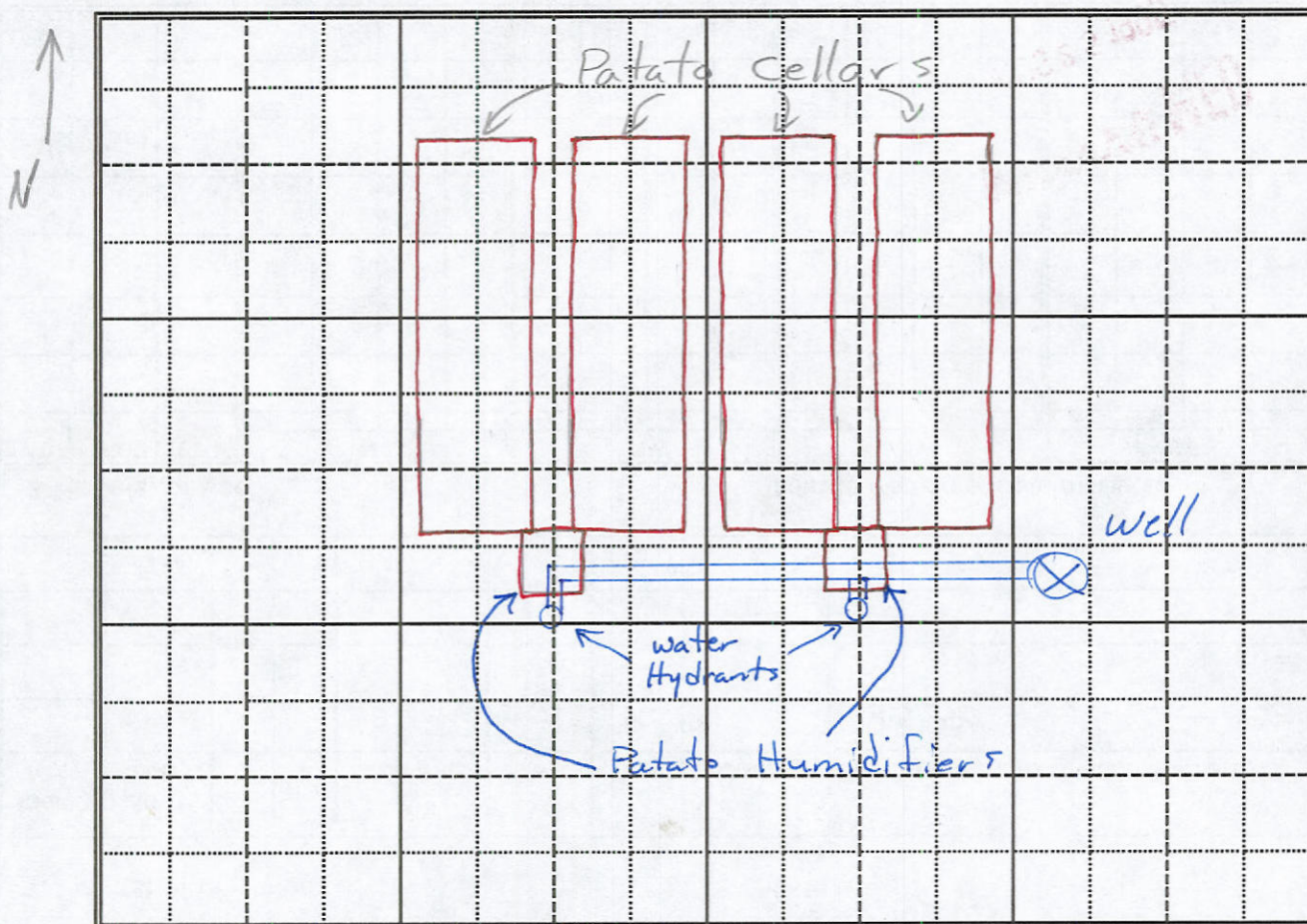


3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2	unknown	Franklin	1" discharge

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gage	Fluid	Ashcroft			100 psi	

2. Measurements: operating pressure 40 psi
Dynamic pumping depth 125'

FILED

AUG 25 1995

35-08175

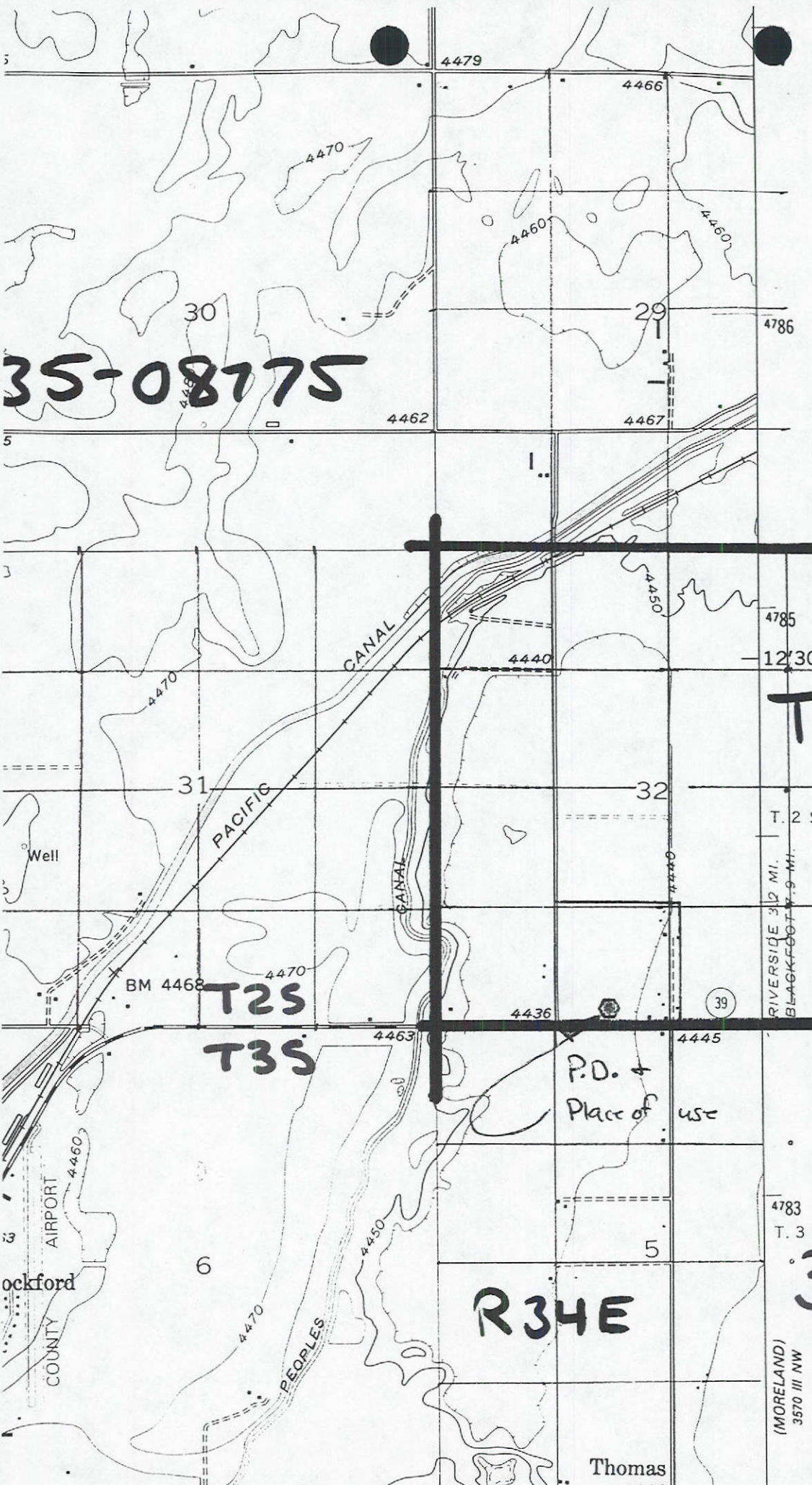
T2S

T2S
T3S

R34E

35-08175

AUG 25 1995



P.O. +
Place of use

(MORELAND)
3570 III NW

35-8775



35-8775

MICROFILMED
AUG 25 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08775

Priority: May 26, 1989

Maximum Diversion Rate:
Maximum Diversion Volume:

0.01 CFS
0.6 AF

This is to certify, that DWIGHT E BAKER
255 W 300 N

BLACKFOOT ID 83221 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 26, 1989; and
has submitted Proof of Beneficial Use on January 18, 1990. An examination indicates
that the works have a diversion capacity of 0.060 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	0.01 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 32, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 32 SESW

CONDITIONS/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 potato cellar humidifiers.

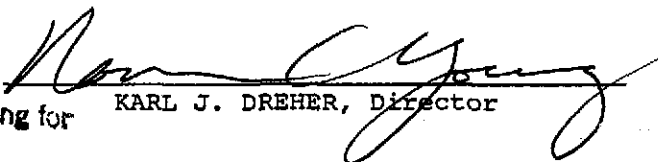
RECORDED
AUG 25 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08775

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of AUGUST, 1995.


Acting for KARL J. DREHER, Director



RECEIVED
AUG 25 1995

State of Idaho
Department of Water Resources

RECEIVED

AUG 16 1995

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 35-08775

Date of Priority: May 26, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.6 AF

Comes now

DWIGHT E BAKER

255 W 300 N

BLACKFOOT ID 83221

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-08775, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.01 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 32, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 32

SESW

MAILED

AUG 25 1995

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

Signed at Blackfoot, Idaho, this 14 day of August, 1995.

Dwight E Baker
(Signature)

State of Idaho
Department of Water Resources

RECEIVED

AUG 16 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08775

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by RT #033392 Date 8/16/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08775 with the following;

CONDITIONS/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 potato cellar humidifiers.

Witness my hand this 24TH day of August, 1995.


Acting for KARL J. DREHER, Director

RECEIVED

AUG 25 1995

Form 21
03/86

RECEIVED

JAN 18 1990

Department of Water Resources
Eastern District Office

RECEIVED

JAN 23 1990

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

PROOF OF BENEFICIAL USE

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

Permit No. 35-08775

Name(s) of Permit Holder: DWIGHT E. BAKER

Post Office Address: 255 W 300 N BLACKFOOT ID 83221

Telephone No. 524-0731

Source of Water: Groundwater

Extent of Use: Well Driller Cushman ??

Well Drilled: 1974 or 1975

per telephone call 5-10-90

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remark Commercial (potato cellar)

Total rate and/or volume for which proof is submitted 0.01 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 5-26-89

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Fee enclosed \$ NONE
(See License Examination Fee Schedule)

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

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

DWIGHT E. BAKER
(Name)

524-0731
(Telephone Number)

255 W 300 N BLACKFOOT ID 83221
(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.

MAY 23 1990

1/15/1990
Date

Dwight E Baker
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08775

Proposed Priority: May 26, 1989

Maximum Diversion Rate:

0.01 CFS

This is to certify, that **DWIGHT E. BAKER**
255 W. 300 N.
BLACKFOOT, ID 83221

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	0.01 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSW), Sec. 32, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 32 SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The 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.
5. 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.
6. Commercial use is for potato storage and fire protection.

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

19th day of October, 1989

J. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

OCT 30 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dwight E. Baker Phone (208) 524-0731
Post office address 255 W. 300 N., Blackfoot, ID 83221

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

3. Location of point of diversion is * SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot 4
Sec. 32 Township 2 S. Range 34 E. B.M. Bingham County; additional
points of diversion if any: None

4. Water will be used for the following purposes:

Amount 0.01 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) 0.01 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 6" well 150' deep with 1-2 hp
motor. Enclosed system for potato storage.

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 6 inches; proposed depth of well is 150 feet.

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 their proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

OCT 30 1989

* From Item 9, Page 2: DMD

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. Water for potato storage and fire protection.

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	
2 S.	34 E.	32											C						-0-

Total number of acres to be irrigated -0-

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

11. a. Who owns the property at the point of diversion? Dwight E. Baker

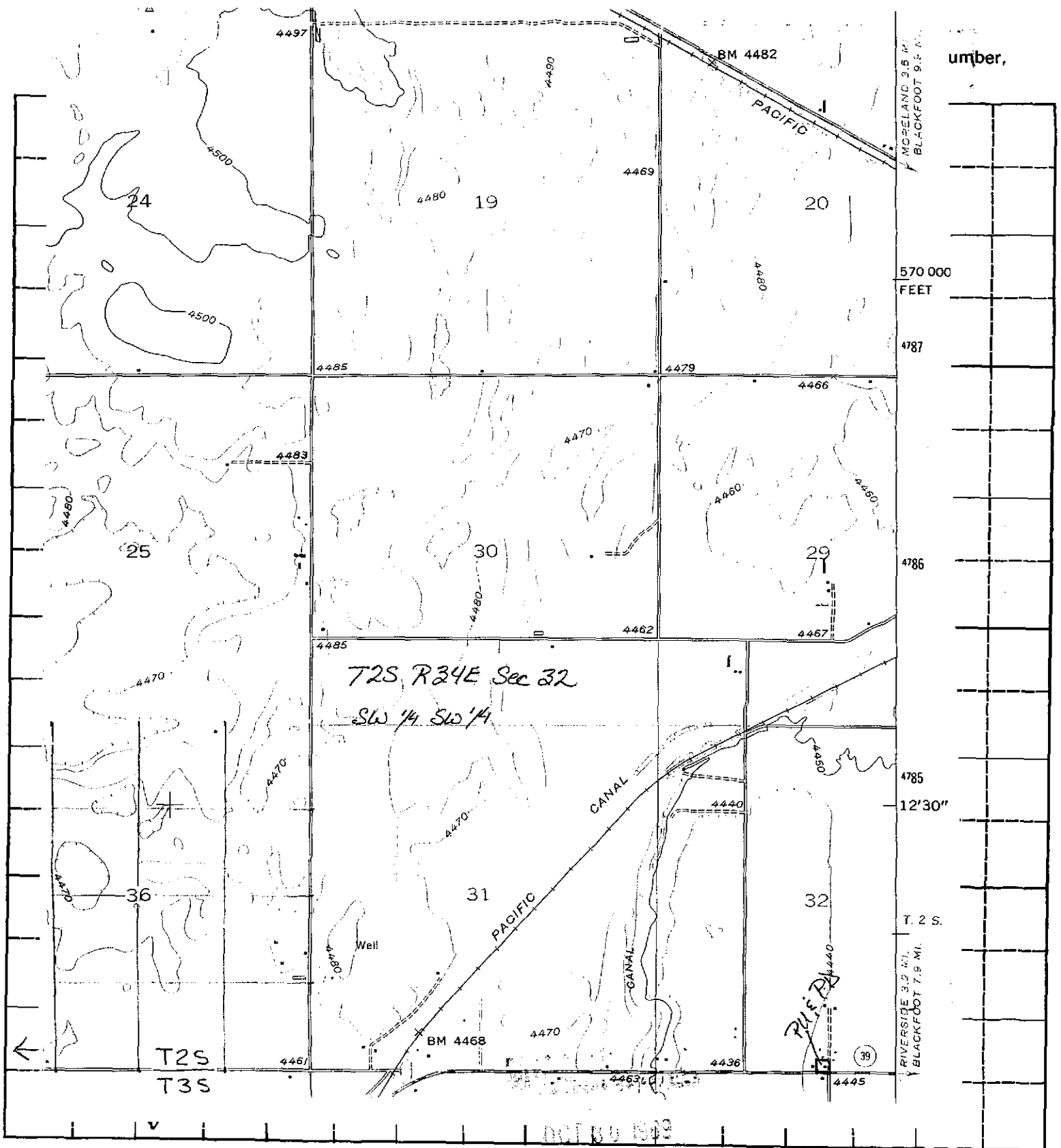
b. Who owns the land to be irrigated or place of use? Dwight E. Baker

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: _____

RECORDED

CT 30 1989



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.

Dungis E. Barker
(Applicant)

Received by aw Date 5-26-89 Time 11:15A Preliminary check by dmh
Fee \$ 30⁰⁰ Receipted by HWT # E008103 Date 5-26-89
Publication prepared by RB Date _____ Published in Morning News 7-20¹²⁴ 87
Publication approved aw Date 8-23-89 8-3 10-89

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:

MICROFILMED

OCT 30 1989



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

August 24, 1995

DWIGHT E BAKER
255 W 300 N
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08775

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

AUG 25 1995



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

August 9, 1995

DWIGHT E BAKER
255 W 300 N
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08775

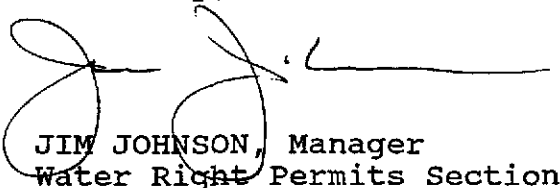
Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED
AUG 25 1995



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

July 13, 1995

DWIGHT E BAKER
255 W 300 N
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08775

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

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

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

AUG 25 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08775 DATE 7-11-95



NAME	<u>Change OK</u> ☒	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? ☐
SOURCE	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	Amendment needed? <u>Change to SESW of SEC 32</u> Overlaps? ☒
PLACE OF USE	☒	Amendment needed? <u>Change to SESW of SEC 32</u> Overlaps? ☒
DIV RATE	☒	Permit/fee limits: <u>.01 CFS</u> Meas Q = <u>2 humidifiers @ 36 gal/hr EACH = 72 gal/hr = 1.2 gal/min</u> Theo Q = <u>.06</u> Recommend: <u>.01</u> <u>OR .01 CFS</u> Combined rates exceed capacity ☐
ANNUAL VOLUME	☒	Volume Limit: <u>Season: 1-1 to 12-31</u> Calculations: <u>2 @ 12 hrs/day x 365 days = .698</u> Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u> Combined volumes exceed capacity/allowable ☐
USES	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
ADDITIONAL INFO		Supplemental Groundwater ☐ PPU Scenario ☐ Irr/Dom Combination ☐ Shared G/W System ☐
NEW REMARKS	☒	Multiple p/d(s) in 1/4 1/4? ☐ Other <u>EDIT USE REMARK</u>
NEW CONDITIONS	☒	Watermaster control - District ☐ Measuring/Locking Devices ☐ Irrigation Overlap ☐ Other ☐ Water Quality ☐ Heat/Cool/Fish verified ☐
COMMENTS:	<u>Amend p/d + p/u</u>	

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Commercial</u>	<u>.01</u>	<u>.6</u>	Adjustment Memo Needed	<u>YES</u>
____	____	____	LICENSE	____
____	____	____	1ST AMEND LETTER	<u>P37 + P38</u>
____	____	____	2ND AMEND LETTER	<u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 23 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8775

1. Owner: Dwight E. Baker Phone No. 785-2310

Current Address: 255 W. 300 N. Blackfoot, Id 83221

2. Accompanied by: _____ EXAM DATE: 5-27-93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

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

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

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	SW	32	25	34E	Bingham	USGS Quad map

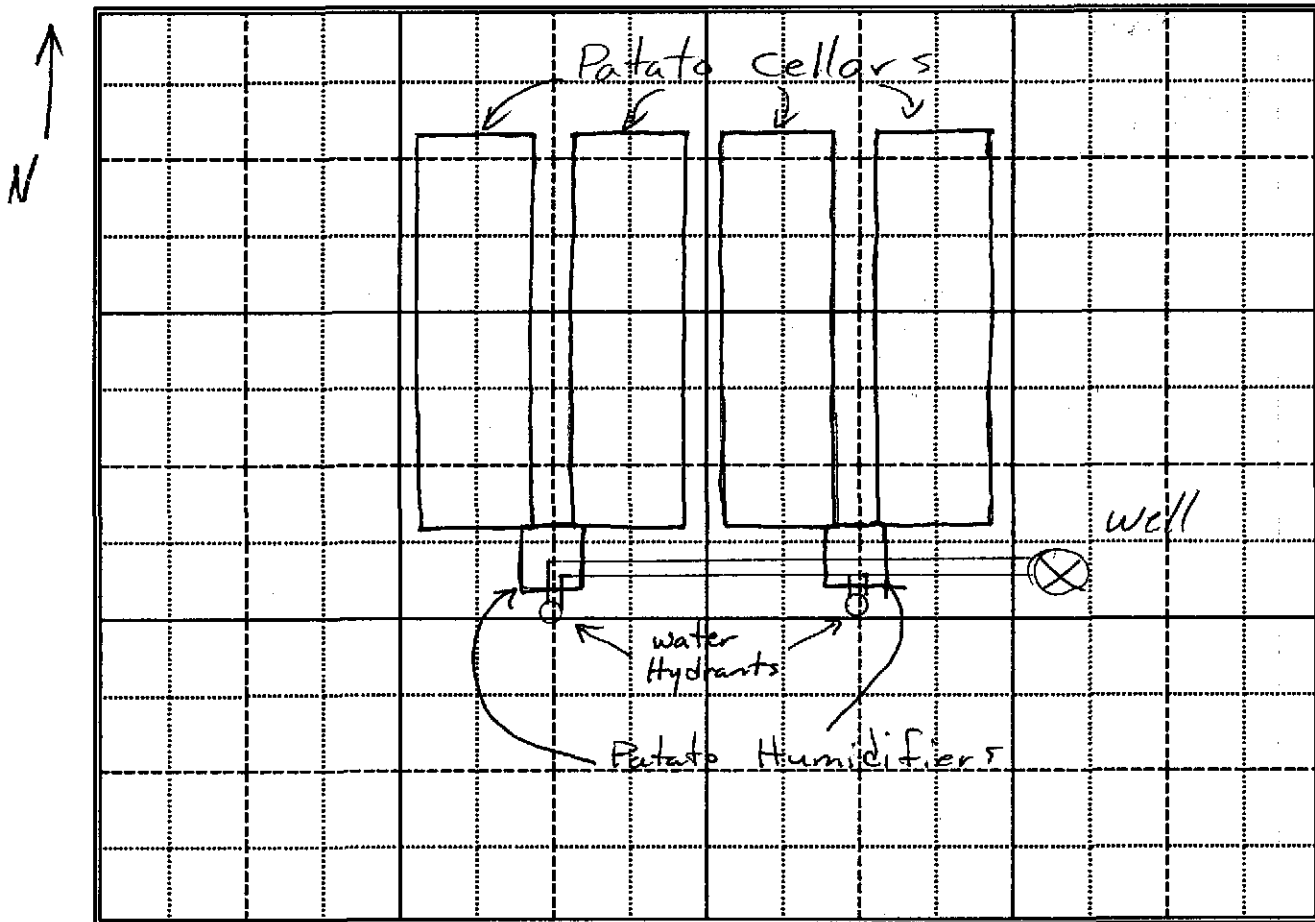
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	34E	32											C						

* See adjustment explanation. BC

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2	unknown	Franklin	1" discharge

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gage	Fluid	Ashcroft			100psi	

2. Measurements: operating pressure 40 psi
Dynamic pumping depth 125'

AUG 25 1985

E. NARRATIVE/REMARKS/COMMENTS

2 Hp submersible pump to a 1" water line
supplying water to two potato Humidifiers
cooling 4 cellars, and two outside
Hydrants.

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

RECEIVED
AUG 25 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{2(8.814)(.8)}{(125) + (40)(2.308)} = 0.065 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

allow 0.6 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	0.01	0.6
Totals:			0.01 cfs	0.6 afa

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name Gary Buss Date 5-27-93Reviewer [Signature] Date 1-10-95

SEAL

UNRECORDED

AUG 25 1995

MEMORANDUM

TO: File 35-08775 / Dwight E. Baker
FROM: Brenda Chapman
DATE: July 11, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

According to the exam and permit maps, both the point of diversion and place of use are located in the SESW of Section 32. The permit was also issued in error.

H. RECOMMENDATIONS

2. Recommended Amendments

☒ Change P.D.	☐ Add P.D.	☐ None
☒ Change P.U.	☐ Add P.U.	☐ Other

MACROFILMED
AUG 25 1995

527

BM 4468-T2S

BM 4468-T2S

325

P.D. Place of

WTSR

3508775

11

AUG 25 1995

(MORELAND)
3570 III NW

Thomas

35-8775



35-8775

UNRECEIVED

AUG 25 1985

May 15, 1990

DWIGHT E. BAKER
255 W. 300 N.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08775

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
MAY 23 1990

Law Offices of
IMHOFF & LYNCH

414 Shoup Avenue
Post Office Box 50731
Idaho Falls, Idaho 83405

Telephone (208) 524-0731

Facsimile (208) 529-4166

BOISE OFFICE

Joseph M. Imhoff, Jr., P. A.
of Counsel

James B. Lynch
Michael W. Moore
Alan R. Gardner
Richard A. Cummings
David R. Lombardi
Patrick D. Furey
Scott W. Marotz
Charles R. Clark
Thomas P. Baskin, III
Paige A. Parker
Kay C. Manweiler
Kirtlan G. Naylor

Terri L. Bankhead
Office Administrator

Formerly
McGRATH & BAKER, CHTD.

Stephen J. McGrath, P. C.
Dwight E. Baker, P. C.
Dan L. Larson

BOISE OFFICE

1607 West Jefferson
P. O. Box 739
Boise, Idaho 83702

Telephone (208) 336-6900

Facsimile (208) 336-7031

January 17, 1990

State of Idaho, Department
of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

Re: Permit No. 35-08775

Dear Sirs:

Enclosed please find Proof of Beneficial Use for the
referenced permit.

Very truly yours,


Dwight E. Baker

DEB/mjw

Enclosure

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MAY 23 1990

RECEIVED

JAN 18 1990

Department of Water Resources
Eastern District Office

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

DWIGHT E. BAKER
255 W. 300 N.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08775

Dear Permit Holder:

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

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

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

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

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OCT 30 1989

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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OCT 30 1988

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

35-08772

GAY, GARY
GAY, JOAN
16 N. 470 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SWSW
Sec 32 T 02S R 35E
Use: IRRIGATION, (.090 CFS);
STOCKWATER, (.020 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 6/02/1989
In: T02S R35E S32 SWSW
3.0 ACRES TOTAL

35-08773

FOSTER FARMS
C/O BRUCE FOSTER
2084 S. 2500 W.
Aberdeen, ID 83210
Source: GROUNDWATER
Diversion Pt: SESESE
Sec 16 T 06S R 30E
Use: INDUSTRIAL, (.040 CFS);
DOMESTIC, (.020 CFS)
Date Filed: 6/07/1989
In: T06S R30E S16 SESE

35-08775

BAKER, DWIGHT E.
255 W. 300 N.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: Lot 4 (SWSW)
Sec 32 T 02S R 34E
Use: COMMERCIAL, (.010 CFS)
Date Filed: 5/26/1989
In: T02S R34E S32 SWSW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 21, 1989.

R. KEITH HIGGINSON
Director

(477)
Pub.: 8/3, 10

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OCT 30 1989

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell)

solemnly do

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 affidavit 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

3rd day of August, 19 89;

and the last publication having been made on the 10th day of August, 19 89; 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 21st day of August, in the year 1989 before me a Notary Public of said State, personally appeared

Michael Bell
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 executed the same.

David L. Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing fee \$5.00

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

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 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 AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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OCT 30 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

OCT 30 1989

35-08775

BAKER, DWIGHT E.
255 W. 300 N.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: LOT 4 (SWSW) Sec 32 T 02S R 34E

Use: COMMERCIAL (.010 CFS)

Date Filed: 5/26/1989

In: T02S R34E S32 SWSW

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OCT 30 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

MICROFILMED

OCT 30 1989

17-Jul-1989

Dwight E. Baker
255 W. 300 N.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8775

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

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OCT 30 1989

U I A I
DEPARTMENT OF WATER RESOURCES
Eastern Region
Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 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 AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

Did not run

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OCT 30 1989

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

MICROFILMED
OCT 30 1989

35-08775

BAKER, DWIGHT E.
255 W. 300 N.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: LOT 4 (SWSW) Sec 32 T 02S R 34E

Use: COMMERCIAL (.010 CFS)

Date Filed: 5/26/1989

In: T02S R34E S32 SWSW

RECORDED

OCT 30 1989

the permit(s) will be subject to the criteria of Sec. 42-203A, Idaho Code and/or
may be submitted based on the criteria of Sec. 42-203C, Idaho Code. Protests
the new public interest criteria of Sec. 42-203C, Idaho Code. Protests
must be filed with the Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 7, 1989.
Published 7/20/1989 & 7/27/1989 R. Keith Higginson, Director

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OCT 30 1989

Law Offices of
IMHOFF & LYNCH

414 Shoup Avenue
Post Office Box 50731
Idaho Falls, Idaho 83405

Telephone (208) 524-0731

Facsimile (208) 529-4166

BOISE OFFICE

Joseph M. Imhoff, Jr., P. A.
James B. Lynch
Michael W. Moore
Alan R. Gardner
Richard A. Cummings
David R. Lombardi
Patrick D. Furey
Scott W. Marotz
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Stephen J. McGrath, P. C.
Dwight E. Baker, P. C.
Stevan H. Thompson

BOISE OFFICE

1607 West Jefferson
P. O. Box 739
Boise, Idaho 83702

Telephone (208) 336-6900

Facsimile (208) 336-7031

May 25, 1989

Tony Olenichak
Water Right Agent
State of Idaho, Department
of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

Re: Water Right Claim

Dear Mr. Olenichak:

You will find enclosed Check No. 1385, drawn on the account of Dwight E. Baker, Chartered, made payable to the Department of Water Resources for a Notice of Claim to a Water Right for certain Bingham County property.

Very truly yours,

Dwight E. Baker
Dwight E. Baker

DEB/mjw

Enclosure

RECEIVED

MAY 26 1989

Department of Water Resources
Eastern District Office

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OCT 30 1989