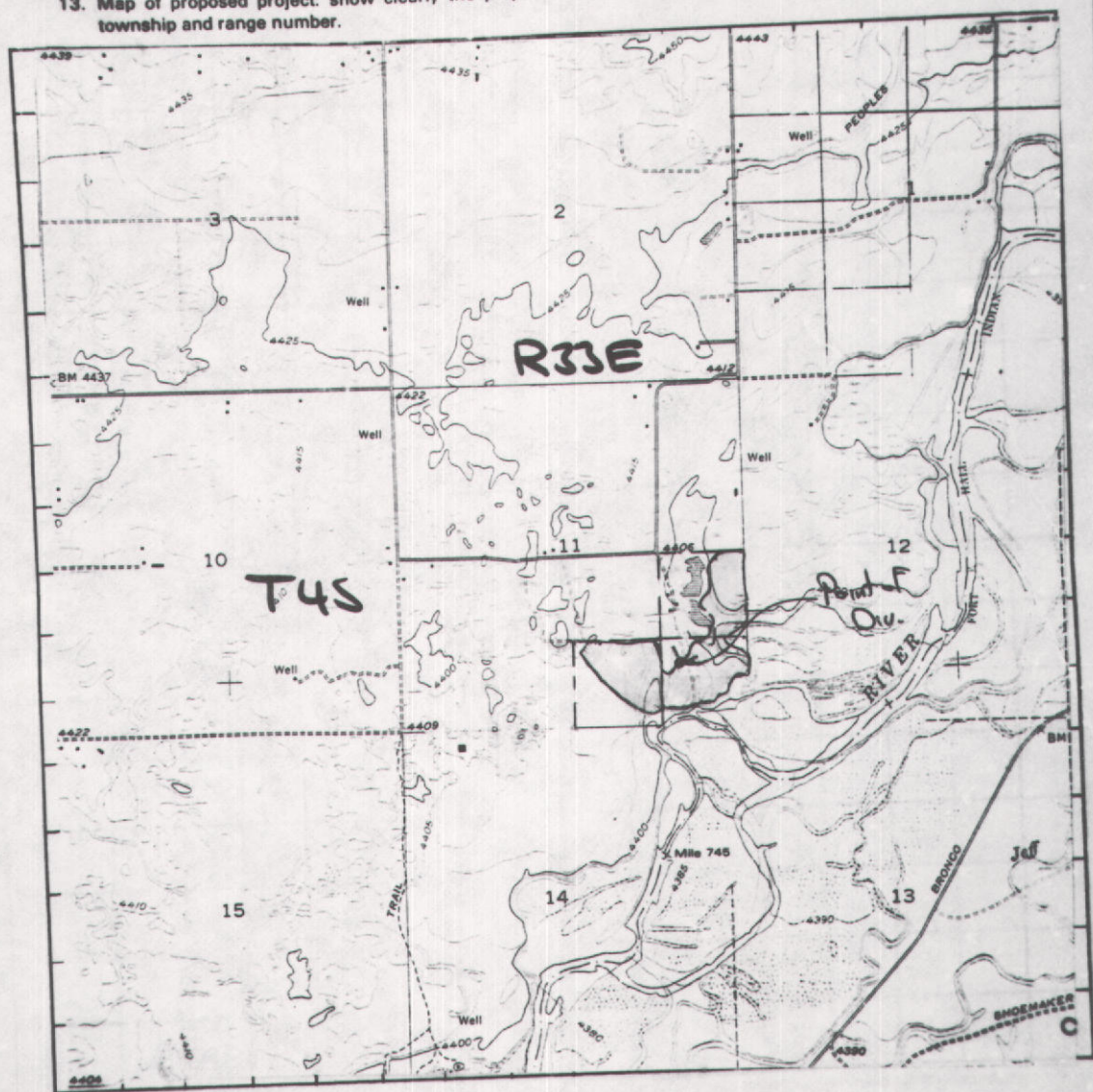


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

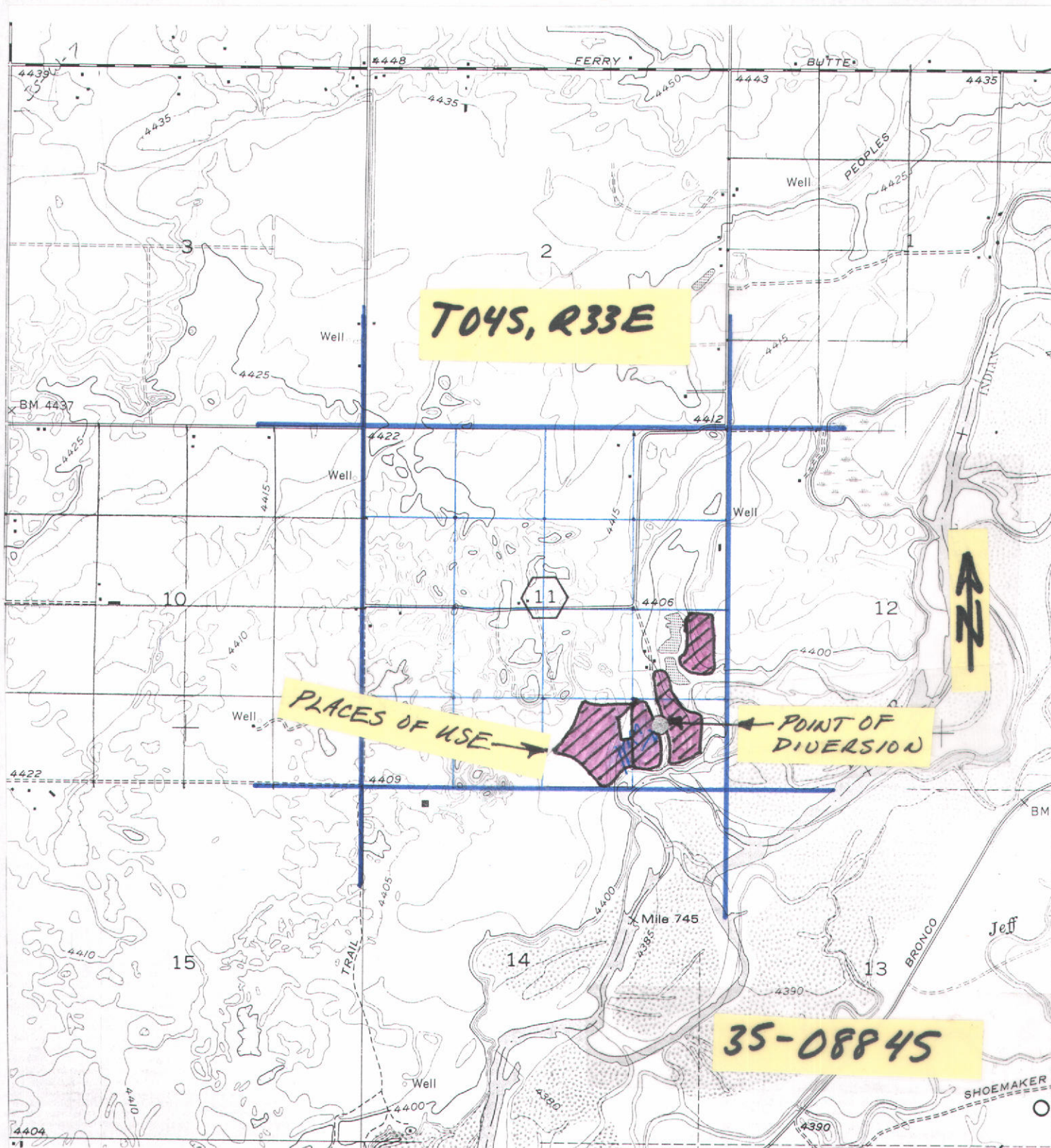


Scale: 2 inches equal 1 mile.

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.

Ralph Henderson
(Applicant)

no 70



MICROFILMED

JAN 09 2002

THOMPSON FARMS
IRRIGATION

1 of 5



VIEW OF
75 HP MOTOR
WELL

POINT OF
DIVERSION



VIEW NORTH
PLACE OF
USE

MICROFILMED
JAN 09 2002

PERMIT
NUMBER

35-08845

THOMPSON FARMS

IRRIGATION

215

PLACE OF
USE

VIEW
SOUTH EAST



VIEW EAST

PLACE OF
USE



MICROFILMED
JAN 09 2002

PERMIT
NUMBER

35-08845

THOMPSON FARMS

IRRIGATION

3.15



VIEW
SOUTHEAST
PLACE OF
USE



VIEW SOUTH
PLACE OF
USE

MICROFILMED

JAN 09 2002

PERMIT
NUMBER

35-08845

THOMPSON FALKS

IRRIGATION

4/5



VIEW SOUTH
PLACE OF
USE



←
NON-IRRIGATED



VIEW
SOUTH WEST
PLACE OF
USE



←
NON-IRRIGATED

MICROFILMED

JAN 09 2002

PERMIT
NUMBER

35-08845

THOMPSON FARMS

IRRIGATION



S/S

VIEW
SOUTH WEST

PLACE OF
USE



← NON-
IRRIGATED



VIEW WEST
PLACE OF
USE

CATTLE PEO
NOT
IRRIGATED



MICROFILMED PERMIT
JAN 09 2002 NUMBER

35-08845

Range N. 35 East of the Boise Meridian, Idaho

E. .d D C' b a A

N. 89° 52' W.



MICROFILMED

JAN 09 2002

35-08845

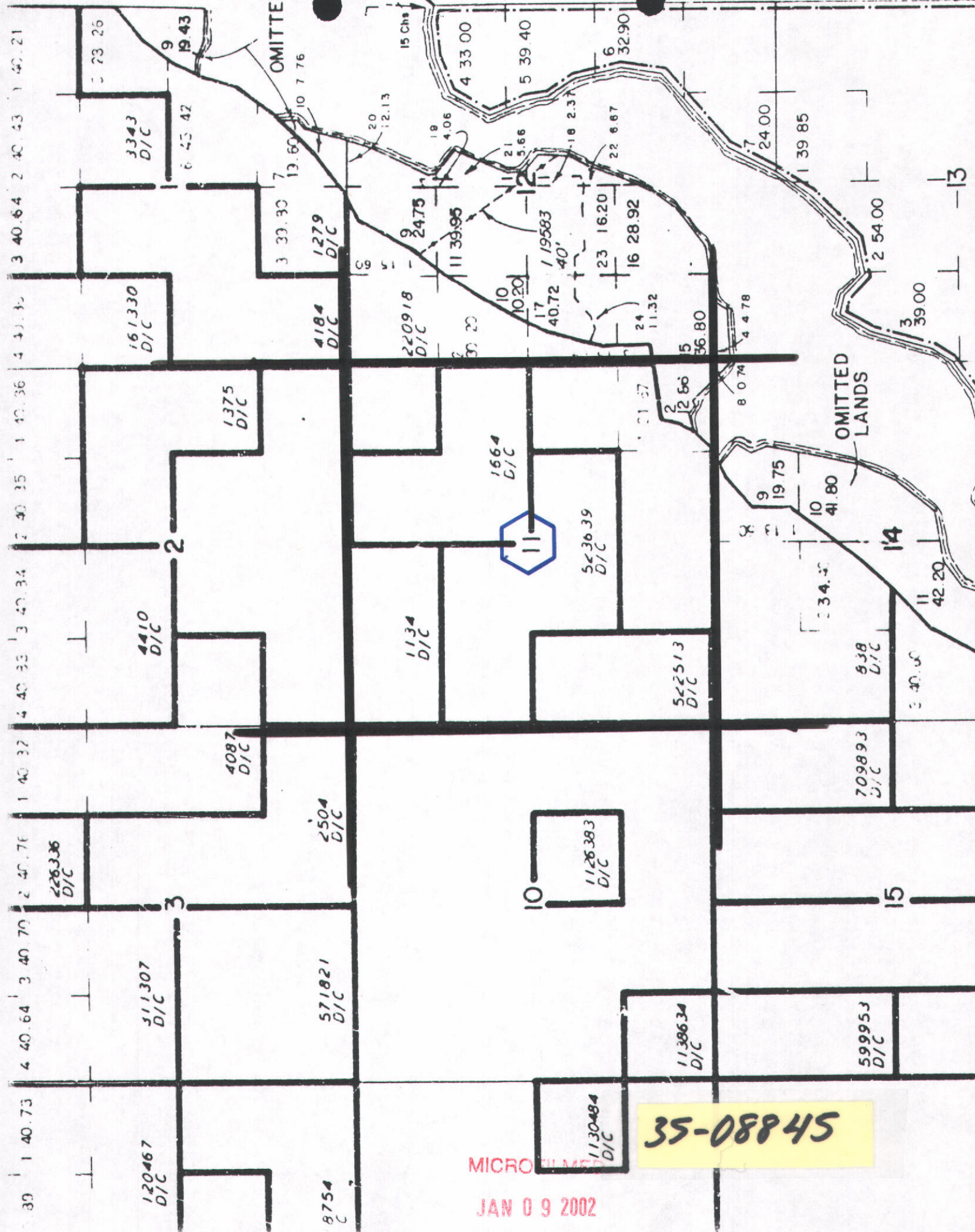
Survey

S. 16.

U.S.

IDAHO FALLS DISTRICT SEC 3

IDAHO FALLS DISTRICT SEC 3



35-08845

MICROFILMED
JAN 09 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08845

Priority: March 15, 1993

Maximum Diversion Rate: 1.04 CFS
Maximum Diversion Volume: 208.0 AF

It is hereby certified that THOMPSON FARMS
C/O DARYL THOMPSON
493 S 1200 W
PINGREE ID 83262 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 06, 1989; and has
submitted Proof of Beneficial Use on March 15, 1993. An examination indicates that the works have a
diversion capacity of 2.37 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/01 to 10/31

DIVERSION RATE
1.04 CFS

**ANNUAL
DIVERSION VOLUME**
208.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp 04S, Rge 33E, B.M. BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
04S	33E	11														13.0	17.0	22.0	52.0
																		L1	

Total Acres: 52

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4TH day of JANUARY, 2002.

MICROFILMED

JAN 09 2002

Acting for 
KARL J. DREHER
Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original App.	35-08845	Circle H Farm Ralph Henderson	1.04
Warranty Deed	35-08845	Thompson Farms Daryl Thompson	1.04

RECORDED
APR 08 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-08845	)	
	)	ORDER OF
IN THE NAME OF THOMPSON FARMS	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On June 7, 1990, the Director of the Department of Water Resources issued Permit No. 35-08845 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before July 1, 1991.

2. On April 30, 1991, the Department sent a proof due notice to the permit holder.

3. On July 5, 1991, the Department sent a lapse notice to the permit holder.

4. On March 15, 1993, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes an affidavit from a neighbor attesting to the fact that the well was used to irrigate the land. Also submitted is a well drillers report dated March 28, 1966.

7. The permit holder states, in correspondence to the Department, that the previous owners were in litigation over the land. At the same time, the previous owner died unexpectedly. His family did not respond to our correspondence because they were not sure of the outcome of the litigation. When the current owner purchased the property, he then began trying to reinstate the permit.

RECEIVED

APR 08 1993

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

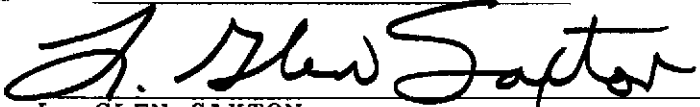
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 35-08845 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to March 15, 1993.

Dated this 18th day of March, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau


APR 6 8 1993

OFFICE USE ONLY
Amt. of Fee \$ 125.00
Date 3-15-93
Receipt No. C026992
Receipt by [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 15 1993

PROOF OF BENEFICIAL USE

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

1. Permit No. 35-08845 Telephone No. 684-4254
2. Name(s) of Permit Holder(s): Thompson Farms
3. Mailing Address: 493 S. 1200 W. Pingree, Idaho 83262
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Jack Cushman Date Drilled: May 1963

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

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

Irrigation 52 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 1.04 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 125.00 (See License Fee Schedule on back of Instruction Sheet)

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

Name Daryl Thompson Telephone No. 684-4254 or 684-4071

Address 493 S. 1200 W. Pingree, Idaho 83262

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

3-6-93
Date

Thompson Farms
Signature (and title, if on behalf of a company or organization)

APR 08 1993

46
th
WARRANTY DEED

For Value Received RALPH J. HENDERSON and LENA HENDERSON, husband and wife; KATHY HENDERSON, Personal Representative of the Estate of R. JAY HENDERSON, deceased and KATHY HENDERSON, a widow, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto THOMPSON FARMS, a partnership, whose address is: 575 S. 1200 W., Pingree, Idaho 83262

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

Township 4 South, Range 33 E.B.M., Bingham County, Idaho

Section 11: Lot 2

Section 14: Lots 8, 9, 10, 11 and 12

Section 22: Lots 6 and 7

Section 23: Lots 8 and 9

K.U.
Together with all water & water rights

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

Dated: April 10, 1992

Ralph J. Henderson
RALPH J. HENDERSON

X
LENA HENDERSON

Kathy Henderson
KATHY HENDERSON, Personal Representative
of the Estate of R. Jay Henderson,
deceased

Kathy Henderson
KATHY HENDERSON

STATE OF IDAHO)

COUNTY OF Bingham)

On this 10th day of April, 1992, before me the undersigned, a Notary Public in and for the said county and state, personally appeared RALPH J. HENDERSON and LENA HENDERSON, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



Lenece Hopkins
Notary Public
Residing at: Blackfoot, ID
My Commission Expires: 11-22-92

STATE OF IDAHO)

COUNTY OF Bingham)

On this 10th day of April, 1992, before me the undersigned, a Notary Public in and for the said county and state, personally appeared KATHY HENDERSON, known or proved to me to be the persons who executed the foregoing instrument individually and as Personal Representative of the Estate of R. Jay Henderson, deceased, and acknowledged to me that they executed the same, individually and as Personal Representative.



Lenece Hopkins
Notary Public
Residing at: Blackfoot, ID
My Commission Expires: 11-22-92

40608

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 6.00 PM 15

92 APR 16 PM 4:01

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

APR 08 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08845

Proposed Priority: September 6, 1989 Maximum Diversion Rate: 1.04 CFS
This is to certify, that CIRCLE R FARM

C/O RALPH HENDERSON
5118 WHITAKER
CHUBBUCK, ID 83202

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 11/01	1.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE Sec. 11, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: IRRIGATION

TWP	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
04S	33E	11	NENE 13	SWSE 19	SESE 20	52
Total number of acres irrigated:						52

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

7th day of June, 1990.

for *A. Keith Higginson*
A. Keith Higginson, Director

Form 202
6-65

35-8845

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Circle H Farm c/o Ralph Henderson Phone 232-5880
Post office address 515 S. 1st St. Coeur d'Alene, ID 83202
1325 Paramount Postville, ID 83201
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of _____ SE 1/4 of _____ SE 1/4, Govt. Lot _____
Sec. 11 Township 4S Range 33E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.04 cfs for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.04 cubic feet per second and/or (b) _____ cubic feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to sprinklers
 - 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 14 inches; proposed depth of well is 75 feet.
 - d. Is ground water with a temperature of greater than 50°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).

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	33E	11													13	15	20		52

Total number of acres to be irrigated 52

10. Describe any other water rights used for the same purposes as described above. _____

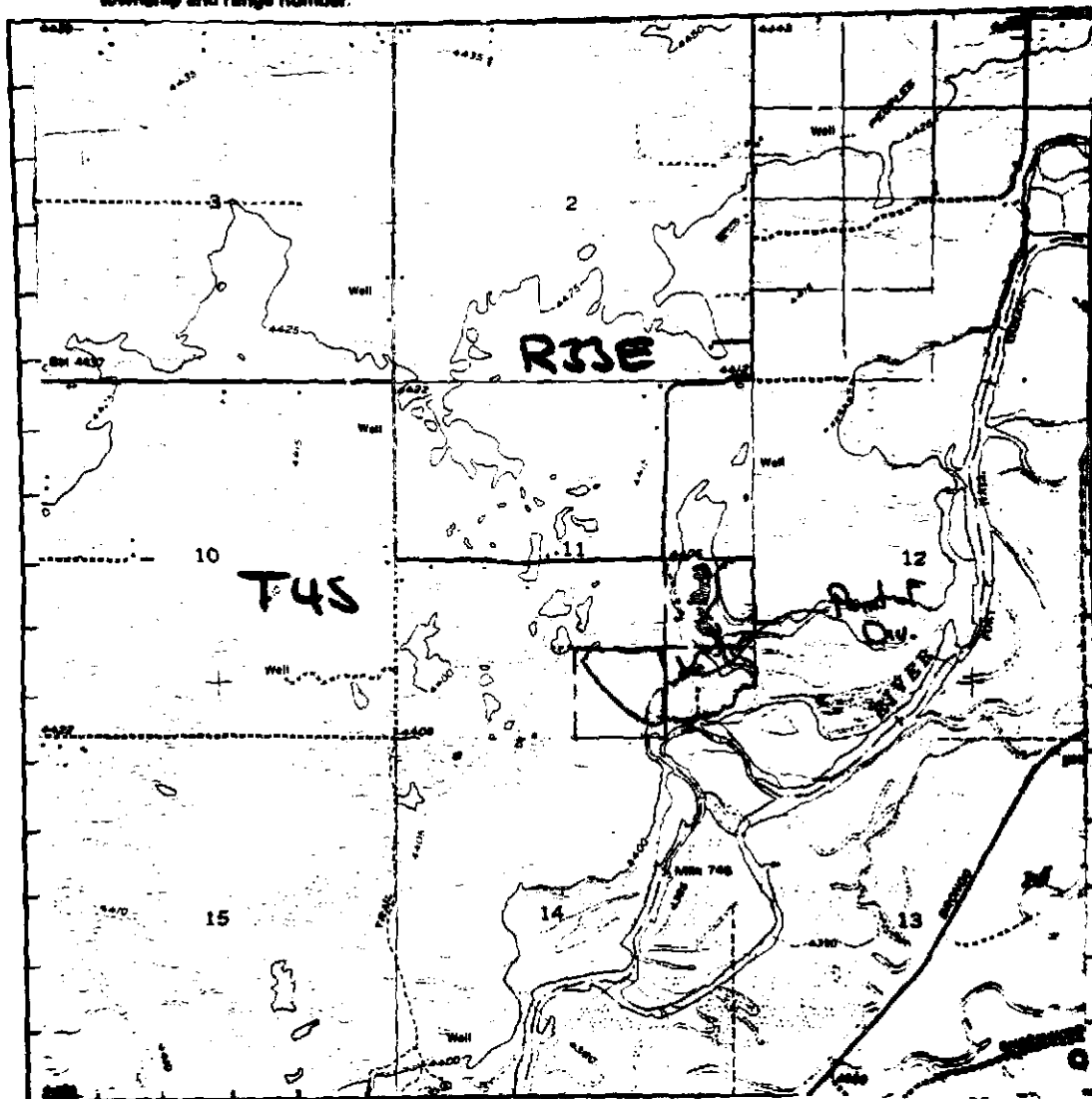
11. a. Who owns the property at the point of diversion? Applicant

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

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

12. Remarks: New address as of Sept. 1 will be: 5118 Whitaker Rd. Chubbuck, ID 83202

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



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.

Ralph Henderson
(Applicant)

Received by PW Date 7-06-89 Time 1:45 P. Preliminary check by KCW
Fee \$ 65.00 Receipted by HWT # 5010143 Date 9-6-89
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.
Statehouse Mall
Boise, Idaho 83726
(208) 327-7000

NOTICE OF APPLICATION
FOR WATER RIGHT

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

27-87485
JOHNSTON, James S.
P.O. Box 698
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: NENWNE, Sec. 35, T. 02S, R. 35E.
Use: IRRIGATION (1,800 CFS)
DOMESTIC (1,350 CFS)
Total Diversion: (1,000 CFS)
Date Filed: 8/2/1989
In: T02S, R35E, S35, NENE, NWNH
SWNE.
40.0 ACRES TOTAL.

27-87486
MALM, Wallace E.
MALM, Barbara
349 N. 100 E.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWNE, Sec. 19, T. 02S, R. 36E.
Use: IRRIGATION (1,940 CFS).
Total Diversion: (1,940 CFS).
Date Filed: 10/4/1989.
In: T02S, R36E, S19, SWNE, SENE,
NESW, NESE, NWSE.
97.0 ACRES TOTAL.

36-88154
LEBRECHT, Wm
Shelving, Id. 83279
Source: GROUNDWATER
Diversion Pt: NESW, Sec. 27, T. 03S, R. 31E.
Use: IRRIGATION (3,200 CFS).
Total Diversion: (3,200 CFS).
Date Filed: 6/13/1989.
In: T03S, R31E, S27, NESW, SESW,
NWSE, SWSE.
100.0 ACRES TOTAL.

36-88166
YANCEY, Bruce Orley
1284 S. 2700 W.
Alderman, Id. 83218
Source: GROUNDWATER
Diversion Pt: NESE, Sec. 4, T. 05S, R. 31E.
Use: IRRIGATION (1,700 CFS).
Total Diversion: (1,700 CFS).
Date Filed: 8/14/1989.
In: T05S, R31E, S04, SWNE, SENE,
SNNW, SENW, NESW, NESE, NWSE.
300.0 ACRES TOTAL.

36-88225
HAROLDSEN, James
79 N. 2200 W.
Pangu, Id. 83281
Source: GROUNDWATER
Diversion Pt: SNNW, Sec. 33, T. 02S, R. 32E.
Use: IRRIGATION (1,700 CFS).
Total Diversion: (1,700 CFS).
Date Filed: 11/7/1989.
In: T02S, R32E, S08, SENW, N11W,
SWNE, SENW.
100.0 ACRES TOTAL.

36-88798
MARTI, M
MARTI, Jone J.
P.O. Box 149
Moreland, Id. 83258
Source: GROUNDWATER
Diversion Pt: NENE, Sec. 4, T. 02S, R. 34E.
Use: IRRIGATION (1,400 CFS).
Total Diversion: (1,400 CFS).
Date Filed: 5/29/1989.
In: T02S, R34E, S04, NENE, SENE, NESE,
SESE.
70.0 ACRES TOTAL.

36-88791
NEUMAN, Estate of John
NEUMAN, Sam
2633 S. 2900 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diversion Pt: NWNW, Sec. 17, T. 06S, R. 31E.
Use: IRRIGATION (1,800 CFS).
Total Diversion: (1,800 CFS).
Date Filed: 8/2/1989.
In: T06S, R31E, S17, NWSW, SWSW.
80.0 ACRES TOTAL.

36-88787
GIBBS, Marjorie M.
P.O. Box 127
Springfield, Id. 83277
Source: GROUNDWATER
Diversion Pt: SWSWNW, Sec. 12, T. 04S, R. 32E.
Use: IRRIGATION (2,400 CFS).
Total Diversion: (2,400 CFS).
Date Filed: 8/19/1989.
In: T04S, R32E, S11, NENE, SENE, S12,
NWNW, SNNW, NESW, NWSW.
120.0 ACRES TOTAL.

36-88790
BRENT STOLWORTHY FAMILY
LTD. PARTNERSHIP
3600 S. Holmes
Idaho Falls, Id. 83404
Source: GROUNDWATER
Diversion Pt: SENWNN, Sec. 23, T. 01N, R. 30E.
Use: IRRIGATION (2,640 CFS).
Total Diversion: (2,640 CFS).
Date Filed: 6/9/1989.
In: T01N, R30E, S23, NENW, NWNW,
SNNW, SENW.
132.0 ACRES TOTAL.

36-88800
BRENT STOLWORTHY FAMILY
LTD. PARTNERSHIP
3600 S. Holmes
Idaho Falls, Id. 83404
Source: GROUNDWATER
Diversion Pt: SENWNN, Sec. 14, T. 01N, R. 30E.
Use: IRRIGATION (3,000 CFS).
Total Diversion: (3,000 CFS).
Date Filed: 6/9/1989.
In: T01N, R30E, S14, SNNW, SENW,
NESW, NWSW, SWSW, SESW, S15 NESE,
SESE.
100.0 ACRES TOTAL.

36-88801
WILLIAMS, J. Stanley
WILLIAMS, Nancy
1280 W. 800 S.
Pangu, Id. 83282
Source: GROUNDWATER
Diversion Pt: NESESE, Sec. 16, T. 03S, R. 34E.
Use: IRRIGATION (1,700 CFS).
Total Diversion: (1,700 CFS).
Date Filed: 6/18/1989.
In: T03S, R34E, S16, NWSE, SWSE.
30.0 ACRES TOTAL.

RECEIVED
APR 27 1990

Department of Water Resources

RECEIVED

MAY - 2 1990

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 Statutes 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
5th day of April 1990;

and the last publication having been made on the
12th day of April 1990;

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 23rd day of April 1990
the year 1990 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 co-
curated the same.

Ted Townsend
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.
My commission expires
November 18, 1994

Affidavit Processing Fee \$2.00

35-0004
WEBB, Jr., Edward M.
134 S. 1900 W.
Pinegrove, Id. 83262
Source: GROUNDWATER
Diversion Pt: NESE, Sec. 10, T. 03S, R. 32E.
Use: IRRIGATION (1,240 CFS).
Total Diversion: (1,240 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S10, SWNE, SENE, NESE, NWSE, SWSE, SESE.
200.0 ACRES TOTAL.

35-00041
TURPIN, Donald Bruce
907 W. 275 S.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 16, T. 03S, R. 34E.
Use: IRRIGATION (460 CFS).
Total Diversion: (460 CFS).
Date Filed: 7/24/1989.
In: T03S, R34E, S16, SESE.
23.0 ACRES TOTAL.

35-00042
JOHNSON, L. Dean
619 W. Highway 26
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: NENWNE, Sec. 25, T. 02S, R. 34E, NWNWNE, Sec. 25, T. 02S, R. 34E.
Use: IRRIGATION (200 CFS).
COMMERCIAL (340 CFS).
Total Diversion: (540 CFS).
Date Filed: 5/28/1989.
In: T02S, R34E, S25, NWNE.
10.0 ACRES TOTAL.

35-00043
CIRCLE H. FARM
c/o Ralph Henderson
5118 Whitaker
Chubbuck, Id. 83202
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 11, T. 04N, R. 33E.
Use: IRRIGATION (1,040 CFS).
Total Diversion: (1,040 CFS).
Date Filed: 9/6/1989.
In: T04N, R33E, S11, WNESE, SWSE, SESE.
52.0 ACRES TOTAL.

35-00044
BURKMAN, Doug
285 W. 450 N.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: SENW, Sec. 10, T. 02S, R. 33E.
Use: IRRIGATION (140 CFS).
Total Diversion: (140 CFS).
Date Filed: 12/12/1989.
In: T02S, R33E, S10, NENW.
7.0 ACRES TOTAL.

The permit(s) will be subject to all prior water rights. Protests may be submitted, based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, Idaho, 83720, on or before APRIL 23, 1990.

R. KEITH HIGGINSON
Director

(745)
Pub.: 4/5, 12

35-00045
VANORDEN, Larry E.
VANORDEN, Paula T.
1004 W. 128 S.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: LOT 2 (NWNWNE), Sec. 20, T. 03S, R. 34E.
Use: IRRIGATION (800 CFS).
Total Diversion: (800 CFS).
Date Filed: 8/30/1989.
In: T03S, R34E, S20, Lot 2 (NWNWNE), Lot 3 (SWNE).
30.0 ACRES TOTAL.

35-00046
DYORAK, Judith A.
1878 S. 2800 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 8, T. 00S, R. 31E.

Use: IRRIGATION (1,900 CFS).
Total Diversion: (1,900 CFS).
Date Filed: 8/30/1989.
In: T00S, R31E, S08, NESE, SWSE, SESE.
95.0 ACRES TOTAL.

35-00047
WEBB, Jr., Edward M.
134 S. 1900 W.
Pinegrove, Id. 83262
Source: GROUNDWATER
Diversion Pt: NENE, Sec. 10, T. 03S, R. 32E.
Use: IRRIGATION (1,500 CFS).
Total Diversion: (1,500 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S10, NENE, NWNW, SWNE, SENE, S11, NWNW, SWNW.
180.0 ACRES TOTAL.

35-00047
BARTAUJSKY, Ed
1037 W. 200 N.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: SWNE, Sec. 29, T. 01S, R. 34E.
Use: IRRIGATION (1,600 CFS).
Total Diversion: (1,600 CFS).
Date Filed: 7/3/1989.
In: T02S, R34E, S29, NWNE, SWNE.
80.0 ACRES TOTAL.

35-00048
PIEPER, George G.
P.O. Box 1174
Pocatello, Id. 83201
Source: GROUNDWATER
Diversion Pt: SWNWNW, Sec. 11, T. 03S, R. 33E.
Use: IRRIGATION (1,300 CFS).
Total Diversion: (1,300 CFS).
Date Filed: 7/3/1989.
In: T03S, R33E, S10, SENE, NESE, S11, SWNW, NWNW, SWNW.
185.0 ACRES TOTAL.

35-00049
WEBB, Jr., Edward M.
134 S. 1900 W.
Pinegrove, Id. 83262
Source: GROUNDWATER
Diversion Pt: SENE, Sec. 11, T. 03S, R. 32E.
Use: IRRIGATION (800 CFS).
Total Diversion: (800 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S11, NENE, NWNW, SWNE, SENE, NENW, SENW.
238.0 ACRES TOTAL.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 7, 2002

THOMPSON FARMS
C/O DARYL THOMPSON
493 S 1200 W
PINGREE ID 83262

RE: License No. 35-8845 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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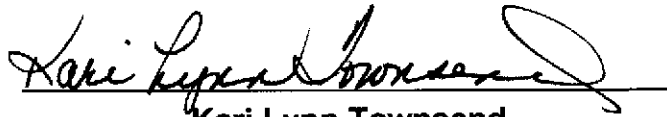
JAN 29 2002

CERTIFICATE OF MAILING

I hereby certify that on January 7, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8845

**THOMPSON FARMS
C/O DARYL THOMPSON
493 S 1200 W
PINGREE ID 83262**


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 09 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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JAN 13 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-8845 Date: 12-28-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): none
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion: Permitted rate 1.04 cfs
Fee Limit 2.0 cfs
Measured 2.37 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 1.04

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.04 cfs 208 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
Total 1.04 cfs 208 af

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

supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette -- (W22/047/27A)
Stockwater for US (R37)

Volume Determination

1.04 cfs x 1.9835 x 214 days = 441.4 af (vs) 52 acres x 4.0 (FHR) = 208 af
3.0(con)

Remarks: R64, 048

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 -- remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO - not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

*p/d OL =
35-8971 - app.
not approved
yet.*

*No Aberdeen Springfield
water per
Arc View*

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	ENE	ENNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	35 2836	BANNOCK BRANDS LIVESTOCK INC.	GROUND WATER	04S33E11																	52
Right	35 2837	BANNOCK BRANDS LIVESTOCK INC.	GROUND WATER	04S33E11																	36
Right	35 2838	BANNOCK BRANDS LIVESTOCK INC.	GROUND WATER	04S33E11																	23
Right	35 4054	THORN SPRINGS RANCH,	GROUND WATER	04S33E11																	23
Right	35 7317	ROLAND L HEMBERRY,	GROUND WATER	04S33E11																	23
Right	35 7469	SPENCE W CARTER,	GROUND WATER	04S33E11																	37
Right	35 7724	ROLAND L HEMBERRY,	GROUND WATER	04S33E11																	78
Right	35 8717	JULIE NEBEKER,	GROUND WATER	04S33E11																	25
Right	35 8845	THOMPSON FARMS,	GROUND WATER	04S33E11																	35

↑ ↑ ↑ ↑

no OL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 30 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08845

1. Owner: THOMPSON FARMS Phone No. (208) 684-4254

Current Address: 7% DARYL THOMPSON
4935 1200W, PINCKEE, ID 83262

2. Accompanied by: DARYL THOMPSON EXAM DATE: 6/10/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-08971 (MORATORIUM HOLD - 100% OVERLAP THIS PERMIT)
2. Other water rights with the same point of diversion: ~~DOA~~ 35-08971

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	SE	11	04S	33E	BINGHAM	U.S.G.S. TOPO / NAPP PHOTO

2. Place(s) of Use:

Indicate Method of Determination

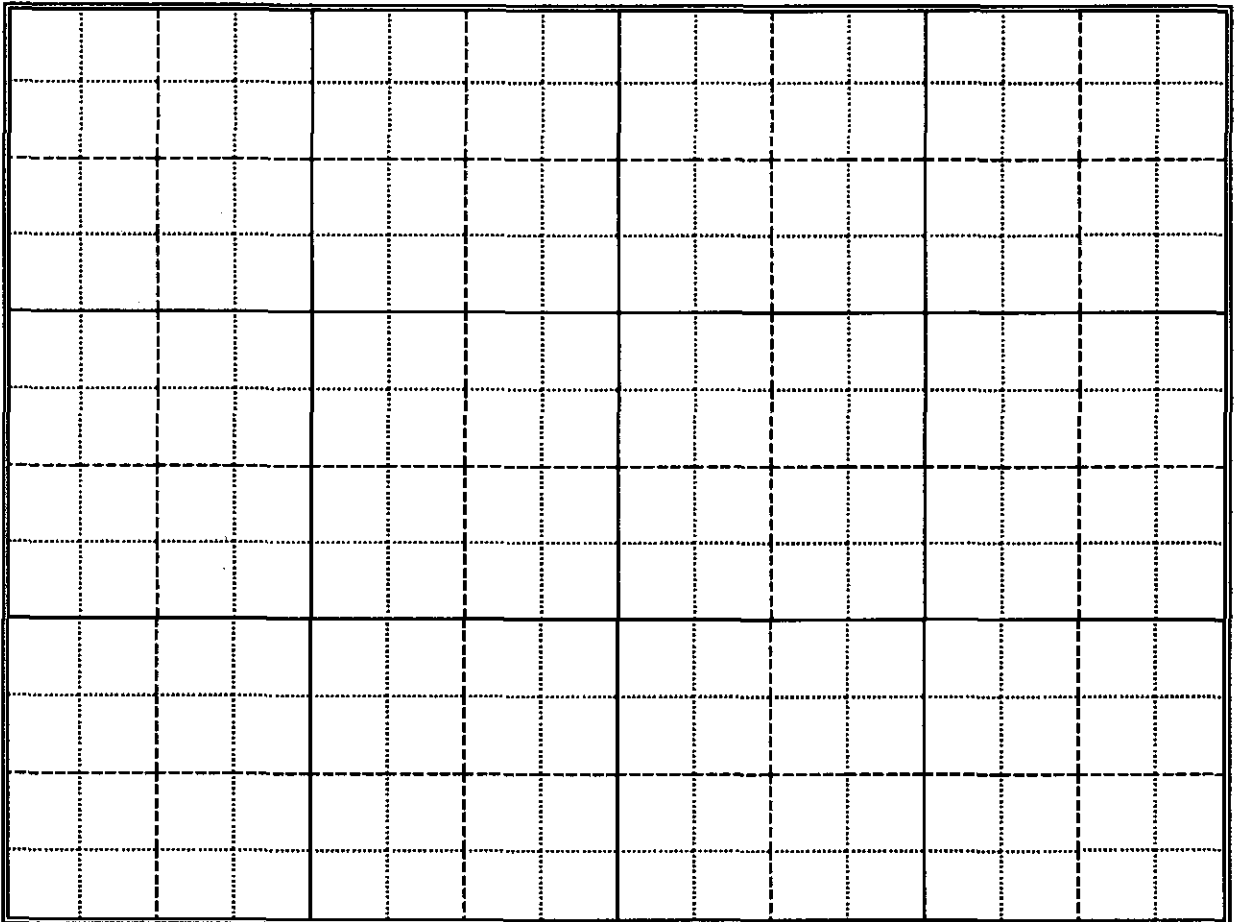
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	11													12 3/4	17	22 1/4		52

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TOTAL 52

JAN 09 2002

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



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
	U.S. HOLTZ	75			8" DISC.

*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
POLYSDIC	TYPE-RYTE		TF-P	7H0263		1997

2. Measurements: FATHER SAID PSI AT ABOUT 60, AT PUMP.

E. NARRATIVE/REMARKS/COMMENTS

AN 8" BURIED
A 75HP PUMP LIFTS WATER ABOUT 10' TO MAIN LINE
WHICH DISTRIBUTES WATER TO VARIOUS FIELDS. THREE
TO FOUR, 1/4 MILE, HAND LINES ARE USED; WITH APPROX.
33 BIRDS PER LINE, WITH 9/64 NOZZLE ORIFICES.

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

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JAN 8 3 2012

SEAL

Reviewer

Date _____

Field Examiner's Name SIMPkins Date 1/15/98

Date 1/15/98

I. AUTHENTICATION

Change P.D. as reflected above
~~Change P.U. as reflected above~~

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

2. Recommended Amendments

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
IRRIGATION	4/1	1.04 cfs	208 AFY
Totals:	10/31	1.04 cfs	208 AFY

1. Recommended Amounts

H. RECOMMENDATIONS

2. Volume Calculations for Other Uses:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 52 \text{ Ac} \times 4 = 208 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.04 \text{ cfs} \times 214 \times 1.9835 = 441.44 \text{ AFA}$$

$$V_{LR} = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 208 \text{ AFA}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

PERMIT REQUESTS 104 QFS

THEORETICAL MAX. FLOW = 2.92 cfs.

POLYMER FLOW READINGS = $1,065 \text{ GPM} / 448.8 = 2.37 \text{ CFS}$

Measured Method:

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

6/10/96 0955H.

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1039 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1430 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.525 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

00-00 01:5300 *H
+003.00 % AI2

MODE SELECT
T0 CHECK

0299.7 MMSEC
100.07 % T0

00-00 01:5600 *R
+ 1.065E 30PM

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JAN 0 8 2002

35-08845

35-08845

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

CIRCLE H. FARM

35-08845

SONIC METER TAPE

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

Hp = Horsepower = 75
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 10 ft.
Assumed Draw down = + 10 ft.
Lift = 20

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = Assume 60-70 psi

$$Q_{cfs} = \left[\frac{75}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{20}{Lift} + \left(\frac{60}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{462.735}{1} \right] \div \left[\frac{158.48}{1} \right]$$

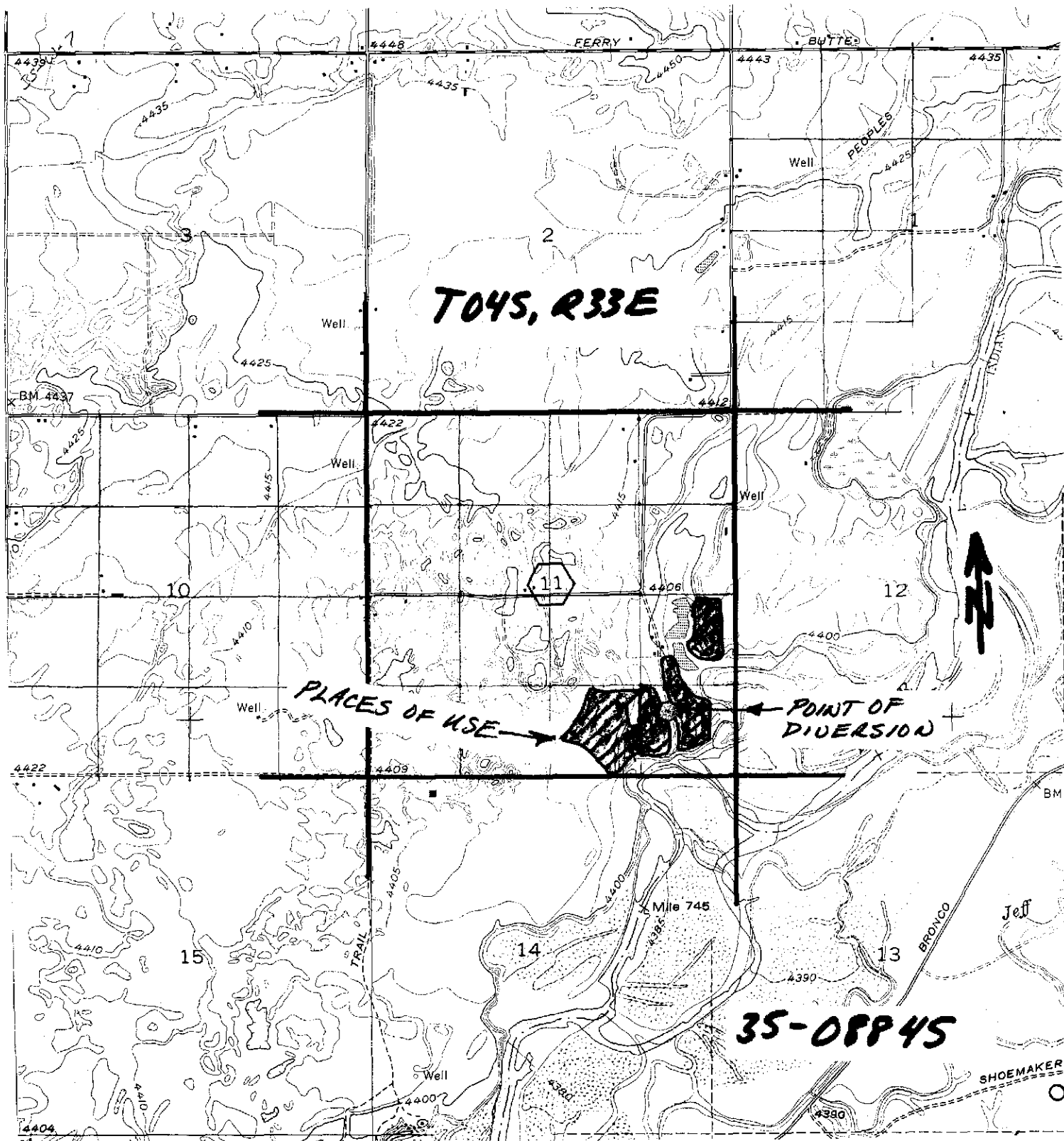
OWNER'S
STATEMENT

$$Q_{cfs} = \underline{2.919} \text{ cfs}$$

PERMIT NO. 35-08845

MICROFILMED

JAN 11 2002



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JAN 09 2002

SD-4109

WR INQUIRY

Water Right Number:

Idaho Department of Water Resources

Water Rights Places of Use Screen

Date: 01/15/98

Time: 13:25:39

35-02836

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	Lot	Acres	Use	Use Desc.	County	County Name
04S	33E	11	SE	SW		5.0	01	IRR	11	BINGHAM
04S	33E	11	SW	SE		12.0	01	IRR	11	BINGHAM
04S	33E	14	NW	NE		31.0	01	IRR	11	BINGHAM
04S	33E	14	SW	NE		16.0	01	IRR	11	BINGHAM
04S	33E	14	NE	NW		35.0	01	IRR	11	BINGHAM
04S	33E	14	NW	NW		11.0	01	IRR	11	BINGHAM
04S	33E	14	SW	NW		39.0	01	IRR	11	BINGHAM
04S	33E	14	SE	NW		40.0	01	IRR	11	BINGHAM
04S	33E	14	NE	SW		9.0	01	IRR	11	BINGHAM
04S	33E	14	NW	SW		40.0	01	IRR	11	BINGHAM
04S	33E	14	SW	SW		40.0	01	IRR	11	BINGHAM
04S	33E	14	SE	SW		14.0	01	IRR	11	BINGHAM
04S	33E	15	SE	NE		5.0	01	IRR	11	BINGHAM
04S	33E	15	NE	SE		34.0	01	IRR	11	BINGHAM
04S	33E	15	SW	SE		11.0	01	IRR	11	BINGHAM
04S	33E	15	SE	SE		40.0	01	IRR	11	BINGHAM
04S	33E	22	NE	NE		34.0	01	IRR	11	BINGHAM

(Enter=Exit)

(GOLD4=Prev Screen)

(GOLD5=Next Screen)

(GOLD6=End of Data)

(GOLD8=Cancel)

NO

OVERLAP

AREA IN SEC 11 IS A PIVOT

SOUTH OF PERMIT ACREAGE IN 35-08845.

MICROFILMED

JAN 17 2002

SD-4109

Idaho Department of Water Resources

Date: 01/15/98

WR INQUIRY

Water Rights Places of Use Screen

Time: 13:28:22

Water Right Number: 35-02838

FIRST PAGE

10.	TWP	RNG	SEC	1/4	1/4	Lot	Acres	Use	Use Desc.	County	County Name
	04S	33E	11	SE	SW		5.0	01	IRR	11	BINGHAM
	04S	33E	11	SW	SE		12.0	01	IRR	11	BINGHAM
	04S	33E	14	NW	NE		31.0	01	IRR	11	BINGHAM
	04S	33E	14	SW	NE		16.0	01	IRR	11	BINGHAM
	04S	33E	14	NE	NW		35.0	01	IRR	11	BINGHAM
	04S	33E	14	NW	NW		11.0	01	IRR	11	BINGHAM
	04S	33E	14	SW	NW		39.0	01	IRR	11	BINGHAM
	04S	33E	14	SE	NW		40.0	01	IRR	11	BINGHAM
	04S	33E	14	NE	SW		9.0	01	IRR	11	BINGHAM
	04S	33E	14	NW	SW		40.0	01	IRR	11	BINGHAM
	04S	33E	14	SW	SW		40.0	01	IRR	11	BINGHAM
	04S	33E	14	SE	SW		14.0	01	IRR	11	BINGHAM
	04S	33E	15	SE	NE		5.0	01	IRR	11	BINGHAM
	04S	33E	15	NE	SE		34.0	01	IRR	11	BINGHAM
	04S	33E	15	SW	SE		11.0	01	IRR	11	BINGHAM
	04S	33E	15	SE	SE		40.0	01	IRR	11	BINGHAM
	04S	33E	22	NE	NE		34.0	01	IRR	11	BINGHAM

(GOLD4=Prev Screen)

(GOLD6=End of Data)

(Enter=Exit)

(GOLD5=Next Screen)

(GOLD8=Cancel)

MICROFILM

JAN 03 2002

SD-4109

Idaho Department of Water Resources
Water Rights Places of Use Screen

Date: 01/15/98

WR INQUIRY

Time: 13:27:05

Water Right Number: 35-02837

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	Lot	Acres	Use	Use Desc.	County	County Name
04S	33E	11	SE	SW		5.0	01	IRR	11	BINGHAM
04S	33E	11	SW	SE		12.0	01	IRR	11	BINGHAM
04S	33E	14	NW	NE		31.0	01	IRR	11	BINGHAM
04S	33E	14	SW	NE		16.0	01	IRR	11	BINGHAM
04S	33E	14	NE	NW		35.0	01	IRR	11	BINGHAM
04S	33E	14	NW	NW		11.0	01	IRR	11	BINGHAM
04S	33E	14	SW	NW		39.0	01	IRR	11	BINGHAM
04S	33E	14	SE	NW		40.0	01	IRR	11	BINGHAM
04S	33E	14	NE	SW		9.0	01	IRR	11	BINGHAM
04S	33E	14	NW	SW		40.0	01	IRR	11	BINGHAM
04S	33E	14	SW	SW		40.0	01	IRR	11	BINGHAM
04S	33E	14	SE	SW		14.0	01	IRR	11	BINGHAM
04S	33E	15	SE	NE		5.0	01	IRR	11	BINGHAM
04S	33E	15	NE	SE		34.0	01	IRR	11	BINGHAM
04S	33E	15	SW	SE		11.0	01	IRR	11	BINGHAM
04S	33E	15	SE	SE		40.0	01	IRR	11	BINGHAM
04S	33E	22	NE	NE		34.0	01	IRR	11	BINGHAM

(GOLD4=Prev Screen)

(GOLD6=End of Data)

(Enter=Exit)

(GOLD5=Next Screen)

(GOLD8=Cancel)

MICROSOFT

JAN 09 2002

FIELD EXAM NOTES

EXAM # 35-08845

DATE OF EXAM 6/10/96

PERMITEE NAME THOMPSON FARMS

OTHER WATER RIGHTS SAME POD NO

OTHER WATER RIGHTS SAME POU NO

PUMP #1 HP 25 MAKE U.S. MOTOR SERIAL # _____
COLOR AND DESCRIPTION Gray / Green Pump
OUTPUT DIAMETER 8" SYSTEM PRESSURE _____ PSI WELL DEPTH 507060' 1966
STATIC H2O 10' WELL DEPTH 3' DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] (N) GATE VALVE [Y] (N)

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

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

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

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS _____ PIVOT LENGTH _____
PRESSURE [H] [L]

HAND LINES (Y) [N] NUMBER OF LINES 3 1/2 LENGTH OF LINES 1/4 mile
RAIN BIRDS PER LINE 105/110 NOZZEL DIAMETER 9/64

SURFACE WATER TYPE OF MEASUREING DEVICE _____

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

MICROPIEASER

136 0 9 2002

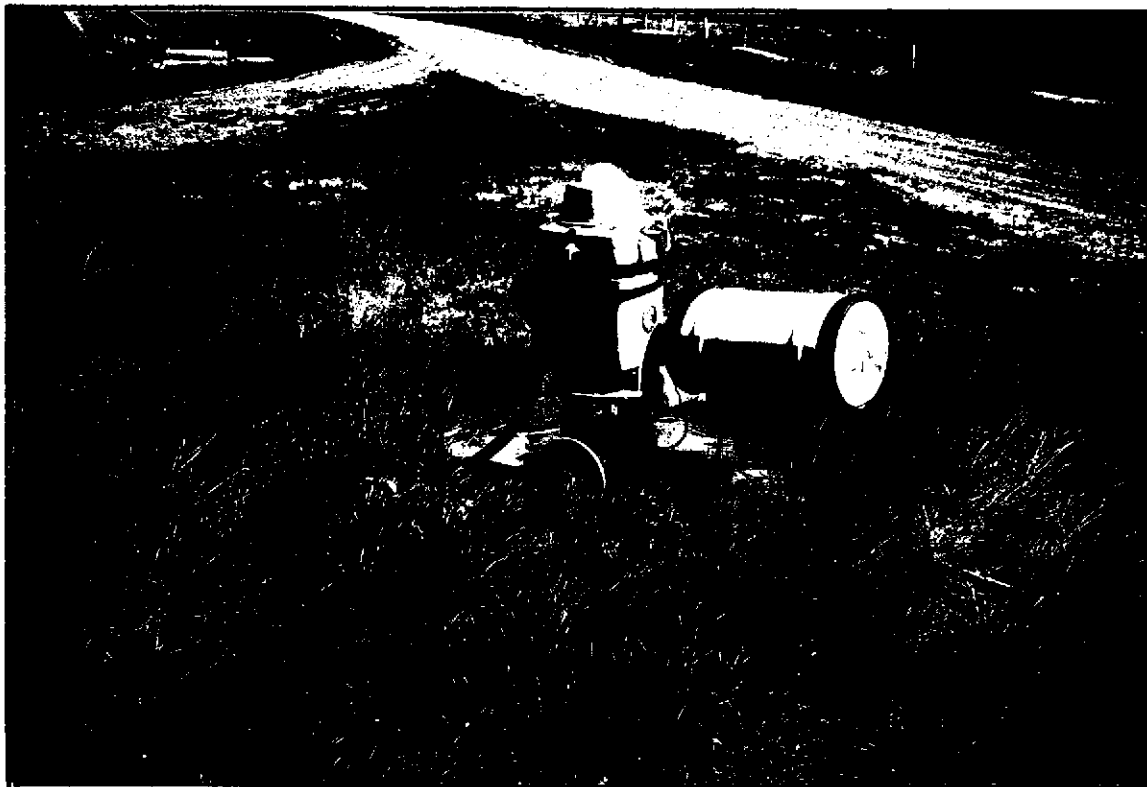
USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

35-08845

THOMPSON FARMS

IRRIGATION

1 of 5



VIEW OF
75 HP MOTOR
WELL

POINT OF
DIVERSION



VIEW NORTH
PLACE OF
USE

MICROFILMED

JAN 09 2002

PERMIT
NUMBER

35-08845

THOMPSON FARMS

IRRIGATION

215

PLACE OF
USE

VIEW
SOUTH EAST



VIEW EAST

PLACE OF
USE



8-10-86

MICROFILMED

JAN 03 2002

PERMIT
NUMBER

35-08845

THOMPSON FARMS

IRRIGATION

315

VIEW
SOUTHEAST

PLACE OF
USE



VIEW SOUTH

PLACE OF
USE



MICROFILMED

JAN 6 3 2002

PERMIT
NUMBER

35-08845

THOMPSON FIELDS

IRRIGATION

4/5



VIEW SOUTH
PLACE OF
USE



←
NON-IRRIGATED



VIEW
SOUTH WEST
PLACE OF
USE



←
NON-IRRIGATED

MICROFILMED

JAN 08 2002

PERMIT
NUMBER

35-08845

THOMPSON FARMS

IRRIGATION



8 10 08

S/S

VIEW
SOUTH WEST

PLACE OF
USE



← NON-
IRRIGATED



8 10 08

VIEW WEST
PLACE OF
USE

CATTLE PEN
NOT
IRRIGATED



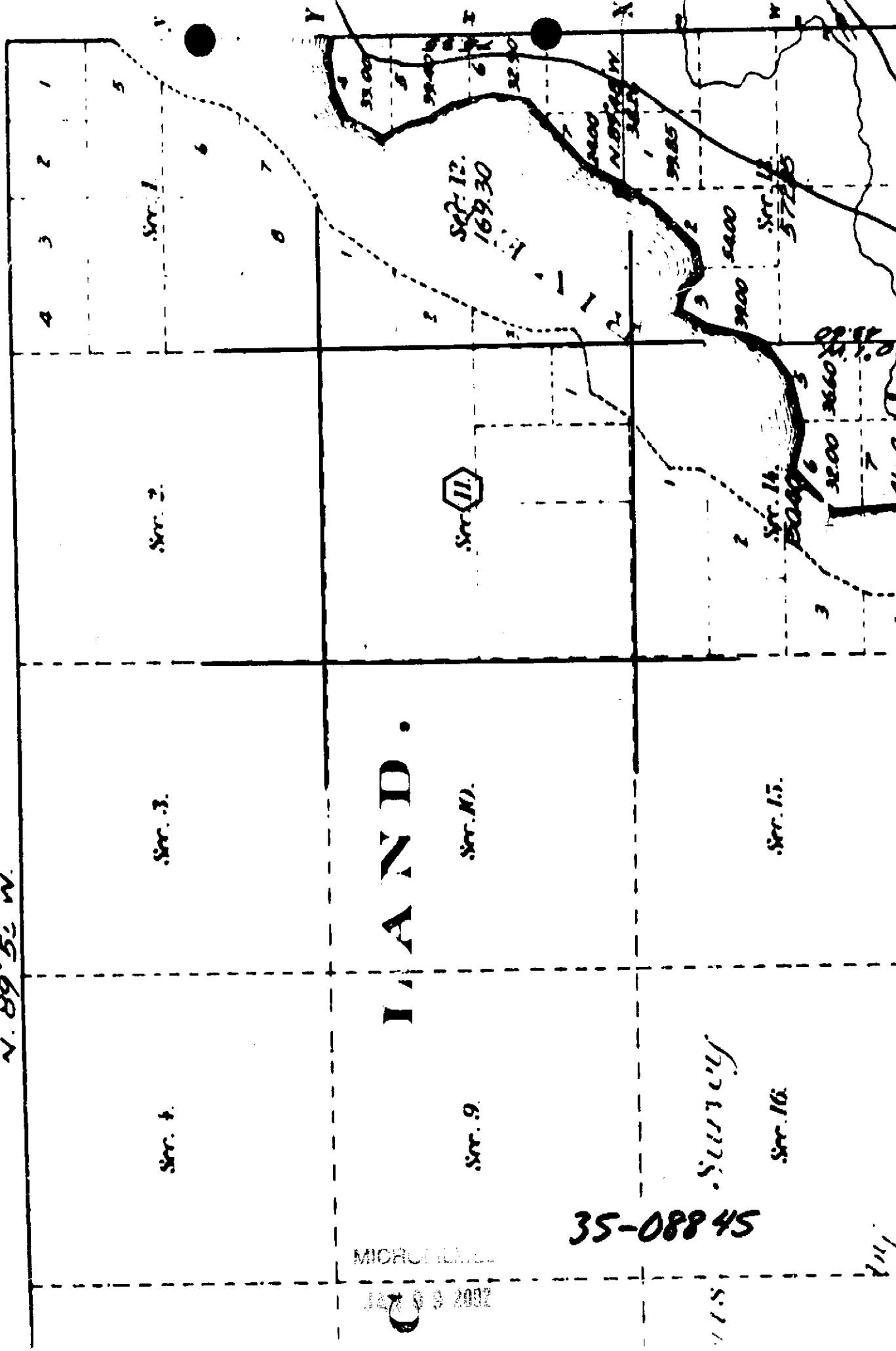
WATER PERMIT
NUMBER
JAN 09 2002

35-08845

Range No 55 East of the Boise Meridian, Idaho

E . . . D . . . C . . . B . . . A

N. 89° 52' W.



2002 6 9 2002
MICROFILMED

35-08845

Survey

Sec. 16.

Sec. 15.

Sec. 14.

Sec. 13.

Sec. 12.

Sec. 11.

Sec. 10.

Sec. 9.

Sec. 8.

Sec. 7.

Sec. 6.

Sec. 5.

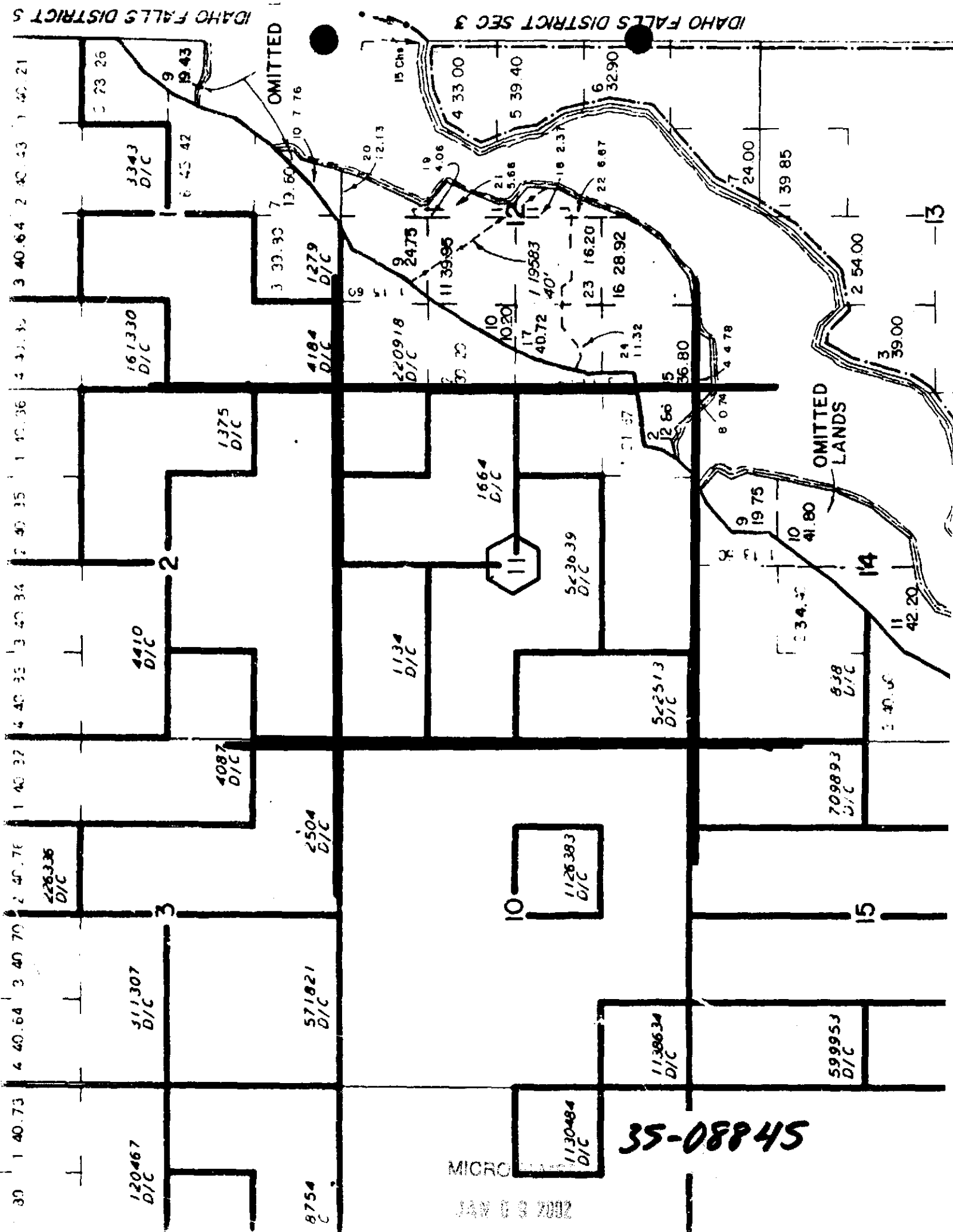
Sec. 4.

Sec. 3.

Sec. 2.

Sec. 1.

IDAHO FALLS DISTRICT SEC 3



March 19, 1993

THOMPSON FARMS
C/O DARTK THOMPSON
493 S 1200 W
PINGREE ID 83262

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08845

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

APR 08 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08845

Reviewed by Klg

Date 3/4/93

GENERAL CONSIDERATIONS

TYPES OF USE

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

irrigate - 5
yes Correct Uses?

SOURCE OF WATER

✓ Surface water source
✓ Ground water source

NA Drilling permit required?
Copy in the file? Drilling Permit No. _____
1963 Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125.52 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received Beyond 60 day
Date proof due simple - reinstated
No. of days late late = order
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

late order
Proof Made 3/15/93
3/19/93 Klg



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 17, 1993

Thompson Farms
493 S 1200 W
Pinegree, ID 83262

Re: Permit No. 35-08845

Dear Permit Holder:

We acknowledge receipt of the correspondence and warranty deed transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

The Department will continue to analyze the proof of beneficial use submitted in connection with this permit. We will notify you of our findings.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

CC: IDWR - Regional Office

RECEIVED

APR 08 1993

Thompson Farms

493 South 1200 West
Pingree, Idaho 83262
(208) 684-4254

RECEIVED

MAR 15 1993

Department of Water Resources

March 6, 1993

Dept. of Water Resources
1301 North Orchard Street
Boise, Idaho 803720-9000

Re: Permit No. 35-08845 in the name of Circle H Ranch

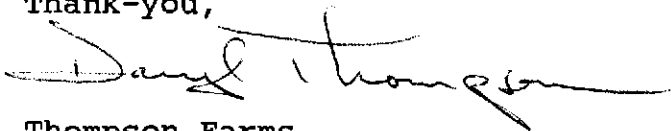
To Whom it May Concern:

In regards to the above mentioned permit, I have included the following information.

- a) Letter of explanation as to why proof was not timely filed;
- b) Copy of Warranty Deed;
- c) Completed form of Proof of Beneficial Use;
- d) Check; with appropriate fee
- e) Two pieces of evidence that the well was in use;
 - 1) Well drillers log
 - 2) Letter from individual who has leased pasture on this particular Section for 10 years.

I hope this information will satisfy the requirements to issue the licence for this well. If any other information is needed please contact me.

Thank-you,



Thompson Farms,
Daryl Thompson

RECEIVED

APR 08 1993

Thompson Farms

493 South 1200 West
Pingree, Idaho 83262
(208) 684-4254

March 6, 1993

Re: Explanation of unfiled Proof

To Whom it May Concern;

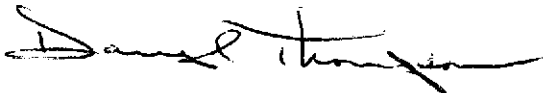
Application for a well permit was applied for under the name of Circle H Ranch, in Twn 4S, Range 33E, Section 11, which was given Permit No. 35-08845. This permit lapsed because proof was not filed in a timely manner. I am requesting that this permit be reinstated because of the following explanation as to why the proof was not filed.

Circle H Ranch became involved in a lawsuit with the previous owners over a boundary dispute in which BLM ground was involved. During this lawsuit there was not any exchange of information or legal papers to accomplish this proof. The original owners retained the information needed to prove up on this well.

Also during this time the managing partner of Circle H Ranch died unexpectedly. Even though your Department sent letters notifying them that they needed to respond to the request for more information, they failed to act because they were unsure of the situation of the Ranch. Since this time they have lost control and are not in a position to reapply.

As the present owners we would like to have the permit reinstated and will furnish any information that is needed.

Thank-you,



Thompson Farms
Daryl Thompson

RECEIVED

APR 08 1993

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Fred Zimmerman
Address 1111 N. 1st St. Boise

Driller's Permit No. _____

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____ (explain)

CASING SCHEDULE: Threaded _____ Welded ☒
"Diam. from 0 ft. to 35 ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.

Thickness of casing: 250 Material:
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☒ No ☐ Type of
perforator used: mill

Size of perforations: _____ " by _____ "
perforations from 15 ft. to 35 ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

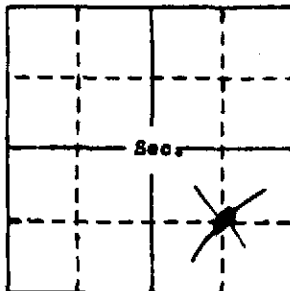
Manufacturer's name NO
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel _____ Gravel
placed from _____ ft. to _____ ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐
No ☒ Type of water: _____
Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used? Yes ☒ No ☐
Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County _____
_____ N. _____ E. _____ T. _____ S. _____ R. _____

Use other side for additional remarks

Size of drilled hole: 8 Total
depth of well: 35 Standing water
level below ground: 20 Temp. _____
Fahr. 56 Test delivery: NO gpm
or _____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: _____

Length of time of test: 11 Hrs. _____ Min.
Drawdown: _____ ft. Artesian pressure: _____ ft.
above land surface Give flow _____ cfs
or _____ gpm. Shutoff pressure: _____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☒ Does well leak around casing?
Yes ☐ No ☐

DEPTH	MATERIAL	WATER
FROM TO		YES OR NO
FEET FEET		
0 12	DIRT	NO
2 12	ROCK	NO
10 35	GRAVEL	YES

Work started: _____
Work finished: _____
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: John J. [Signature]
Address: 1111 N. 1st St. Boise
Signed by: [Signature]
License No. 200 Date: 3-22-66

March 9, 1993

Dear Sirs,

Thompson Farms has asked me to write a letter explaining my involvement with Circle H Ranch, and particularly with a well situated by the potato cellar.

Circle H and I have run cattle under the brand of J&H for a number of years dating back to the early 1980's. We have rented pasture from each other and I have had cattle on this place for many years. The pasture has been irrigated by the well through sprinkler lines for as long as I can remember. Even before my involvement with Circle H, I can remember the previous owners having potatoes and grain growing on this property and using the well to irrigate their crops.

We would rotate our cattle in the two different pastures that are irrigated by this well. During the mid 80's the pump developed some problems and needed repairs. Before the repairs were finished the pasture had suffered great stress and we had to move the cattle to another area. But this was the only time that we could not count on good pasture and have had good success in our cattle operation.

I hope this will give you a better understanding of the area and if I can be of assistance in the future please contact me.

Sincerely,

R. David Jackson

David Jackson

APR 08 1993

I certify that file No. 35-08845

has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Brenda Miller
Signature

6-29-92
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

FROM Brenda Miller
TO FILE 35-8845
SUBJECT

INTER-DEPARTMENT MEMO — 1

DATE 4-15-92

Paul Meyer is working with a prospective buyer of this property. I sent him copies of all correspondence from receipt of b/u form to present. Hold for action for 30 days.

Brenda
SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 24, 1992

Circle H Farm
c/o Ralph Henderson
5118 Whitaker
Chubbuck, ID 83202

Re: Permit NO. 35-08845

Dear Mr. Henderson:

This will be the Department's last attempt to assist you in completing the paperwork needed to keep your water right. As you know, we have corresponded with you several times during the last year. The last letter we sent was dated November 22, 1991, and asked that you reply within 60 days. As of today, 90 days have passed with no response from you.

For your convenience, I have once again enclosed a proof of beneficial use form and instruction sheet. Please call this office and I will assist you in completing the form properly.

Furthermore, since you failed to submit a properly completed proof of beneficial use within the 60 day time frame allowed, and pursuant to Section 42-218A, Idaho Code, the permit can now be reinstated only if you submit the following:

- a. Evidence to show that beneficial use of the water did commence prior to July 1, 1991. You will also need to prove the extent of the use of water from June 7, 1990 (when the permit was issued) to July 1, 1991 (when proof of beneficial use was due).
- b. You will also need to show reasonable cause why you did not complete and file, with the appropriate fee, the proof of beneficial use form on or before July 1, 1991.

The above information will need to be received in this office no later than April 1, 1992. Again, please call this office and I will assist you in completing the forms and discussing the information necessary to reinstate the permit.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 22, 1991

Circle H Farm
C/O Ralph Henderson
5118 Whitaker
Chubbuck, ID 83202

RE: Permit #35-08845

Dear Permit Holder:

I am writing in response to your letter dated October 30, 1991 inquiring about the above referenced lapsed permit.

The Department received your unacceptable proof of beneficial use statement for the above referenced permit on July 11, 1991. The Department requested additional information to complete the proof and the required balance of the license exam fee, depending upon the rate of diversion claimed. No response was received. The permit lapsed July 1, 1991 so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.
- b) Reasonable cause why the proof of beneficial use was filed late.

Your original proof of beneficial use statement did not indicate the extent of use, or number of acres developed, and the total rate of diversion. This information is necessary to complete the proof and reinstate your permit.

I have enclosed copies of the original proof you submitted, following correspondence and a copy of Permit #35-08845 for your reference. In addition, I have enclosed a new Proof of Beneficial Use form and instructions. The completed proof form must be filed with the appropriate fee before the permit can be reinstated.

Your letter and file will remain in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Technical Records Specialist

Enclosures

Oct 30, 1991

State of Idaho
Dept of Water Resources
1301 North Orchard Street
Statehouse Mail, Boise, Idaho 83720 9000

RECEIVED
NOV 04 1991

Department of Water Resources

Mr. L. Glen Satter, Chief
Water Allocations Bureau

Rt. Permit # 35-08845

Dear Glen:

Received your letter of October 25, 1991.

I don't know what to do to correct the
problem in your letter on the above Permit.
Please give me some guidelines on what I
have failed to do. Thanks

Sincerely,
Carol A. Form
Raeje Henderson
5118 Whitaker Road
Chubbuck, Id 83202

I certify that file No. 35-8845

has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Pam Skaggs
Signature

10-30-91
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

WRS808MP
(00-26)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/31/91 08:55:09
Page 1

Water Right Number - 35-08845

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CIRCLE N FARM

1 - C/O RALPH HENDERSON
2 - 5118 WHITAKER
3 -
City- CHURBUCK State- ID Zip- 83202
Phone - 208-232-5880

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/06/1989 15 EASTERN P - PERMIT

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Ten Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

048 33E 11 SE SE (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 06/01 11/01 1.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.040

+ - - - - Place of Use - - - - - +
Ten Rng Sec Tract Lot Acres Code Description County

048 33E 11 NE SE 13.0 01 IRRIGATION (11) BINGHAM
048 33E 11 SW SE 19.0 01 IRRIGATION (11) BINGHAM
048 33E 11 SE SE 20.0 01 IRRIGATION (11) BINGHAM

Total Acres: 52.0

+ - - Diversion Means - WELL AND PUMP TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

048 - 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,

WRS0000P
(00-26)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/31/91 08:55:09
Page 2

Water right number - 35-08845

Prefix Translation: WATER RIGHT

..... Conditions of Approval
(Condition continued from previous page)
- equitable estoppel, estoppel by laches or customary preference.
049 - The Director retains jurisdiction of the right and any license
- subsequently issued to incorporate the use into a water district,
- require streamflow augmentation or other action needed to protect
- prior surface water and groundwater rights.
046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.
03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

..... Decree Plaintiff

..... Decree Defendant

..... Decree Date
00/00/0000

..... Comments
Date: 09/30/1991 User Id: SKAGGS Subject: LAPSE DELAY
PROOF RECEIVED

..... Audit Fields - 11/16/89 BODELL 12/18/89 CURTIS 06/01/90 CURTIS 09/30/91 SKAGGS

..... Water Rights Dates and Flags Area
Proof Due Date - 07/01/1991 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 06/07/1990 Protested Date - 00/00/0000 Swan Falls - 1
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carvey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 09/06/1989 Transfer/Amended -
Decree Date - 00/00/0000 Presumption Flag -



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 25, 1991

Circle H Farm
C/O Ralph Henderson
5118 Whitaker Road
Chubbuck, ID 83202

RE: Permit No: 35-08845

Dear Mr. Henderson:

You are hereby notified that under the provision of Section 42-218a of the Idaho Code, Permit No. 35-08845 is no longer of force and effect since it lapsed in July.

I have begun the process to refund the \$15 you submitted with your original unacceptable Proof of Beneficial Use. It will take two to four weeks to complete the refund process.

If you have any questions regarding this matter, please contact this office.

Sincerely,

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocations Bureau

August 9, 1991

CIRCLE H FARM
C/O RALPH HENDERSON
5118 WHITAKER RD
CHUBBUCK ID 83202

Gentlemen:

Re: Permit No. 35-8845

The Department received the proof of beneficial use form and \$15 fee. Before the department can accept it, more information is required.

Returned is the proof form and a copy of the permit. Under item 5 - Extent of Use, the number of acres actually being irrigated is needed. Under item 6, a rate of diversion is required, not a volume amount. Then, based on the rate of diversion a license exam fee is required minus the \$15 already sent. Note the enclosed instruction sheet/fee schedule to determine what the fee is.

I realize this information can be confusing. If you need assistance, please call me at 327-7953 soon as the permit has lapsed.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

Form 217
07/90

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 35-05840 Telephone No. 237-5156
2. Name(s) of Permit Holder(s): Charles H. Tamm, Ralph J. Henderson
3. Post Office Address: 5118 White St. Pocatello, Idaho 83202
4. Source of Water: Shoshone Aquifer
 - a. If ground water, well driller's name: Dan K... Date drilled: 15 Apr 1969
 - b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:

Domestic _____ (No. of households)	Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock)	Other _____
6. Total rate and/or volume for which proof is submitted _____ cfs 1596.0 acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☐ No
OR	
Flow Measurement Port: Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☐ No
8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>Ralph J. Henderson</u> Name	<u>208-237-5156</u> Telephone No.
<u>5118 White St. Pocatello, Idaho 83202</u> Address	

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

7-10-91
Date

Charles H. Tamm, Ralph J. Henderson
Signature (and title if on behalf of a company or organization)

**RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES**

Receipt No: 0021129

Date: 7/11/1983
Time: 09:17:20

**Received
From:** RALPH J. / LENA HENDERSON

Type of Payment	Program Acct Class	Amount
BENEFICIAL USE (35-08845)	530122 1238 6490	15.00

CHECK 645

Total \$15.00

Region: STATE

Signature: M. Hengst

This - - filled out side
but I know how
Ralph J. Henderson

July 5, 1991

CIRCLE H FARM
C/O RALPH HENDERSON
5118 WHITAKER
CHUBBUCK, ID 83202

LAPSE NOTICE

RE: PERMIT NO. 35-08845

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 7-5-91
a copy of original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

13840
April 30, 1991

CIRCLE H FARM
C/O RALPH HENDERSON
5118 WHITAKER
CHUBBUCK, ID 83202

PROOF DUE NOTICE
RE: PERMIT NO. 35-08845

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 July 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 7, 1990

CIRCLE H FARM
C/O RALPH HENDERSON
5118 WHITAKER
CHUBBUCK, ID 83202

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08845

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

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 27, 1990

The Morning News
Box 70
Blackfoot, ID 83221

Dear Legal Dept.:

Enclosed you will find legal notices 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 APRIL 23, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-08845

CIRCLE H FARM
C/O RALPH HENDERSON
5118 WHITAKER
CHUBBUCK, ID 83202

Source: GROUNDWATER

Diversion Pt: SESE Sec 11 T 04S R 33E

Use: IRRIGATION (1.040 CFS)
Total Diversion: (1.040 CFS)

Date Filed: 9/ 6/ 1989

In: T04S R33E S11 NESE SWSE SESE

52.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, Idaho 83720 on or before APRIL 23, 1990.

Published 4/ 5/1990 & 4/12/1990

R. Keith Higginson, Director