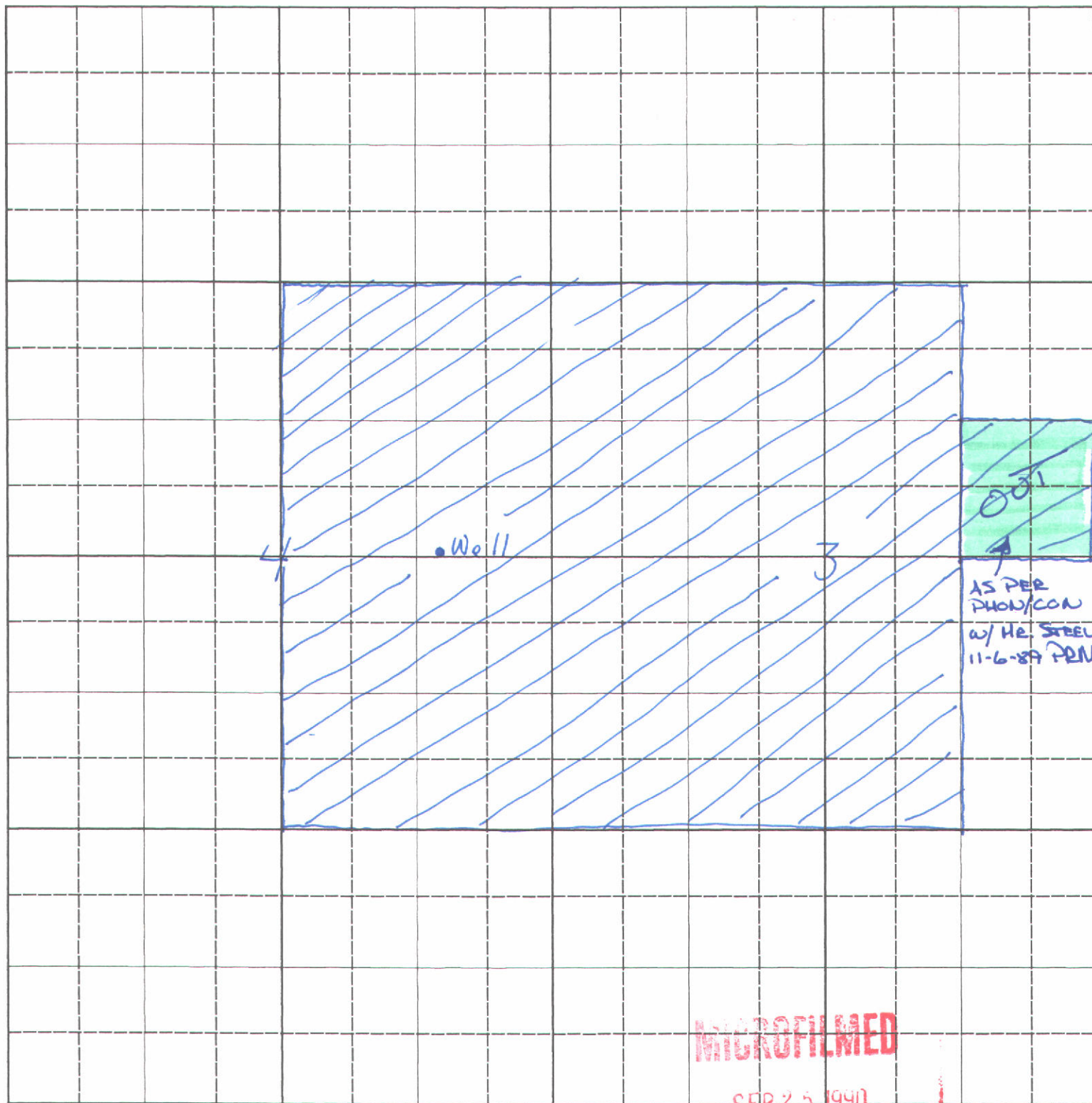


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

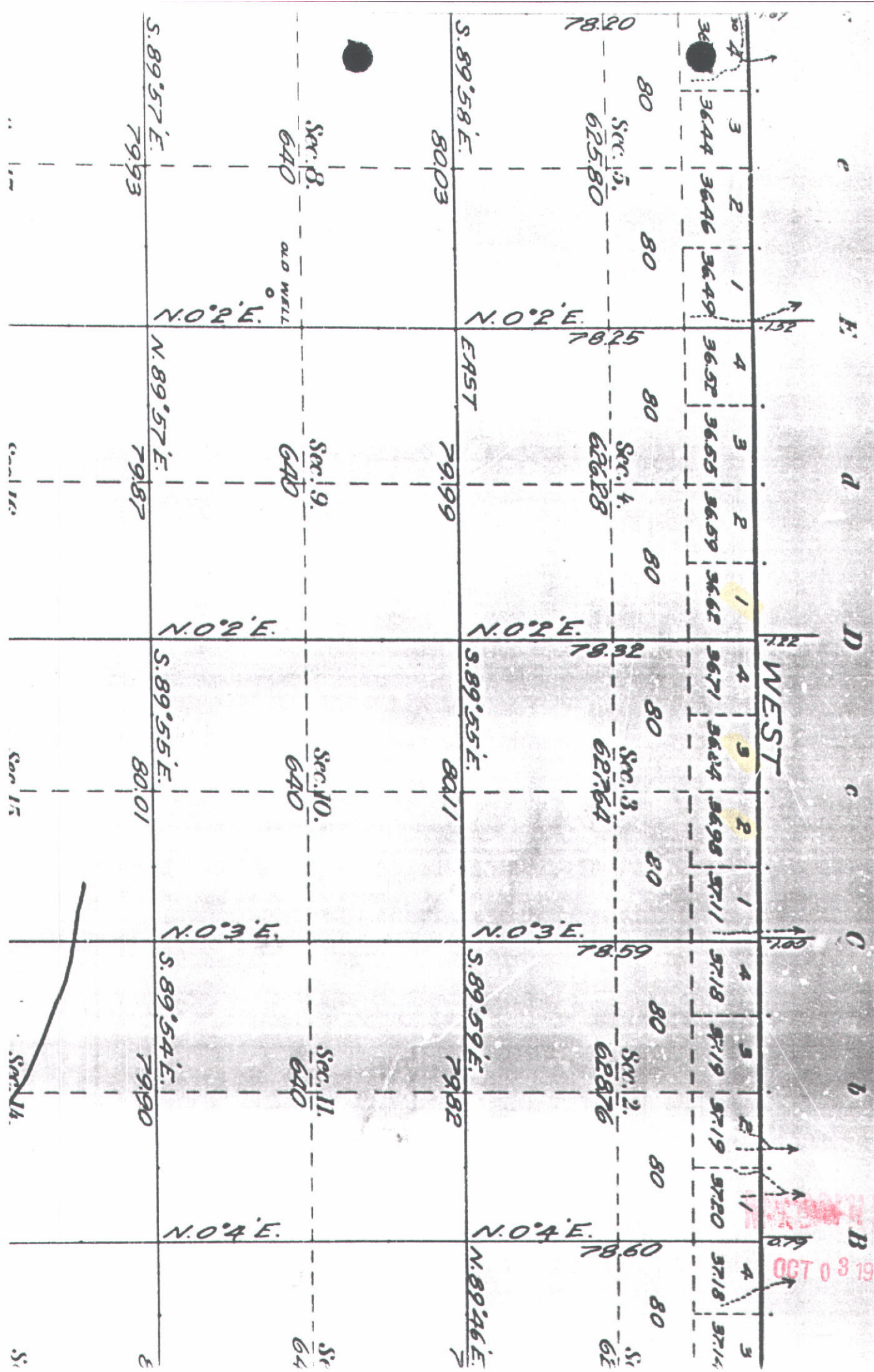


Scale: 2 inches equal 1 mile.

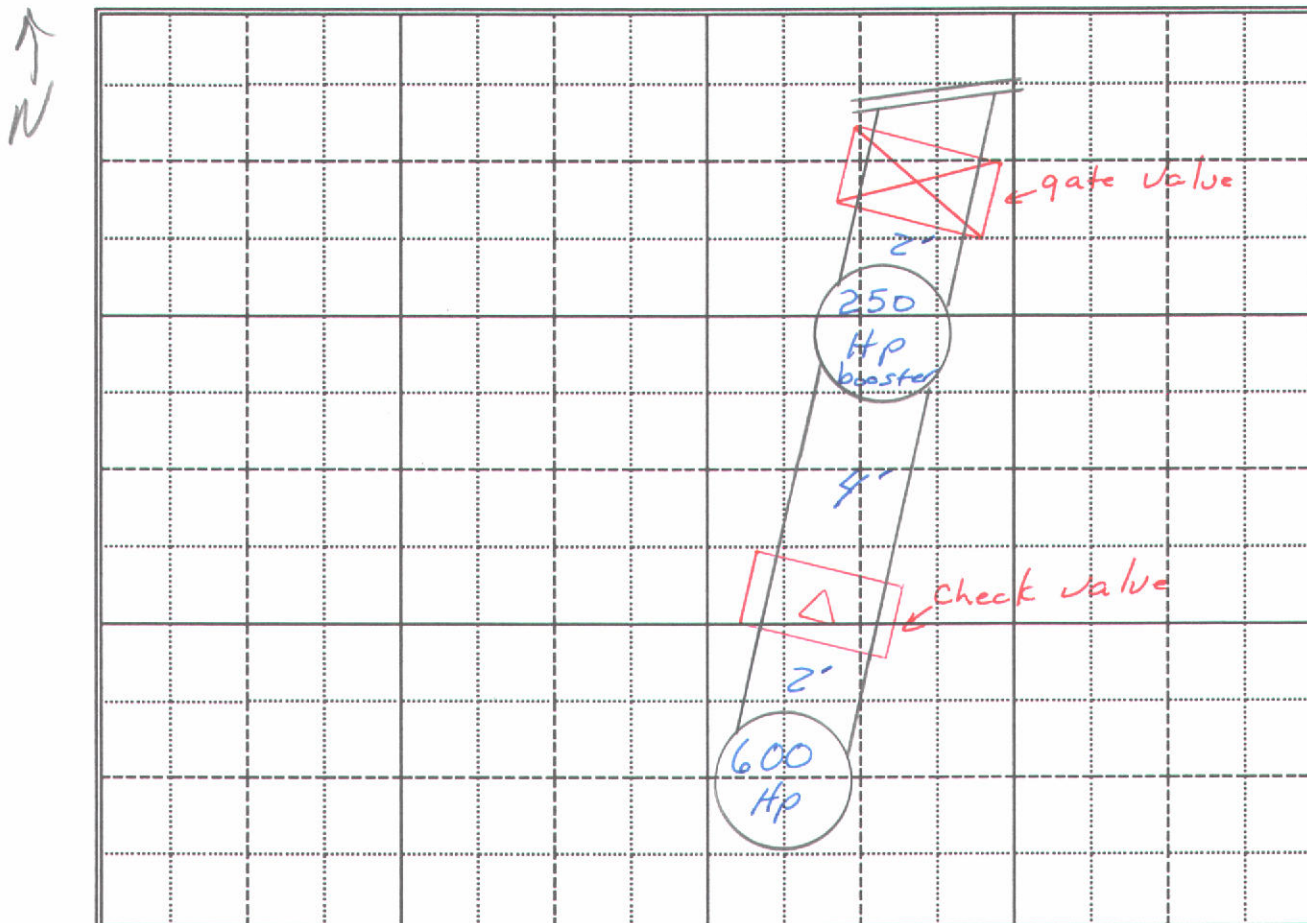
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)

North, Range No. 36 East of the Boise Meridian



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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	600	FHJ614020	Peerless	12" discharge
booster	Westing House	250	1-5V8147	BJ	12" discharge

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

D. FLOW MEASUREMENTS

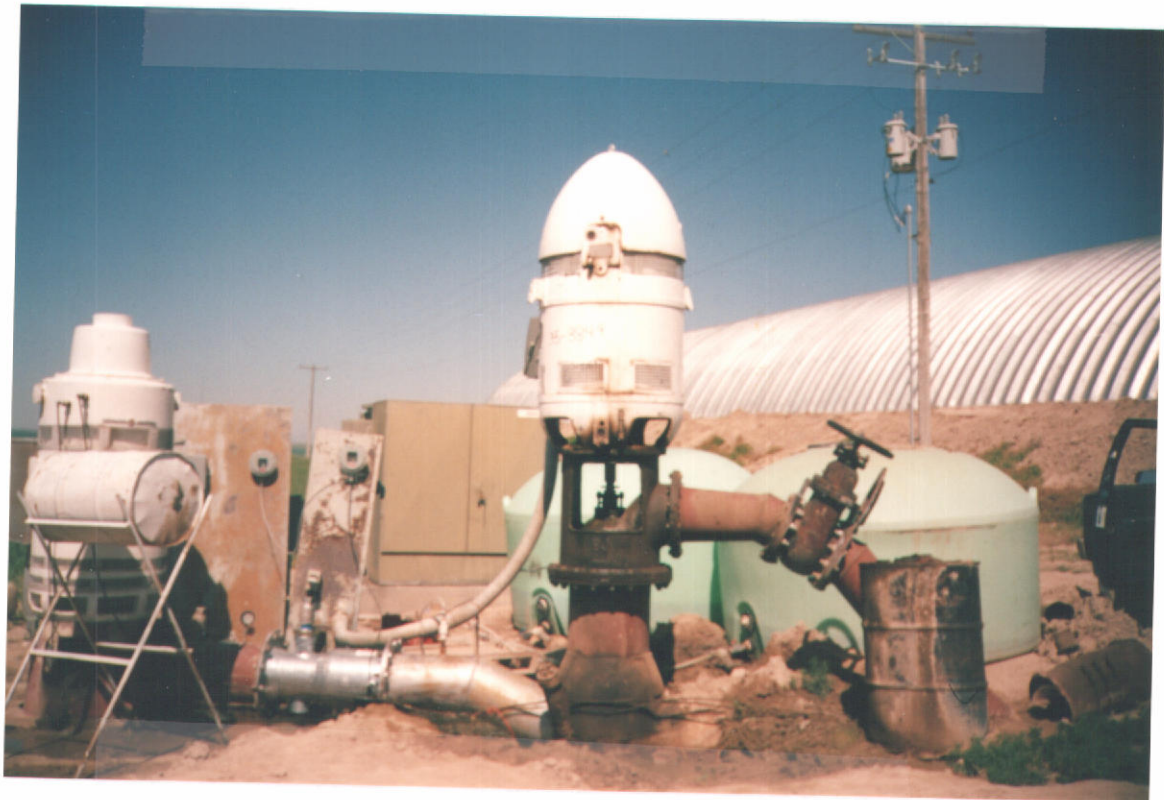
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
pressure gage	Fluid	ashcroft			60 psi	

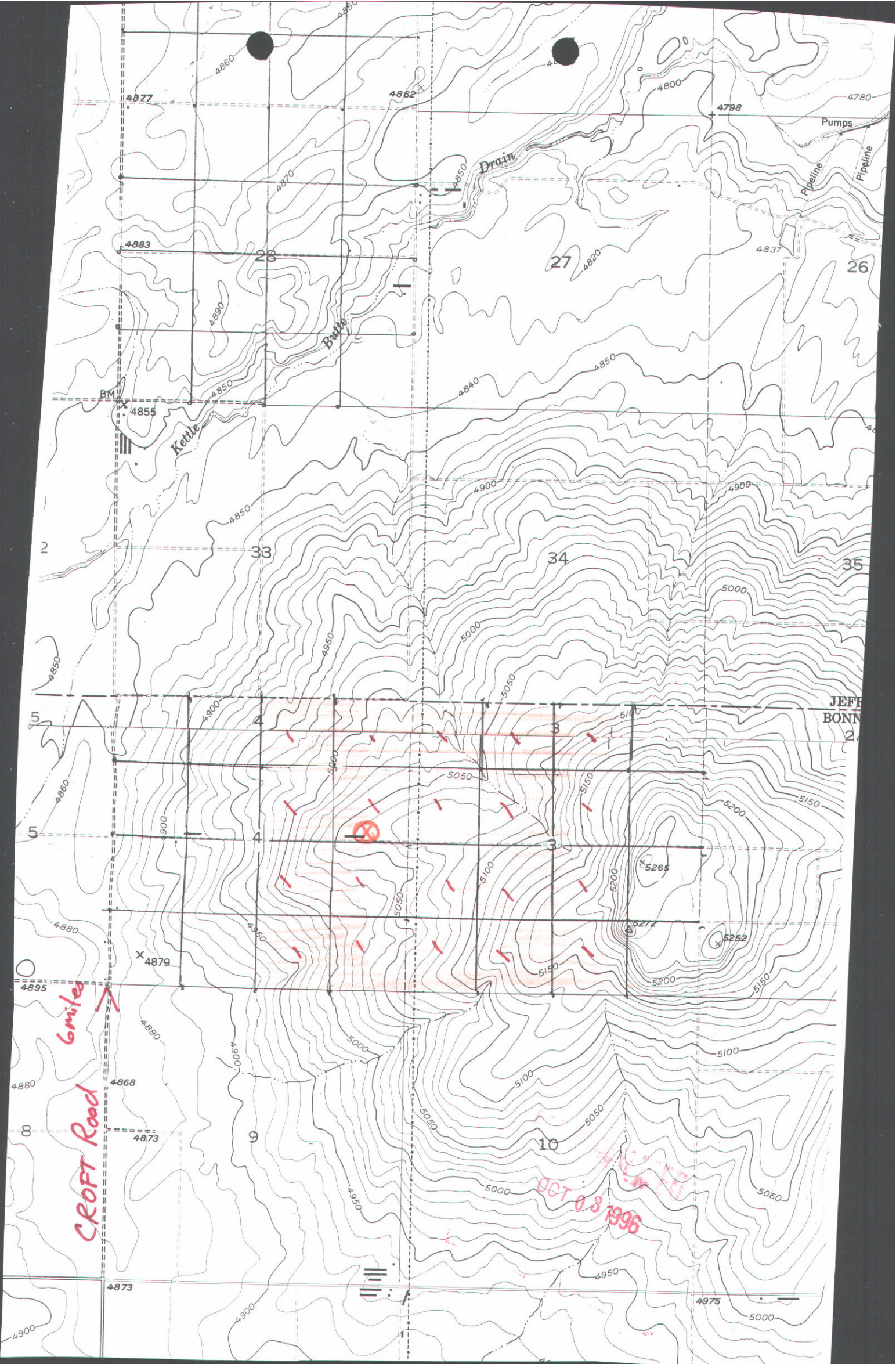
2. Measurements: operating pressure 40 psi

OCT 03 1996

35-8849



OCT 03 1996



6 miles
CROFT Road

OCT 03 1996



JEFF
BONN
2

32.33

5 4

② 128.9

T 3N

R 3

sec 4, 3

HEL

③ 55.4

6E

HEL

35-8849

④ 79.5

HEL

550
T 766

⑩ 77.2

5 4 HEL

8 9

2239
T 1038

① 48.3

HEL

④ 54.9

HEL

② 102.5

HEL

⑤ 105.4

HEL

cell

3
x 30

③ 203.8

HEL

⑥ 216.1

HEL

9 10

approx. 6 acres
per corner

4
x 30

⑦ 44.8

HEL

OCT 03 1998

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFILM BY PLACE OF USE

WR4001NP
(00-21)

THP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	WATER SOURCE
03N	36E	4	NH SH	39.0	01	35-07167	HILDE BROTHERS	0	L	02/24/1971	GROUNDWATER
			SH SH	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			SE SH	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			NE SE	40.0	01	35-02905	ELLIS	0	L	03/25/1958	GROUNDWATER
			NH SE	34.0	01	35-02905	ELLIS	0	L	03/25/1958	GROUNDWATER
			SH SE	30.0	01	35-02905	ELLIS	0	L	03/25/1958	GROUNDWATER
			SE SE	40.0	01	35-02905	ELLIS	0	L	03/25/1958	GROUNDWATER
			NE NE	37.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			NH NE	36.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			SH NE	40.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			SE NE	39.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			NE NE	36.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			NH NE	36.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			SH NE	40.0	01	35-02783	HILDE BROTHERS	0	L	06/21/1965	GROUNDWATER
			SE NE	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			NH SH	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			SH SH	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			SE SH	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			NE SE	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			NH SE	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			SH SE	39.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			SE SE	38.0	01	35-02761	HILDE BROTHERS	0	L	02/23/1965	GROUNDWATER
			NE NE	30.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			NH NE	40.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER
			SH NE	26.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			NH NE	40.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER
			SH NE	38.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			SE NE	38.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER
			NE NE	38.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			SH NE	40.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER
			SE NE	35.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			NH NE	40.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER
			SH NE	35.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			NE NE	39.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER
			SH NE	40.0	01	35-02775	ARCHIBALD	0	P	06/29/1983	GROUNDWATER
			SE NE	38.0	01	35-04239	ARCHIBALD	0	S	01/18/1965	GROUNDWATER

5

6

MICROFILMED

SEP 20 1990

NR4001NP
(0D-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 09/06/89
PAGE: 629

TRHP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	0	STG	PRIORITY DATE	WATER SOURCE
03N	36E	2	1 4 1 4									
NE	SH			40.0	01		35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDWATER
NH	SH			40.0	01		35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDWATER
SH	SH			20.0	01		35-07826	HOMARD TAYLOR & SO	C	L	12/12/1978	GROUNDWATER
SE	SH			40.0	01		35-07826	HOMARD TAYLOR & SO	C	L	12/12/1978	GROUNDWATER
NE	SE			39.0	01		35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDWATER
NH	SE			40.0	01		35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDWATER
SH	SE			40.0	01		35-07826	HOMARD TAYLOR & SO	C	L	12/12/1978	GROUNDWATER
SE	SE			40.0	01		35-07826	HOMARD TAYLOR & SO	C	L	12/12/1978	GROUNDWATER
NE	NE			40.0	01		35-07025	TOPHILL FARMS INC.	C	L	05/14/1968	GROUNDWATER
NH	NE			40.0	01		35-07289	SAUER	C	L	03/28/1973	GROUNDWATER
SH	NE			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
SE	NE			40.0	01		35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDWATER
NE	NH			40.0	01		35-07289	SAUER	C	L	03/28/1973	GROUNDWATER
NH	NH			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
SH	NH			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
SE	NH			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
NE	SH			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
NH	SH			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
SE	SH			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
NE	SE			40.0	01		35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDWATER
NH	SE			40.0	01		35-07289	SAUER	C	L	03/28/1973	GROUNDWATER
SH	SE			40.0	01		35-07289	SAUER FARMS INC.	C	L	03/28/1973	GROUNDWATER
NE	NE			39.0	01		35-02905	ELLIS	C	L	03/25/1950	GROUNDWATER
NH	NE			37.0	01		35-02905	FARM DEVELOPMENT C	C	L	03/25/1958	GROUNDWATER
SH	NE			40.0	01		35-02905	ELLIS	C	L	03/25/1958	GROUNDWATER
SE	NE			40.0	01		35-02905	FARM DEVELOPMENT C	C	L	03/25/1958	GROUNDWATER
NE	NH			40.0	01		35-02741	PARKINSON	C	L	06/02/1964	GROUNDWATER
NH	NH			37.0	01		35-02741	PARKINSON	C	L	06/02/1964	GROUNDWATER
SH	NH			37.0	01		35-02741	PARKINSON	C	L	06/02/1964	GROUNDWATER
SE	NH			39.0	01		35-07167	WILDE BROTHERS	C	L	02/24/1971	GROUNDWATER
SE	NH			40.0	01		35-02741	PARKINSON	C	L	06/02/1964	GROUNDWATER
SE	NH			39.0	01		35-07167	WILDE BROTHERS	C	L	02/24/1971	GROUNDWATER
NE	SH			39.0	01		35-07167	WILDE BROTHERS	C	L	02/24/1971	GROUNDWATER

MICROFILMED

SEP 25 1990

614 D312
T857

550 D19
T766

JEFFERSON COUNTY LINE

33 34

246.4
①

150.2
②

766 E344
T1038

MICROFILMED
SEP 25 1990

34	35
3	2
294.8	

④

150.8
①

229.2
④

88.0
②

72.3
③

235.5
⑤

66.5
⑥

29.1
⑦

595 D267
T635

4 3
9 10

3 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08849

Priority: August 25, 1989

Maximum Diversion Rate:

3.90 CFS

This is to certify, that J C STEEL
1615 W 49TH N
IDAHO FALLS ID 83402

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 25, 1989; and has submitted Proof of Beneficial Use on August 29, 1991. An examination indicates that the works have a diversion capacity of 10.630 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	3.90 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 4, Township 03N, Range 36E
BONNEVILLE 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>
03N	36E	3	Lot 2(NWNE) 34	SWNE 39	Lot 3(NENW) 37	
			Lot 4(NWNW) 37	SWNW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NWSE 38	SWSE 34	459
		4	Lot 1(NENE) 36	Lot 2(NWNE) 36	SWNE 40	
			SENE 38	NESE 40	NWSE 40	
			SWSE 40	SESE 40		310

Total number of acres irrigated: 769

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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
5. Rights 35-02905 and 35-07289 are also diverted at the point of diversion described above.
6. Use of this right with Rights 35-02905 and 35-07289 is limited to a total combined annual diversion volume of 3076.0 af.

OCT 03 1989

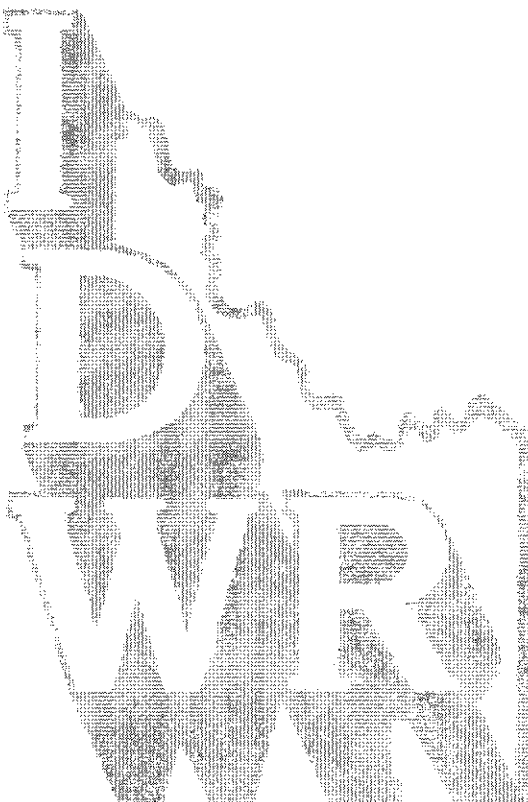
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08849

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 24TH
day of SEPTEMBER, 1976.


Acting for KARL J. DREHER, Director



State of Idaho
Department of Water Resources

RECEIVED

SEP 18 1996

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08849

Date of Priority: August 25, 1989
Comes now J C STEEL
1615 W 49TH N
IDAHO FALLS ID 83402

Maximum Diversion Rate: 3.90 CFS

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-08849, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.90 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 4, Township 03N, Range 36E
BONNEVILLE 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>
03N	36E	3	Lot 2(NWNE)	34		SWNE	39	Lot 3(NENW)	37
			Lot 4(NWNW)	37		SWNW	40	SENE	40
			NESW	40		NWSW	40	SWSW	40
			SESW	40		NWSE	38	SWSE	34
									459
		4	Lot 1(NENE)	36	Lot 2(NWNE)	36		SWNE	40
			SENE	38		NESE	40	NWSE	40
			SWSE	40		SESE	40		310

Total number of acres irrigated: 769

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 13 day of September, 1996.

(Signature)

OCT 8 3 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08849

FOR DEPARTMENT USE ONLY

Preliminary check by KJT Fee = \$50.00 Receipted by KJT # C136582 Date 9-12-96

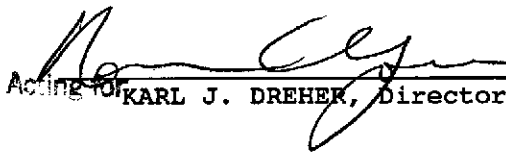
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08849 with the following;

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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
5. Rights 35-02905 and 35-07289 are also diverted at the point of diversion described above.
6. Use of this right with Rights 35-02905 and 35-07289 is limited to a total combined annual diversion volume of 3076.0 af.

Witness my hand this 24TH day of SEPTEMBER, 1996.


Acting for KARL J. DREHER, Director

Idaho Department of Water Resources
OCT 10 1996

RECEIVED
AUG 29 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 35-08849 Telephone No. 524-2189

Name(s) of Permit Holder(s): J.C. Steel

Post Office Address: 1615 W 49 N Idaho Falls, Id. 83402

Source of Water: Ground Water

If ground water, well driller's name: I am third owner and have Date drilled: no idea at least 10 years old

Extent of Use:
Domestic _____ (No. of households) Irrigation 780 (No. of acres) no per. from phone
Stockwater _____ (No. and type of stock) Other _____ 7/15/91

Total rate and/or volume for which proof is submitted 3.40 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: I don't know

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: \$ 175.00 (See License Examination Fee Schedule)

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

J.C. Steel 524-2189
Name Telephone No.

1615 W 49 N Idaho Falls, Id. 83402
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.

NOV 15 1991

27 Aug 91
Date

J.C. Steel Owner
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08849

Proposed Priority: August 25, 1989 Maximum Diversion Rate: 3.90 CFS
This is to certify, that **J. C. STEEL**
1615 W. 49TH N.
IDAHO FALLS, ID 83402
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	3.90 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u> SWSENE Sec. 4, Township 03N, Range 36E BONNEVILLE 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>	
03N	36E	3	NWNE 40	SWNE 40	NENW 40	480	
			NWNW 40	SWNW 40	SENW 40		
			NESW 40	NWSW 40	SWSW 40		
			SESW 40	NWSE 40	SWSE 40		
			4	NENE 39	NWNE 37		SWNE 40
				SENE 40	NESE 40		NWSE 34
		SWSE 30		SESE 40			
						300	

Total number of acres irrigated: 780

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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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SEP 25 1990

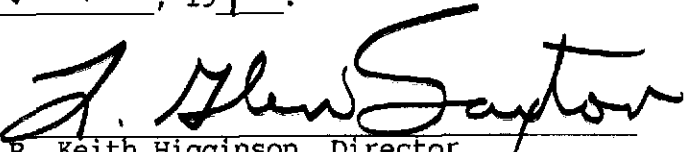
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08849

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

13th day of September, 1990.

for 
R. Keith Higginson, Director

MICROFILMED

SEP 25 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant J. C. Steel Phone 208-527-2189
Post office address 1615 W. 49th North Idaho Falls 83402
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 4 Township 3N Range 36E B.M. Bonanza County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 3.9 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) 3.90 and/or (b) 195
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. _____

- 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 well diameter is 18 inches; proposed depth of well is 450 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).

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SEP 25 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	36E	3		40	40		40	40	40	40	40	40	40	40		40	40		480
		4	39	37	40	40									40	34	20	40	300

Total number of acres to be irrigated 780

10. Describe any other water rights used for the same purposes as described above. 35-02905

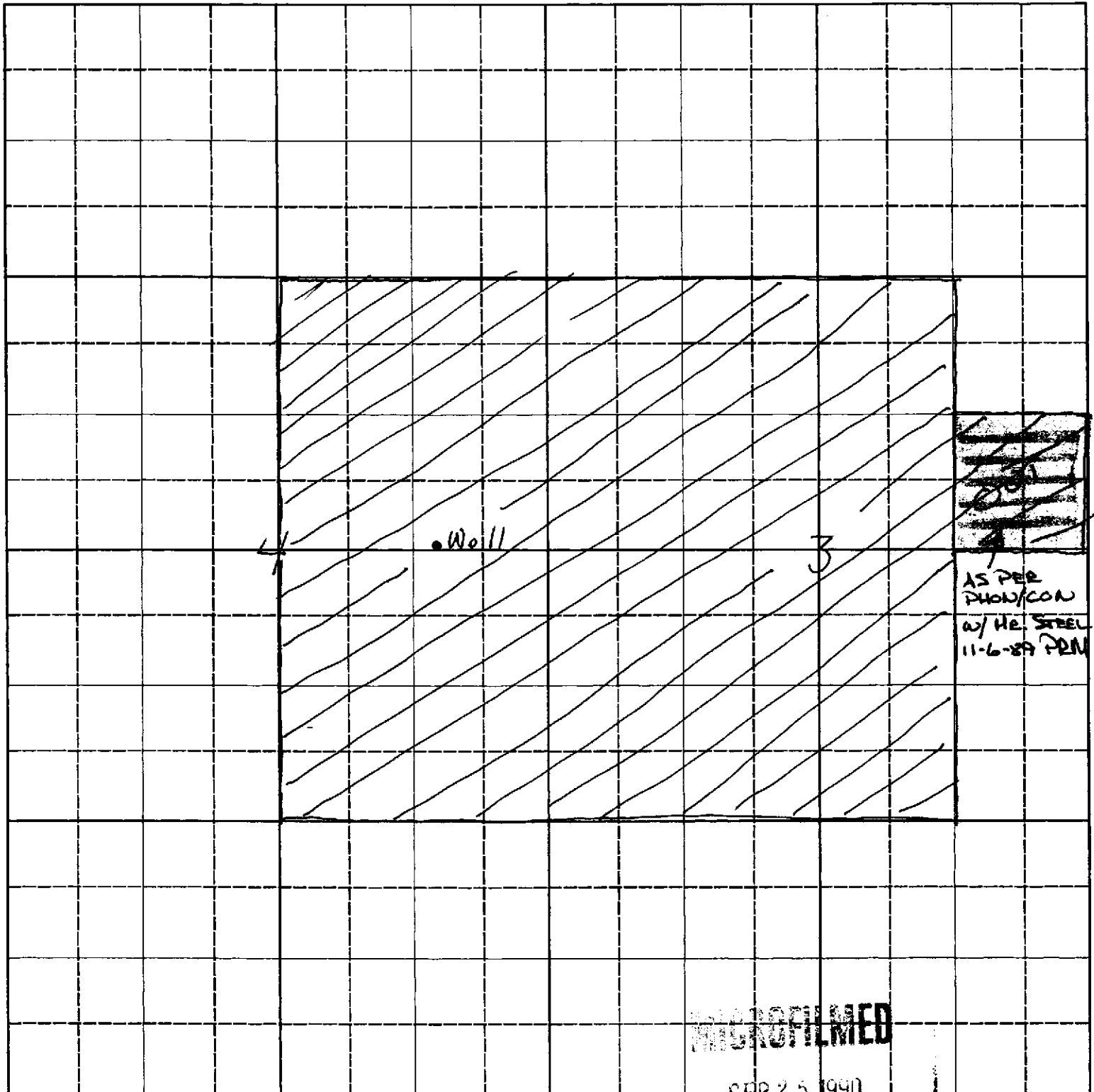
35-07289

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This application is for additional water only, and will bring the total Quantity Appropriated for irrigation to 1" per acre.

RECEIVED
SEP 20 1990

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.

[Signature]
(Applicant)

MICROFILMED

SEP 25 1990

e. Other:

- 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.
- 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.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved _____

Date 12-26-89

Publication prepared by _____

Date 12-7-89 Published in Post-Register

Fee \$ 105.00

Received by B.A.S.

11004025

Date

8/25/89

Received by B.A.S. Date 8/25/89 Time 10:52

Preliminary check by

BAS

SKAAR, KEITH
SKAAR, CHERIE
1826 E. 49TH N.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENW Sec 4 T 02N R 38E
Use: STOCKWATER (.900 CFS)
Date Filed: 9/27/1989
In: T02N R38E S04 NENW
25-07549

LATTA, FRANCIS A.
177 E. 49 S., TOWNSHIP RD.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: SESWSE Sec 31 T 02N R 38E
Use: IRRIGATION (.040 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/27/1989
In: T02N R38E S31 SWSE
2.0 ACRES TOTAL

25-07552
ARNOLD FEED LOT, INC.
3488 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNE Sec 15 T 02N R 38E
Use: STOCKWATER (.150 CFS)
COMMERCIAL (.020 CFS)
DOMESTIC (.080 CFS)
Date Filed: 8/15/1989
In: T02N R38E S15 NWNE
25-07553

SUNNYSIDE ESTATES WATER USERS
C/O MARGARET CONANT
1882 E. SUNNYSIDE
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENENW Sec 33 T 02N R 38E
Use: DOMESTIC (.110 CFS)
Date Filed: 9/27/1989
In: T02N R38E S33 NENW
25-07554

CRM CO.
3004 WESTMORELAND CIRCLE
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNWNE Sec 9 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/08/1989
In: T02N R38E S09 NWNE
25-07555

B & F DISTRIBUTING CO.
1095 IONA RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWSE Sec 5 T 02N R 38E
Use: COMMERCIAL (.080 CFS)
Date Filed: 9/28/1989
In: T02N R38E S05 SWSE
25-07556

DUFFEY, ROMNEY B.
DUFFEY, VICTORIA G.
6990 RIMROCK DR.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENW Sec 29 T 02N R 39E
Use: IRRIGATION (.060 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/18/1989
In: T02N R39E S29 NENW
3.0 ACRES TOTAL

35-08831
JOHNSON, J. WARD
JOHNSON, MARY V.
246 HARTERT DR.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENENW Sec 26 T 02N R 36E
Use: STOCKWATER (.220 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/15/1989
In: T02N R36E S26 NENW
35-08849

STEEL, J. C.

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-07134
DEMITROPOULOS, ALEX
DEMITROPOULOS, ILA
431 3 RD ST.
IDAHO FALLS, ID 83401
Source: PALISADES CREEK; Tributary:
SNAKE RIVER
Diversion Pt: SWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Date Filed: 11/08/1989
In: T01N R44E S26 SWSE
1.0 ACRES TOTAL

23-07141
RUUD, DOUG
P.O. BOX 564
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SENW Sec 25 T 01S R 45E
Use: DOMESTIC (.200 CFS)
Date Filed: 9/29/1989
In: T01S R45E S23 NESE
S24 NESW NWSW SWSW SESW
S25 NENW NWNW SENW NESW
23-07142

QUAKER HAVEN WELL ASSOCIA-
TION
1285 CORINNE
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SENW Sec 25 T 01S R 45E
Use: DOMESTIC (.180 CFS)
Date Filed: 9/07/1989
In: T01S R45E S25 SENW
24-07173

BUDGE, JR., THOMAS A.
P.O. BOX 488
NEW CANAAN, CT 06840
Source: UNNAMED SPRINGS; Tributary:
NEWSWANDER CREEK
Diversion Pt: NWNWNW Sec 16 T 04S R 46E
SESENE Sec 17 T 04S R 46E
Use: DOMESTIC (.040 CFS)
Date Filed: 9/28/1989
In: T04S R46E S16 NWNW

1615 W. 49TH N.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SWSWNE Sec 4 T 03N R 36E
Use: IRRIGATION (3,900 CFS)
Date Filed: 8/25/1989
In: T03N R36E S03 NWNE SWNE NENW
NWNW SWNW SENW NESW NWSW
SWSW SESW NWSE SWSE
S04 NENE NWNE SWNE SENE NESE
NWSE SWSE SESE
780.0 ACRES TOTAL
This is a supplemental water right applica-
tion. Lands under this application are irriga-
ted with existing rights from groundwa-
ter.

35-08853
CUTLER, BEVERLY
CUTLER, MARION L.
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWNWNE Sec 26 T 02N R 37E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.140 CFS)
Date Filed: 8/28/1989
In: T02N R37E S26 NWNE
1.0 ACRES TOTAL

35-08854
AHLSTROM, FARRELL
ANDRUS, JR., DOUG
CHUMLEY, ORVILLE
HARRIELL, LADON
MATHERN, GRETCHEN
MATHERN, RUTH
2361 N. 35TH W.
IDAHO FALLS, ID 83401
Source: GROUNDWATER

Diversion Pt: NESE Sec 9 T 02N R 37E
Use: IRRIGATION (.080 CFS)
DOMESTIC (.080 CFS)
Date Filed: 8/14/1989
In: T02N R37E S09 NESE
4.0 ACRES TOTAL

35-08855
SHURTLIFF, MERLENE
SHURTLIFF, RODNEY
3425 W. APRIL DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWNW Sec 34 T 02N R 37E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)
Date Filed: 9/07/1989
In: T02N R37E S34 NWNW

35-08856
WAGNER, JR., KRISTIE L.
WAGNER, JR., EDWARD P.
331 N. 55TH W.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SESE Sec 18 T 02N R 37E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.110 CFS)
Date Filed: 8/08/1989
In: T02N R37E S18 SESE

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 cri-
teria 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
DECEMBER 26, 1989.

R. Keith Higginson, Director
Published: December 7, 14, 1989

24-07174
CLAUSEN, CHARLES P.
9814 S. CHYLENE DR.
SANDY, UT 84092
Source: UNNAMED SPRING; Tributary:
NEWSWANDER CREEK
Diversion Pt: SESENE Sec 17 T 04S R 46E
Use: DOMESTIC (.040 CFS)
Date Filed: 10/27/1989
In: T04S R46E S16 NWNW
24-07175

SINARSKI, JAMES J.
BOX 183
ALPINE, WY 83128
Source: SPRING; Tributary: NEWS-
WANDER CREEK
Diversion Pt: NWNWNE Sec 16 T 04S R 46E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)
Date Filed: 8/04/1989
In: T04S R46E S16 NWSE
25-07509

GRAYSON SUBDIVISION WATER CO.
C/O ED GRAYSON
P.O. BOX 2511
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NENWNE Sec 10 T 03N R 38E
Use: DOMESTIC (.170 CFS)
IRRIGATION (.060 CFS)
Date Filed: 8/10/1989
In: T03N R38E S10 NENE NWNE
2.0 ACRES TOTAL

25-07513
VERN CLARK & SONS CONSTRUC-
TION CO.
P.O. BOX 1529
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NWNW Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/21/1989
In: T02N R38E S08 NWNW

RECORDED

25 1990



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

September 25, 1996

J C STEEL
1615 W 49TH N
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-08849

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment. Should you have any questions regarding these documents, please contact me.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

OCT 03 1996



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

September 6, 1996

J C STEEL
1615 W 49TH N
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-08849

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

OCT 03 1996

MEMORANDUM

TO: File 35-08849

FROM: Sharla

DATE: August 27, 1996 & September 4, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 35-08849 are based on the following.

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

NESE, S4, T3N, R36E

This legal description has been taken from the "R" records of the overlapping rights. Per a telecon with Ernie from Eastern Region on 9/4/96, NWNESE is the correct legal description for the well. Greg Taylor visited the site on this date and verified the legal.

2. Place of Use:

769 acres total within sections 3 and 4 as recommended for SRBA claim Nos. 35-02905 and 35-07289 which are diverted from the same point of diversion and cover the same lands as the right to be licensed.

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4/1 - 10/31	3.90 cfs	

Previous rights, Nos. 35-02905 and 35-07289 are limited in combination to 6.54 cfs. A theoretical calculation yields a capacity of 10.63 cfs; 35-08849 can be licensed for the permitted rate of 3.90 cfs and a condition limiting the annual volume in combination with the other two rights will be added.

The season of use has been changed to the standard for that area.

Although the examiner made no recommendations on the back page of the exam report, sufficient information was gathered to proceed with licensing. The place of use from the recommended SRBA claims for the earlier rights was followed for licensing of this right.

OCT 03 1996

3 1996



LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08849

DATE 8/27/96

REVIEWER: S H A R L A

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? NO

If not, prepare Notice of Intent to Void NO

POINT OF DIV Change OK

Amendment required NO yes NESE

PLACE OF USE Change OK

Amendment required NO

see adj. claim fee

Does map agree with written description? yes no

OVERLAPS Change OK

RATE OF DIV

Permitted Rate 3.9 cfs

Fee limit 4.0 cfs \$17500

Measured 10.2 cfs

Theoretical 10.63 cfs

35-2905 6.54 769.0 ac. 6.54
35-7289 3.90
10.44

850 x 8.8 x .7 / 400 + (2.31 x 40) = 10.63

Recommended Total Div Rate 3.9 cfs cap. not exceeded

ANNUAL VOLUME/
NATURE OF USES Change OK

Use Dr. Volume Calculation * af
af
af
af
SUBTOTAL af

4/1-10/31

Flow rate 3.9 cfs X 213 days X 1.98 = af

Total volume recommended af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

* af comb w/ 2905 & 7289
3076.0 total

CONDITIONS Change OK

R31 Overlap

R31 Overlap

Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A

Adjustment Memo pld
blanks

1st Amend Letter N/A

2nd Amend Letter N/A

P39, P38
P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 30 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8849

1. Owner: J.C. Steel Phone No. 524-2189

Current Address: 1615 W. 49th N. Idaho Falls, Id. 83402

2. Accompanied by: J.C. Steel EXAM DATE: 7-13-93

Address: Same Phone No. Same

Relationship to Permit Holder: owner

3. Source: Ground Water 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	NE	4	3N	36E	Booneville	USGS Quad Map

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

OCT 03 1996

OCT 03 1996

2. Measurements: operating pressure 40 psi

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
pressure gage	fluid	ashcroft			60 psi	

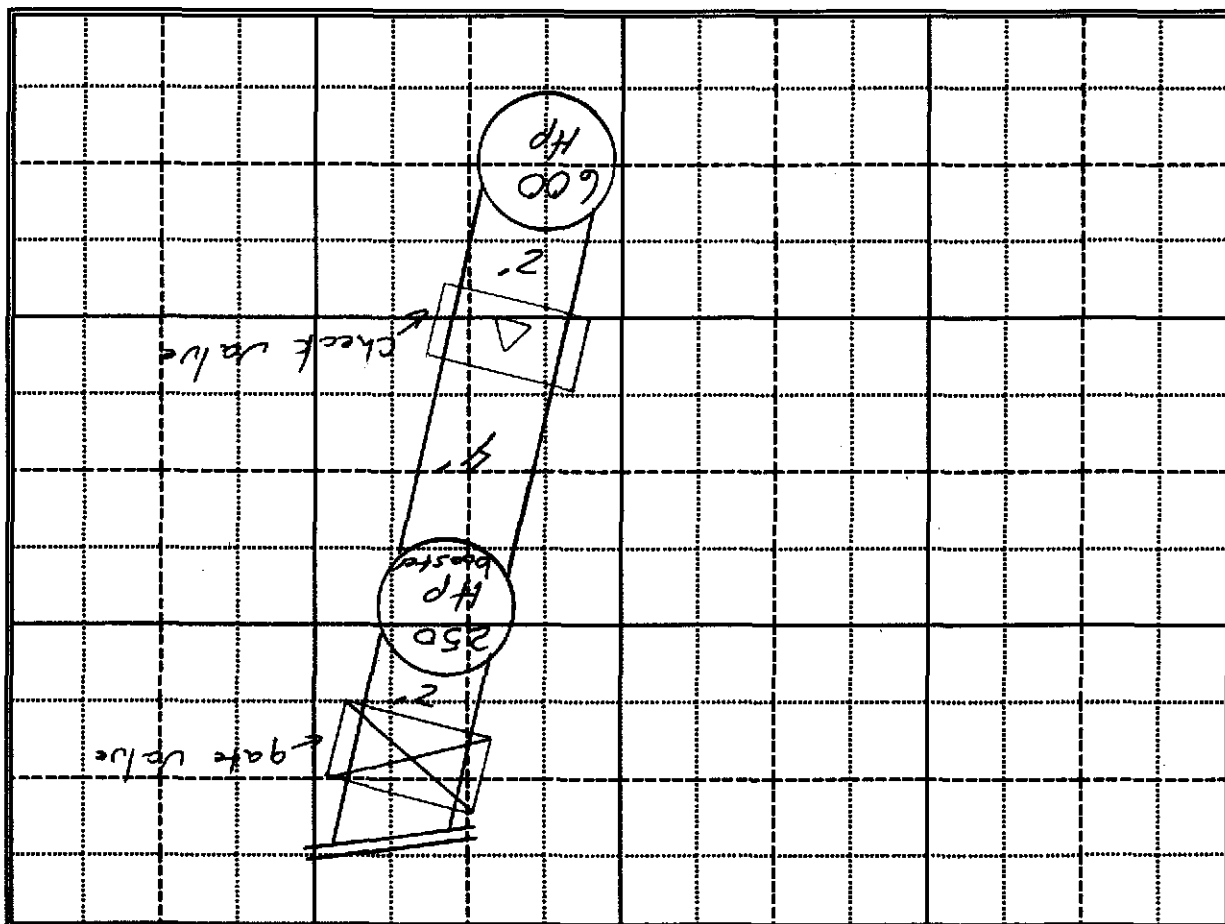
D. FLOW MEASUREMENTS

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

Well or Diversion Identification No. *	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
booster	Westing House	250	1-518147	BS	12" discharge
GE	600	FH5614020	Reelless		12" discharge

4.

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



21

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

E. NARRATIVE/REMARKS/COMMENTS

600 Hp pump to 250 Hp booster to 12"
under ground mainline supplying water to
4 - 10 tower center pivots (900 gpm each),
one 1/2 mile Handline with 64 birds (5 gpm Flow cont.),
two 1/4 mile Handlines with 32 brds (5 gpm Flow control),
and solid set Handlines in corners of
pivots totalling 32 birds each (5 gpm Flow control)

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

OCT 03 1996

Date _____

Reviewer

Field Examiner's Name _____

Date _____

7-13-93

1. AUTHENTICATION

Change P.D. as reflected above

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

2. Recommended Amendments

Totals:

Beneficial Use

From

01

Q (cts)

V (a1a)

Annual Volume

1. Recommended Amounts

H. RECOMMENDATIONS

2. Volume Calculations for Other Uses:

V = Smaller of V_{LR} and V_{DR} .

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

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

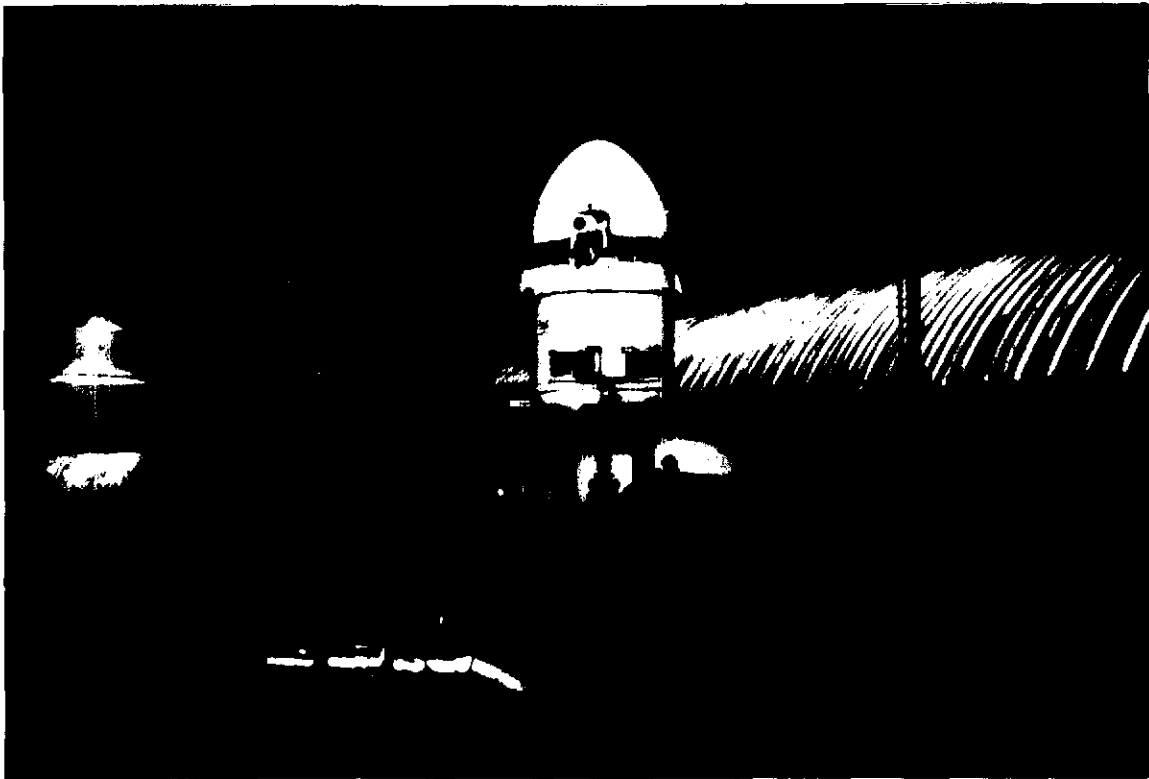
$$\begin{aligned} (4)(900 \text{ gpm per p.u.t.}) &= 3600 \text{ gpm} \\ \text{Hardly} (64 \text{ b.i.d.s})(5 \text{ gpm}) &= 320 \text{ gpm} \\ \text{Hardly} (32 \text{ b.i.d.s})(5 \text{ gpm}) &= 320 \text{ gpm} \\ \text{Normal} (32 \text{ b.i.d.s})(5 \text{ gpm}) &= 320 \text{ gpm} \end{aligned}$$

Additional Computation Sheets Attached

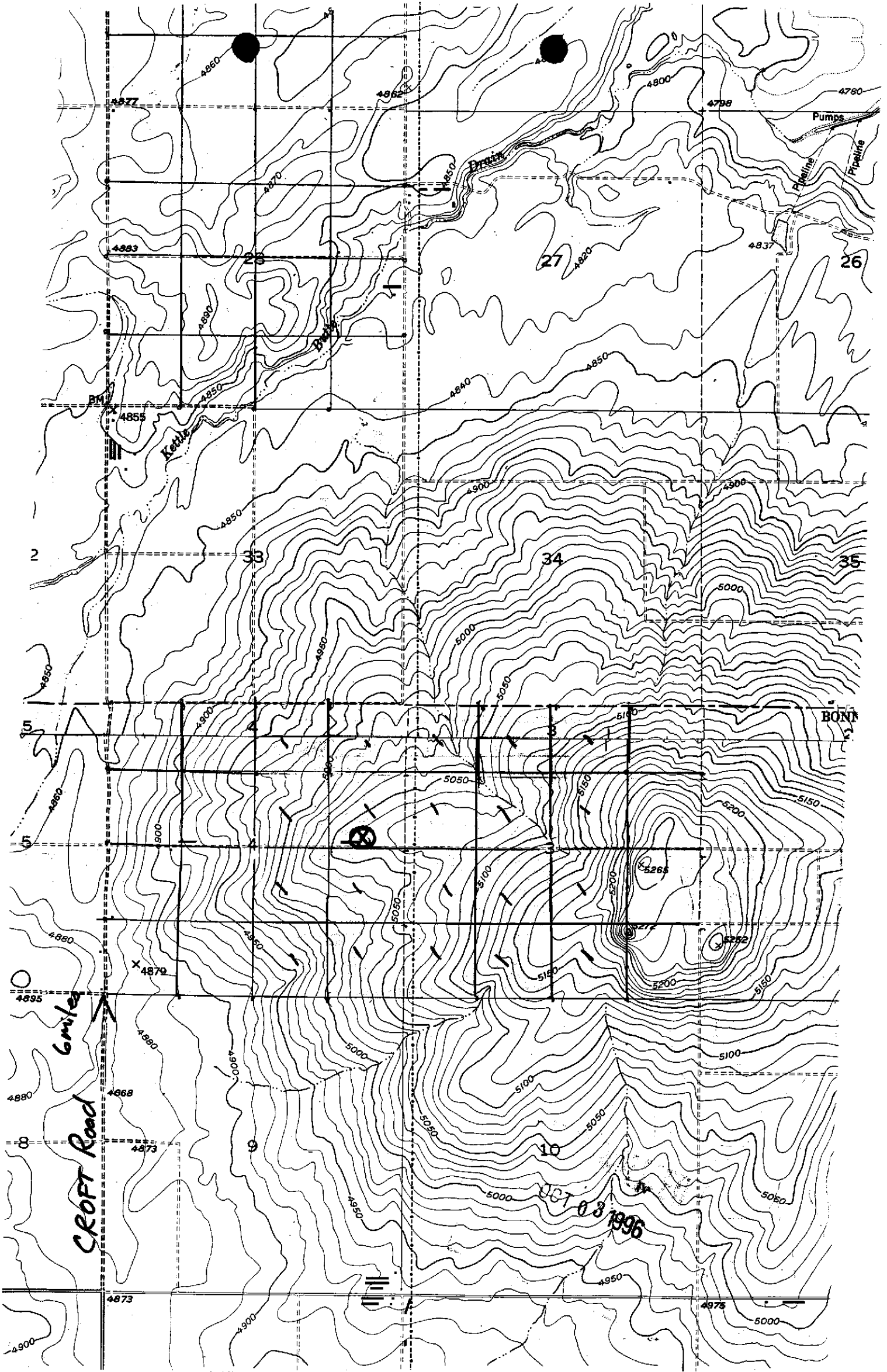
Measured Method:

F. FLOW CALCULATIONS

35-8849



OCT 09 1996



32.33

② 128.9

T 31

③ 55.4

6 E

35-8849

④ 79.5

⑩ 77.2

550
1766

5 HEL

8 9

239
1038

① 48.3

HEL

④ 54.9

HEL

② 102.5

HEL

⑤ 105.4

HEL

③ 203.8

45

⑦ 44.8

03

HEL

October 2, 1991

J. C. STEEL
1615 W. 49TH N.
IDAHO FALLS ID 83402

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08849

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,

Nina Shields
Secretary/Records Manager

c: IDWR - Region

RECEIVED

NOV 15 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 35-8849

Date 9-25-91

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
175.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- yes Measuring device or access port required?
yes Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

needs well dated OK

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>		
	-	
	=	
	+	
	=	

LB

Proof acceptable

138901
July 31, 1991

J. C. STEEL
1615 W. 49TH N.
IDAHO FALLS, ID 83402

PROOF DUE NOTICE

RE: PERMIT NO. 35-08849

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 October 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

NOV 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 13, 1990

J. C. STEEL
1615 W. 49TH N.
IDAHO FALLS, ID 83402

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08849

Dear Permit Holder:

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

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

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

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

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

MICROFILMED

SEP 25 1990

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED

SEP 25 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 35-8449

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 2-22-90

=====

The applicant has requested that this application be processed out of sequence.

Review of the application and attached place of use overlap report shows that this application is made to increase the rate of diversion of an existing licensed right to an inch per acre. Although the point of diversion under the application is different than the licensed right, there is no new appropriation from a different source and no expansion in irrigated acreage.

I recommend that this application be processed out of sequence.
I do not recommend that trust conditions be added to this right.

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SEP 25 1990

02/22/90

PLACE OF USE 1/4 1/4 OVERLAP REPORT

PAGE: 1

WR-NUMBER	NAME	SIG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
3508849	TOEHILL FARMS INC.	L	GROUNDWATER	03N	36E	3	40	:	:	:	:	:	:	:	80
3502861	TOEHILL FARMS INC.	L	GROUNDWATER	03N	36E	3	40	:	:	:	:	:	:	:	40
3507025	SAUER FARMS INC.	L	GROUNDWATER	03N	36E	3	40	40	40	40	40	40	40	40	480
3507289	STEEL	A	GROUNDWATER	03N	36E	3	40	40	40	40	40	40	40	40	480
3508849	1986 MAPPING DATA	-	COUNTY 19 QUAD X	91	03N	36E	3	41	42	40	37	43	44	39	469
3508849	PARKINSON	L	GROUNDWATER	03N	36E	4	:	:	:	:	:	:	:	:	154
3502741	WILDE	L	GROUNDWATER	03N	36E	4	:	:	:	:	:	:	:	:	78
3502761	FARM DEVELOPMENT CORP.	L	GROUNDWATER	03N	36E	4	39	37	40	40	:	:	:	:	300
3502905	WILDE	L	GROUNDWATER	03N	36E	4	:	:	:	:	:	:	:	:	156
3507167	STEEL	A	GROUNDWATER	03N	36E	4	39	37	40	40	:	:	:	:	300
3508849	1986 MAPPING DATA	-	COUNTY 19 QUAD X	91	03N	36E	4	41	40	42	44	41	37	39	480

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SEP 25 1990

PLACE OF USE LOTS OVERLAP REPORT

WR-NUMBER	NE				NW				SW				SE				LOT + SUM
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

3508849 T03N R36E S 3
19 MAPPING: 1L37 2L37 3L39 4L35

148

3508849 T03N R36E S 4
19 MAPPING: 1L38 2L38 3L36 4L38

150

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SEP 25 1990

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Trust Water
Advertise out of
Sequence.
WJ

35-8849

INITIAL REVIEW BY JPM DATE 11-6-89 APPLICATION NUMBER J.C. SteelREQUIRED 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

FEB 13 1990

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 ☐ 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 12-26-89
☐ 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. 01-P05
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 8-25-1989
By HWS Date 1-26-90

STATE OFFICE REVIEW

P05, P23, P03, P16

46 OIG

See below for additional information
By kw Date 2-23-90

ADDITIONAL INFORMATION

App. in TRUST area - Exempt

[illegible]

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	D	SIG	PRIORITY DATE	WATER SOURCE
3			1	4					C	L		
			NE SH		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			NH SH		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SH SH		20.0	01	35-07826	HOWARD TAYLOR & SO	C	L	12/12/1978	GROUNDAFTER
			SE SE		40.0	01	35-07826	HOWARD TAYLOR & SO	C	L	12/12/1978	GROUNDAFTER
			NE NE		39.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			NH SE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SH SE		40.0	01	35-07826	HOWARD TAYLOR & SO	C	L	12/12/1978	GROUNDAFTER
			NE NE		40.0	01	35-07826	TOPHILL FARMS INC.	C	L	05/14/1968	GROUNDAFTER
			SAUER FARMS INC.						C			
			SE NE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SAUER FARMS INC.						C			
			SE NE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SAUER FARMS INC.						C			
			SE NE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SAUER FARMS INC.						C			
			SE NE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SAUER FARMS INC.						C			
			SE NE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
			SAUER FARMS INC.						C			
			SE NE		40.0	01	35-02861	TOPHILL FARMS INC.	C	L	02/01/1967	GROUNDAFTER
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			SAUER FARMS INC.						C			
			SE NE									

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SEP 25 1990

4,5,3,1,3 There is no well within $\frac{1}{2}$ mi. of my well.

4,5,3,2,1 we will be using 1950 acre ft. of water over the year.

4,5,3,2,2 This is unknown at this time. There is no supplemental water sources at this time.

SEP 25 1990

4,5,3,4,2 Not newly developed has been in production.

R&R info

614 D312
T857

350 D19
T766

Jefferson County Line

33 34
4 3

② 30.2

① 246.4

766 E 344
T1038

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34	35
3	2

⑦ 294.8

① 150.8

④ 229.2

② 88.0

③ 72.5

⑤ 235.5

695 D267
T838

⑥ 66.5

⑦ 29.1

4 3
9 10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant J. C. Steel Phone 208-527-2189

Post office address 1615 W. 49th North Idaho Falls 83402

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

3. Location of point of diversion is SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____

Sec. 4 Township 3N Range 36E B.M. Bonsenville County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.9 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) 3.90 and/or (b) 795
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

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 well diameter is 18 inches; proposed depth of well is 450 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).

SEP 25 1986

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	36E	3		40	40		40	40	40	40	40	40	40	40		40	40		480
		4	39	37	40	40									40	34	20	40	300

Total number of acres to be irrigated 780

SEP 25 1990

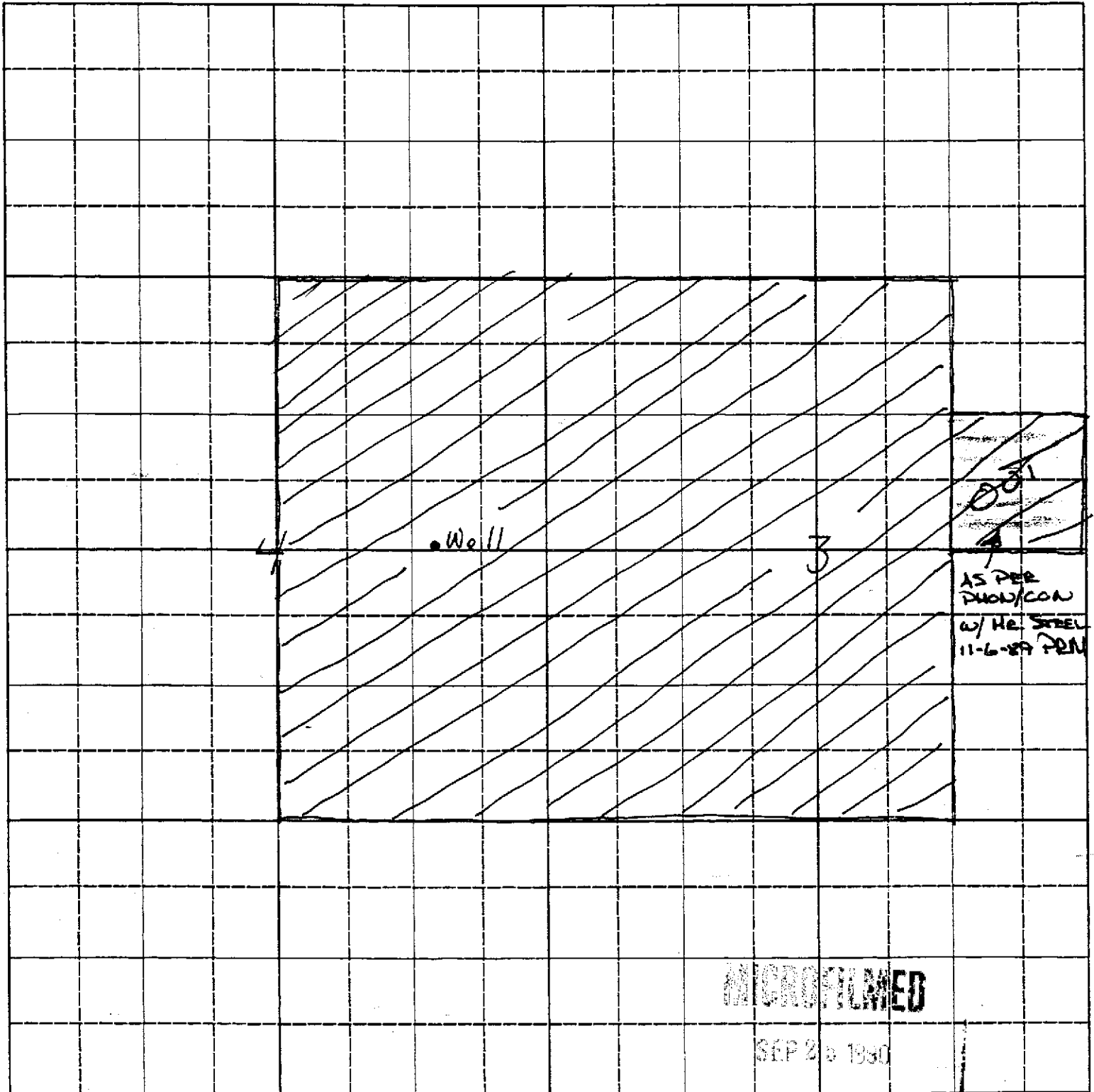
10. Describe any other water rights used for the same purposes as described above. 35-02905

35-07289

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This application is for additional water only, and will bring the total quantity appropriated for irrigation to 1" per acre.

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.

[Signature]
(Applicant)

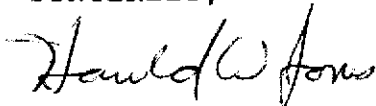
DEC.27, 1989

J.C. STEEL
1615 W. 49 TH NORTH
IDAHO FALLS, ID 83402

DEAR MR. STEEL:

WE ARE CURRENTLY PROCESSING YOUR APPLICATIONS 35-08849
FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS
200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS
ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE.
PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF
YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE
ME A CALL AT 525-7161.

SINCERELY,



HAROLD W. JONES
WATER RESOURCE SUPERVISOR

ENCLOSURE

SEP 25 1990

which to submit the information upon request by the applicant and upon a showing of good cause.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late. The director will provide opportunity for hearing as provided in Section 42-1701A, Idaho Code.

- 4,5,2. For protested applications or protested permits being reprocessed, the information required by Rule 4,5,3. may be requested by the director to be submitted within 30 days after notification by the director, may be made a part of the record of the hearing held to consider the protest, or may be made available in accordance with any pre-hearing discovery procedures.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late.

- 4,5,3. Information to be submitted

The following information shall be submitted for applications to appropriate unappropriated water or trust water and for permits being reprocessed for trust water. The additional information submittal requirements of this rule are waived for filings which seek to appropriate five (5) cfs or less or storage of five hundred acre-feet (500 A-F) or less and for filings seeking reallocation of trust water which the director determines will reduce the flow of the Snake River measured at Murphy Gauge by not more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. However, the director may specifically request submittal of any of the following information for any filing, as he determines necessary.

- 4,5,3,1. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

- 4,5,3,1,1. For applications appropriating springs or surface streams with 5 or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

- 4,5,3,1,2. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all

existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

- 4,5,3,1,3. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.
- 4,5,3,2. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:
 - 4,5,3,2,1. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.
 - 4,5,3,2,2. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for ground-water sources, and information on other sources of supply that may be used to supplement the applied for water source.
- 4,5,3,3. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:
 - 4,5,3,3,1. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.
 - 4,5,3,3,2. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.
- 4,5,3,4. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:
 - 4,5,3,4,1. The applicant shall submit a ~~current~~ financial statement certified to show the accuracy of the information contained

SEP 25 1990

Bolder West

46 Gal. / 25 lines / 32 nozzles 4-3203

therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

- 4,5,3,4,2. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.
- 4,5,3,5. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:
 - 4,5,3,5,1. The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.
 - 4,5,3,6. The following information Relative to the Public Interest Criteria of Section 42-203C(2), Idaho Code, shall be submitted by an applicant seeking reallocation of trust water for a project which the director determines will reduce the flow of the Snake River by more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. The director may request any or all of the following information for any filing seeking the reallocation of trust water.
 - 4,5,3,6,1. A project design and estimate of cost of development shall be submitted. For applications appropriating more than 25 cfs, or 10,000 AF of storage, or generating more than 5 megawatts, the information shall be prepared and submitted by a qualified engineer licensed under the provisions of Chapter 12, Title 54, Idaho Code, unless waived by the director. The design shall be definite enough to reflect the project's impacts and implications as required in subsequent rules.
 - 4,5,3,6,2. If the project proposes development for irrigation purposes, information shall be submitted on crop rotation, including acreages, for lands when newly developed.
 - 4,5,3,6,3. Information shall be submitted concerning the number and kinds of jobs that will be created or eliminated as a direct result of project development including both the

DEC.27, 1989

J.C. STEEL
1615 W. 49 TH NORTH
IDAHO FALLS, ID 83402

DEAR MR. STEEL:

WE ARE CURRENTLY PROCESSING YOUR APPLICATIONS 35-08849
FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS
200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS
ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE.
PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF
YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE
ME A CALL AT 525-7161.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

RECEIVED
SEP 28 1989

29-Nov-1989

J. C. Steel
1615 W. 49th N.
Idaho Falls, ID 83402

RE: Application for Permit No. 35-8849

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 Post-Register. 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

NOV 29 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1989

THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

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 DECEMBER 26, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

SEP 26 1990

35-08849

STEEL, J. C.
1615 W. 49TH N.
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt: SWSENE Sec 4 T 03N R 36E

Use: IRRIGATION (3.900 CFS)

Date Filed: 8/25/1989

In: T03N R36E S03	NWNE	SWNE	NENW	NWNW
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NWSE	SWSE
S04	NENE	NWNE	SWNE	SENE
	NESE	NWSE	SWSE	SESE

780.0 ACRES TOTAL

This is a supplemental water right application. Lands under this application are irrigated with existing rights from groundwater.

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 DECEMBER 26, 1989.

R. Keith Higginson, Director

Published 12/07/1989 & 12/14/1989

RECEIVED

SEP 25 1989