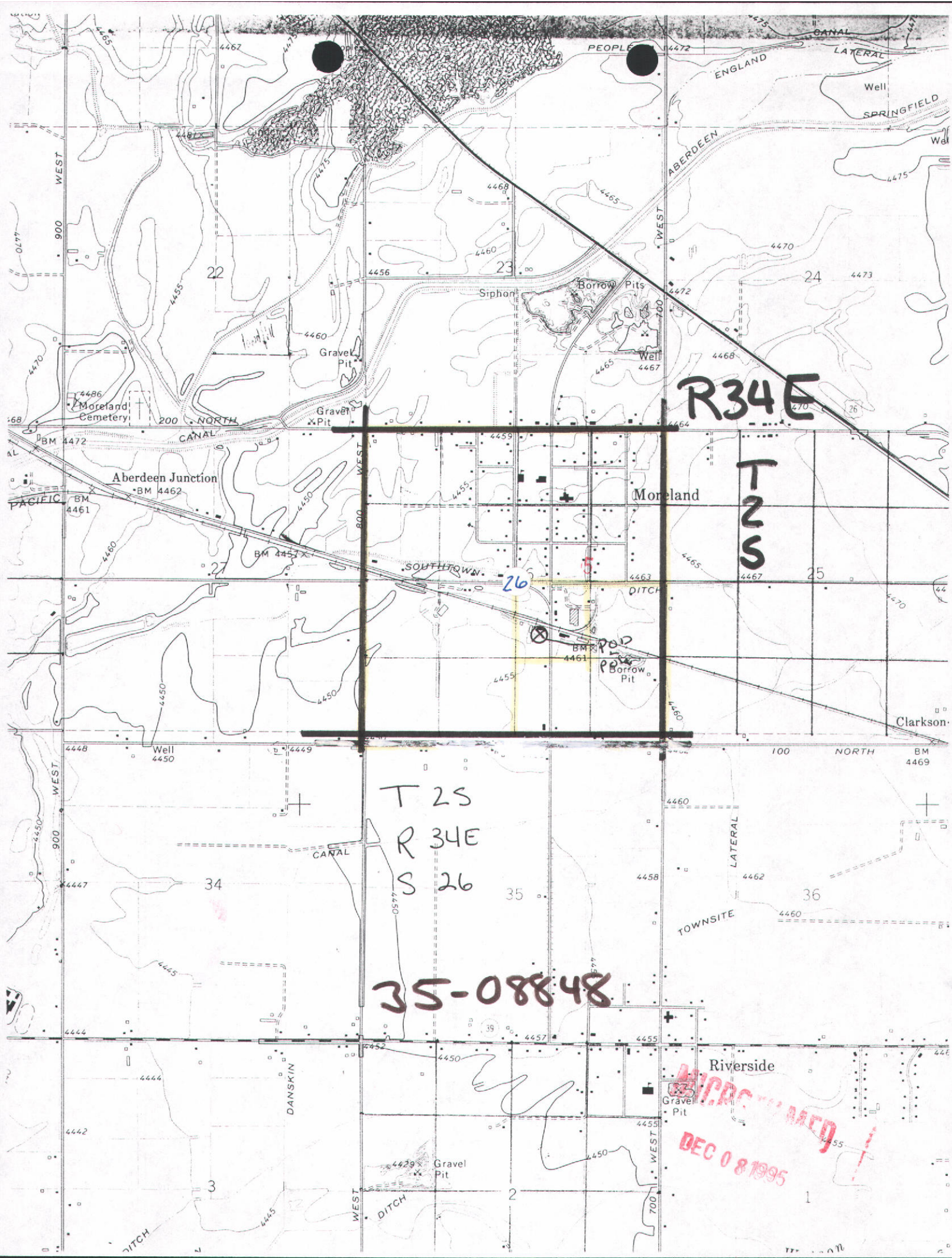




35-8848



35-8848

MICROFILMED

DEC 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08848

Priority: November 6, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that EVANS GRAIN & ELEVATOR CO
PO BOX 515

RUPERT ID 83350-0515

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 6, 1989; and has submitted Proof of Beneficial Use on March 12, 1990. An examination indicates that the works have a diversion capacity of 0.040 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>
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 26, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 26

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Commercial use is for an office and shop at a grain elevator.

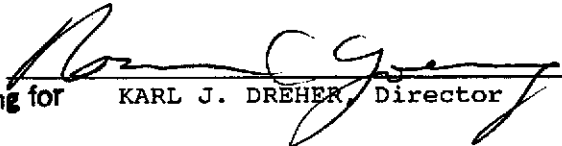
DEC 08 1995

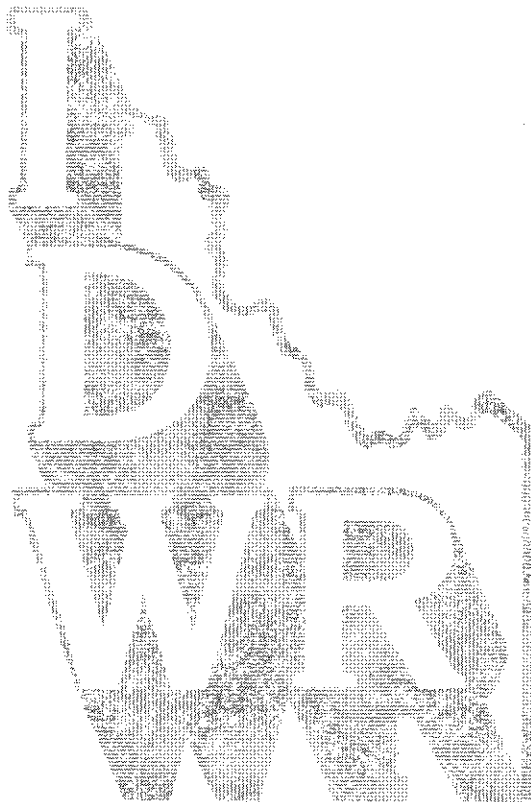
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08848

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 17TH
day of NOVEMBER, 19 75.


Acting for KARL J. DREHER, Director



RECEIVED

DEC 08 1995

08/89

RECEIVED

MAR 12 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$ 50.00

Date 3/13/90

Receipt No. 2015507

Received by C. Wong

APR 3-21-90

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. P 35-08848 Telephone No. 208-436-0400

Name(s) of Permit Holder(s): Evans Grain & Elevator Co.

Post Office Address: P.O. Box 515 Rupert Id 83350.

Source of Water: Groundwater.

If ground water, well driller's name: Independent Well Drilling Date drilled: June 1983

Extent of Use:

Domestic ~~3~~ (No. of households)

Irrigation (No. of acres)

Stockwater (No. and type of stock)

Other X GRAIN
COMMERCIAL USE - Elevator

Total rate and/or volume for which proof is submitted .20 cfs 20 acre/feet

Show date water was first diverted and beneficially used under this permit: June 1983

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:

John Smith 684-4460
Name Telephone No.

740 West 138 NORTH, More LAND, Id 83256
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.

APR 17 1990

2-20-90
Date

Alan Johnson - agent for Evans Grain Co.
Signature (and title if on behalf of a company or organization)

MICROFILMED

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08848

Proposed Priority: November 6, 1989 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **EVANS GRAIN & ELEVATOR CO.**
P.O. BOX 515
RUPERT, ID 83350

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>
COMMERCIAL	01/01 to 12/31	0.20 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u> SWNWSE Sec. 26, Township 02S, Range 34E BINGHAM County		

PLACE OF USE: COMMERCIAL

TWN RGE SEC

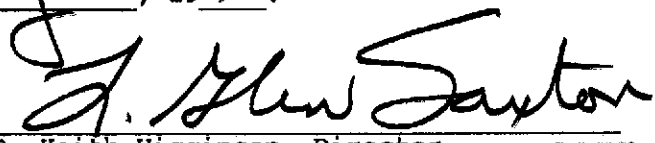
02S 34E 26 NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 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. Commercial use is for grain elevator.

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 February, 1990.

for 
R. Keith Higginson, Director
MICROFILMED

MAR 06 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 Evans Grain & Elevator Co. Phone 436-0400
Post office address P.O. Box 515, Rupert, ID 83350
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 2S Range 34E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .20 for commercial purposes from 1-1 to 12-31 (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) .20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. pump & well
 - 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 8 inches; proposed depth of well is 100 feet.
existing _____
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

MAR 06 1990

SECRET

applicant to make this filing.

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

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

10. Describe any other water rights used for the same purposes as described above. none

Total number of acres to be irrigated.

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other; describe fully. commercial - grain elevator

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

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

T2S, R34E,

26
Q

4
N

MAR 06 1990

E. J. G. Co. & John Johnson
(Applicant)
by Kip C. Anderson, Asst. Sec. Treas.

RECORDED

MAR 06 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

Received by MB Date 11-7-89 Time 3:00p Preliminary check by _____
Fee \$ 30.00 Received by MB Date 11/6/89 # 5010369 Date 11/6/89
Publication prepared by RB Date 12-7-89 Published in Morning News
Publication approved OK Date 1-8-90

OFFICERS OF EVANS GRAIN & ELEVATOR

PRES.: ROBERT P. EVANS

VICE PRES / SEC.: RICHARD SCHRECK

ASST. SEC. PRES.: K. A. ARDEN

AS PER PHON/CON WITH K. A. ARDEN 11-15-89 JRM

MICROFILMED

MAR 06 1990

Retyped

RECEIVED
Form 302
6/88

35-8848

Ident. No. _____

NOV 6 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Department of Water Resources

Southern Region To appropriate the public waters of the State of Idaho

1. Name of applicant EVANS GRAIN & Elevator Co. Phone 436-0400Post office address P.O. Box 515 Rupert Idaho 833502. Source of water supply GROUND WATER which is a tributary of _____3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____Sec. 26 Township 2 South Range 34 East B.M. Bingham County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .20 for COMMERCIAL 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)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) .20 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump + well

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. 1 EXISTING Proposed well diameter is 8 inches; proposed depth of well is 100 feet. AS PER PHON/CON WITH JOHN SMITH 11-15-89 PEMd. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 year years (minimum 1 year).

MICROFILMED

MAR 06 1990

MAR 06 1994

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application has been filed
to appropriate the public waters of the State of
Idaho:

25-07550

SHEEP MOUNTAIN PARTNERSHIP
P.O. Box 42755
Las Vegas, NV 89116
Source: SPRING
Tributary: WILLOW CREEK
Diversion Pt: NWSWNW, Sec. 3, T. 03S, R.
41E.
Use: STOCKWATER (.030 CFS).
Date Filed: 10/16/1989.
In: T03S, R41E, S03, SWNW.

25-07551

SHEEP MOUNTAIN PARTNERSHIP
P.O. Box 42755
Las Vegas, NV 89116
Source: SPRING
Tributary: HOMER CREEK
Diversion Pt: SWNESW, Sec. 14, T. 03S, R.
41E.
Use: STOCKWATER (.030 CFS).
Date Filed: 10/16/1989.
In: T03S, R41E, S14, NESW.

35-08134

THOMPSON, Melvin
THOMPSON, Lois
Rt. 5, Box 116
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: NWSW, Sec. 4, T. 02S, R.
33E.
Use: IRRIGATION (1.470 CFS).
Date Filed: 4/26/1983.
In: T02S, R33E, S04, SWNW, SENW,
NESW, NWSW, SWSW, SESW.
198.0 ACRES TOTAL.

35-08848

EVANS GRAIN & ELEVATOR CO.
P.O. Box 515
Rupert, Id. 83350
Source: GROUNDWATER
Diversion Pt: SWNWSE, Sec. 26, T. 02S, R.
34E.
Use: COMMERCIAL (.200 CFS).
Date Filed: 11/06/1989.
In: T02S, R34E, S26, NWSE.

35-08850

ROBISON, Anne C.
ROBISON, Thomas D.
P.O. Box 716
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: SWNE, Sec. 23, T. 02S, R.
35E.
Use: IRRIGATION (.090 CFS).
DOMESTIC (.040 CFS).
Date Filed: 5/09/1989.
In: T02S, R35E, S23, SWNE.
3.0 ACRES TOTAL.

35-08851

PETERSON, Jerry B.
PETERSON, Marilyn
68 W. 215 N. Crestwood
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SESW, Sec. 24, T. 02S, R.
35E.
Use: IRRIGATION (.040 CFS).
DOMESTIC (.040 CFS).
Date Filed: 10/26/1989.
In: T02S, R35E, S24, SESW.
2.0 ACRES TOTAL.

RECEIVED

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Ted Townsend do
solemnly

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

newspaper two consecutive weeks,

the first publication having been made on the

7th day of December, 1989;

and the last publication having been made on the
14th day of December, 1989,
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 29th day of December, in
the year 1989 before me a Notary Public of said State,
personally appeared

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

[Signature]
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing fee..... \$5.00

RECORDED

MAR 06 1990

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-



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

November 20, 1995

EVANS GRAIN & ELEVATOR CO
PO BOX 515
RUPERT ID 833500515

RE: WATER RIGHT NO. 35-08848

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,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

DEC 08 1995

B/U FIELD EXAM REVIEW
Cindy Zimmerman

Permit #: 35-8848 Name: Evans Grain & Elevator Co Date: 11/17/95
App Rcd 9/6/89 Priority 9/6/89 Examined 5/27/93 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change? ROCH - NO ASSN.

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

P/D — ✓ Amendment Needed? SW NWSE -P39, P38
Overlap(s) —

P/U — ✓ Amendment Needed? — -P41, P38
Overlap(s) —
*P/D & P/U Amend? P37, P38
(See paragraph list for governmental agencies.)

RATE — ✓ Permit/fee limits 0.2 / 0.2
— — Measured Q= — cfs/Theoretical Q= 0.04 cfs

— ✓ Recommended capacity 0.04 cfs
— ✓ Recommended rate 0.04 cfs

VOLUME — ✓ Season of Use: (— / —) 1/1-12/31 = 365 days
Calculations: demonstrated = 1.2
Flow limit: 0.04 x 365 x 1.9835 = 29.0 AF
— ✓ Recommended volume 1.2 AF

USES — ✓ Same Nature of Use? — -P46
— — Amendment Needed? —

REMARKS — Multiple p/d's in 1/4? —
✓ Comm / office & shop

CONDITIONS — Measuring (R01)/Locking (R02) Devices —
— Watermaster Control (R04) - WD # —
— Irrigation rate/volume overlap —
— Irrigation water overlap (065) (If gw use sw) —
— Water Quality —
— Other —

PRIORITY Due 3/1/91 Rc'd 3/13/90 Receipt# CO15507 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? —
If Yes, Advanced? Yes/No to: —

COMMENTS: —

USE	CFS	DIV VOL	Adjustment Memo
<u>Comm</u>	<u>0.04</u>	<u>1.2</u>	<u>—</u>
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TOTAL</u>	<u>0.04</u>	<u>1.2</u>	<u>—</u>

LICENSE: P49
#1 AMEND LTR: P46 or P39/P41/P37 & P38
#2 AMEND LTR: P42/P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 01 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8848

1. Owner: Koch Agri Services Phone No. 1-800-362-3561

Current Address: P.O. 511 Rupert Ida. 83350

2. Accompanied by: John Smith EXAM DATE: 5-27-93

Address: Same Phone No. 684-4460

Relationship to Permit Holder: Manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: NONE

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
		SW	NW	SE	26	2S	34E	Bingham	USGS Quad map

2. Place(s) of Use:

Indicate Method of Determination USGS Quad

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	34E	26																	

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FEB 08 1995

2. Measurements: operating pressure 32 psi
approximate pumping depth 25'

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure 999e	Fluor	Fluor			100 psi	

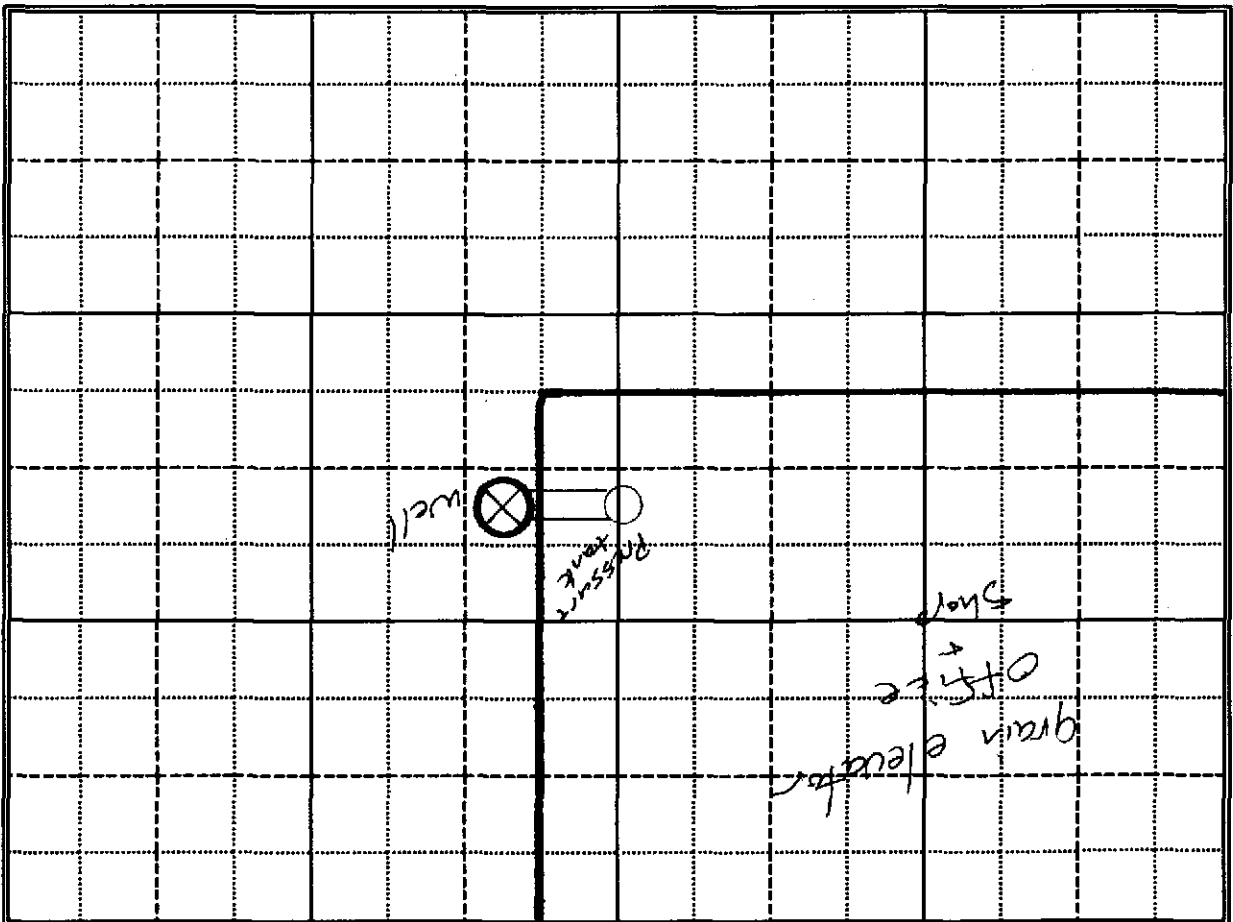
D. FLOW MEASUREMENTS

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

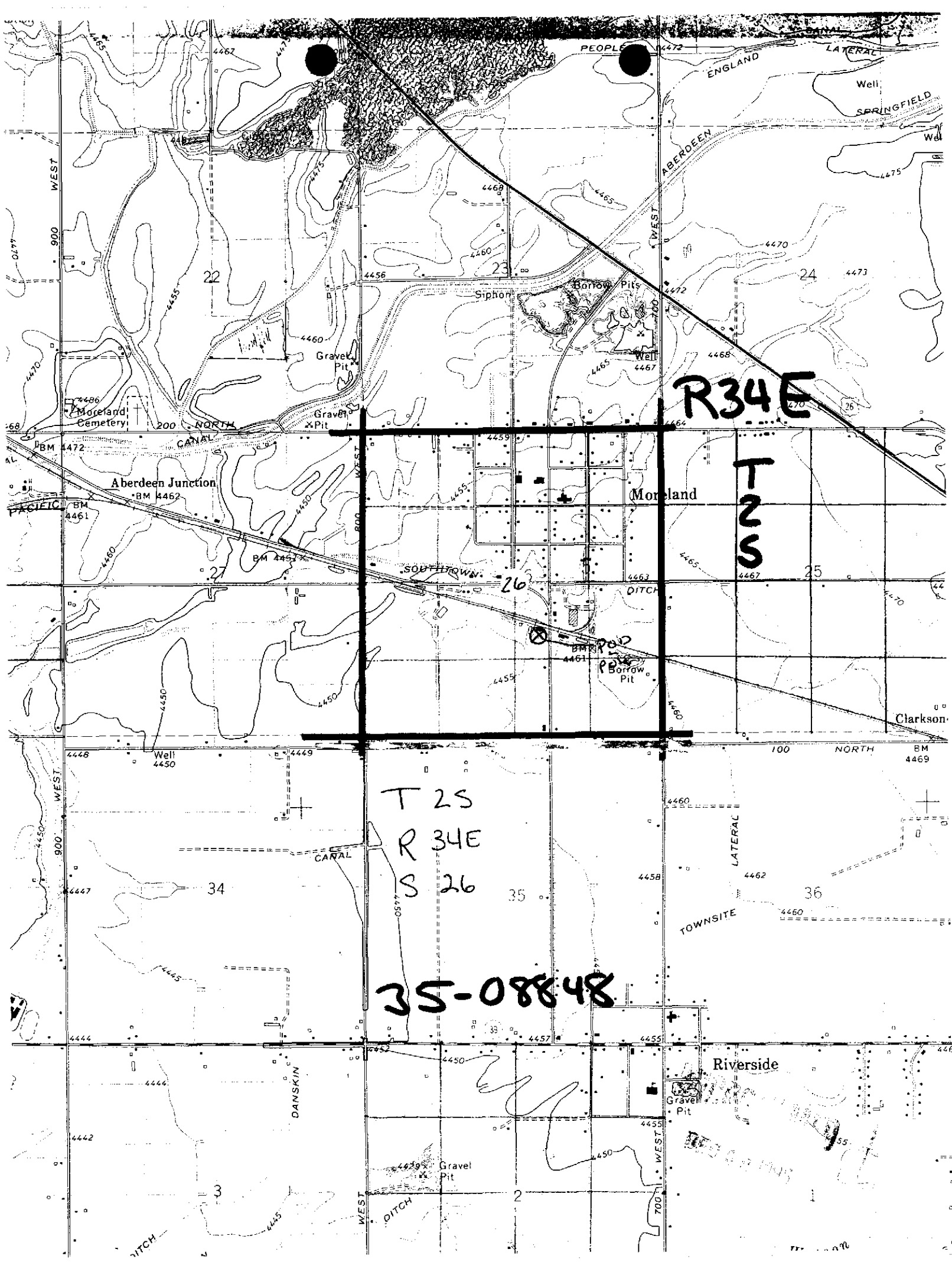
Well or Diversion Identification No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Sta - R50 1/2	1782	1782	1782	1782	1" discharge

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



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



35-8848



35-8848

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E. NARRATIVE/REMARKS/COMMENTS

1/2 Hp submersible pump to 1" water line
supplying water for culinary use in
shop and office.

1) more information needed to calculate volume for
commercial use Allow 12 afw

2) diversion rate computation done at 70% pump
efficiency

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

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DEC 08 1995

Measured Method:

Additional Computation Sheets Attached

$$\frac{(208.2)(25) + 52}{(6)(14.8)(5)} = 0$$

G. VOLUME CALCULATIONS

$$Q = \frac{(2.5)(8.814)(.7)}{25 + (32)(.308)} = 0.038$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

2. Volume Calculations for Other Uses:

$$21 \times 10 = 210$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From Period of Use To	Rate of Diversion Q (cfs)	V (ata) Annual Volume
Commercial	01-01 12-31	~~0.04~~ 0.04 cfs	1.2
Totals:		~~0.04~~ 0.04 cfs	1.2 cfs

2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

____ Add P.D. as reflected above
____ Add P.U. as reflected above

☒	Other	See remarks
☐	None	

I. AUTHENTICATION

Field Examiner's Name _____

Date 5-27-93

Reviewer

Date _____

SEAL

REC 080350

April 13, 1990

EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08848

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

MICROFILMED

APR 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, ID 83350

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08848

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

MICROFILMED

MAR 06 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,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MINUTEMAN

MAR 06 1990

29-Nov-1989

Evans Grain & Elevator Co.
P.O. Box 515
Rupert, ID 83350

RE: Application for Permit No. 35-8848

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right Permit. This office is currently in the process of advertising the application in the Morning News. 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

MICROFILMED

MAR 06 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

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.

MICROFILMED

MAR 06 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

MAR 06 1980

35-08848

EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SWNWSE Sec 26 T 02S R 34E

Use: COMMERCIAL (.200 CFS)

Date Filed: 11/06/1989

In: T02S R34E S26 NWSE

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MAR 06 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 DECEMBER 26, 1989.

R. Keith Higginson, Director

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

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MAR 06 1990