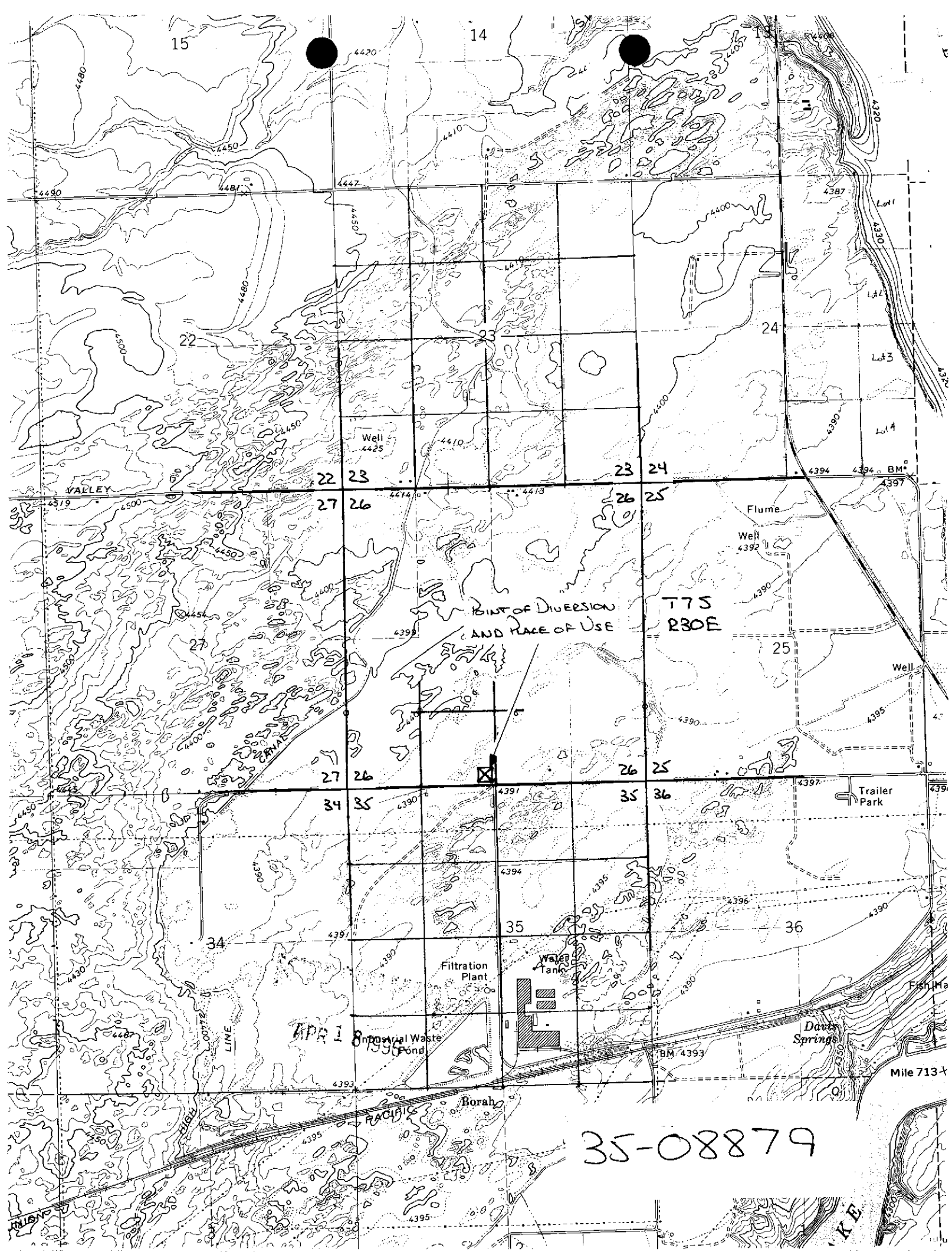
County PowerSE 1/4 SW 1/4 Sec. 26, T. 7 N. R. 30 E. W.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Paul Vollmer & Son Firm No. 67
Box BAddress Sherraden, Ida 83279 Date 8-24-78Signed by (Firm Official) Paul Vollmer & Sonand
(Operator) Paul Vollmer & Son

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



MEMORANDUM

TO: FILE #35-08879

FROM: PAM SKAGGS

RE: DUPLICATE FILE #35-08896

DATE: 12-AUG-1991

=====

It was found through the Proof of Beneficial Use process that the applicant, Larry K. Simms, had made one filing on a home and three acres, but was receiving duplicate processing letters on two water right numbers. Through some original delay in processing the application, a second file was created when the application was returned by the applicant.

To correct this error in duplicate files, all pertinent documents from both files were merged into one file under the original water right number of #35-08879. The data base has been updated to show that proof has been filed and #35-08896 has been cleared except for a remark to refer to this file.

RECEIVED

APR 18 1996

June 13, 1991

LARRY K. SIMMS
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08896 *Originally filed as 35-8879*

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

JUL 10 1991

138459
May 31, 1991

LARRY K. SIMMS
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. ~~35-08896~~ *Originally filed as 35-8879*

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 August 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED
JUL 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 1, 1990

LARRY K. SIMMS
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

PERMIT APPROVAL NOTICE

RE: PERMIT NO. ~~35-08896~~ *Originally filed as 35-8879*

Dear Permit Holder:

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

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

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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AUG 15 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 30, 1990

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before JUNE 25, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

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AUG 15 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 25, 1990.

R. Keith Higginson, Director

Published 6/ 6/1990 & 6/13/1990

204-203A-0000

AUG 1 1990

35-08896 - *originally filed as #35-8879*

SIMMS, LARRY K.
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SESESW Sec 26 T 07S R 30E

Use: IRRIGATION	(.090 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.150 CFS)

Date Filed: 3/21/ 1990

In: T07S R30E S26 SESW

3.0 ACRES TOTAL

RECORDED

AUG 15 1990

35-08879

SIMMS, LARRY K.
3151 W. WHITNAH RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SESESW Sec 26 T 07S R 30E

Use: IRRIGATION	(.090 CFS)
DOMESTIC	(.040 CFS)
STOCKWATER	(.020 CFS)
Total Diversion:	(.150 CFS)

Date Filed: 3/21/ 1990

In: T07S R30E S26 SESW

3.0 ACRES TOTAL

MICROFILMED

OCT 17 1990

23-May-1990

Larry K. Simms
3151 W. Whitnah Rd.
American Falls, ID 83211

RE: Application for Permit No. 35-8896 *originally filed as #35-8879*

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 Power County Press on June 7 & 14, 1990. 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

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AUG 15 1990

INTER-DEPARTMENT MEMO — 1

FROM

PAUL MEYER

DATE 4-12-90

TO

FILE

SUBJECT

LETTER SENT REQUESTING SIGNATURE ON DATA
ENTERED VERSION 4-12-90

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AUG 15 1990

SIGNATURE



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

April 12, 1990

Larry K. Simms
3151 West Whitnah Road
American Falls, Idaho 83211

RE: Application for Permit

Dear Mr. Simms,

This letter is in reference to the Application for Permit for irrigation, domestic and stockwater uses that you submitted to this office March 21, 1990.

Enclosed you will find two copies of the typed version of your application as well as a photo-copy of your original application. One of the typed copies has been marked 'State Copy' and the other has been marked 'Personal Copy'.

Please check over the 'State Copy' for any errors that may have been made. Then sign the 'State Copy' and return it to this office for processing. The 'Personal Copy' is for your records.

Please be sure to mark the envelope "Attn. Paul Meyer", so I can be sure to route the list properly.

Please respond within thirty (30) days to avoid return of your application and fees.

If you have any questions, feel free to give me a call here at this office.

Sincerely,

Paul R. Meyer
WR Agent, Senior

enc.

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AUG 15 1990