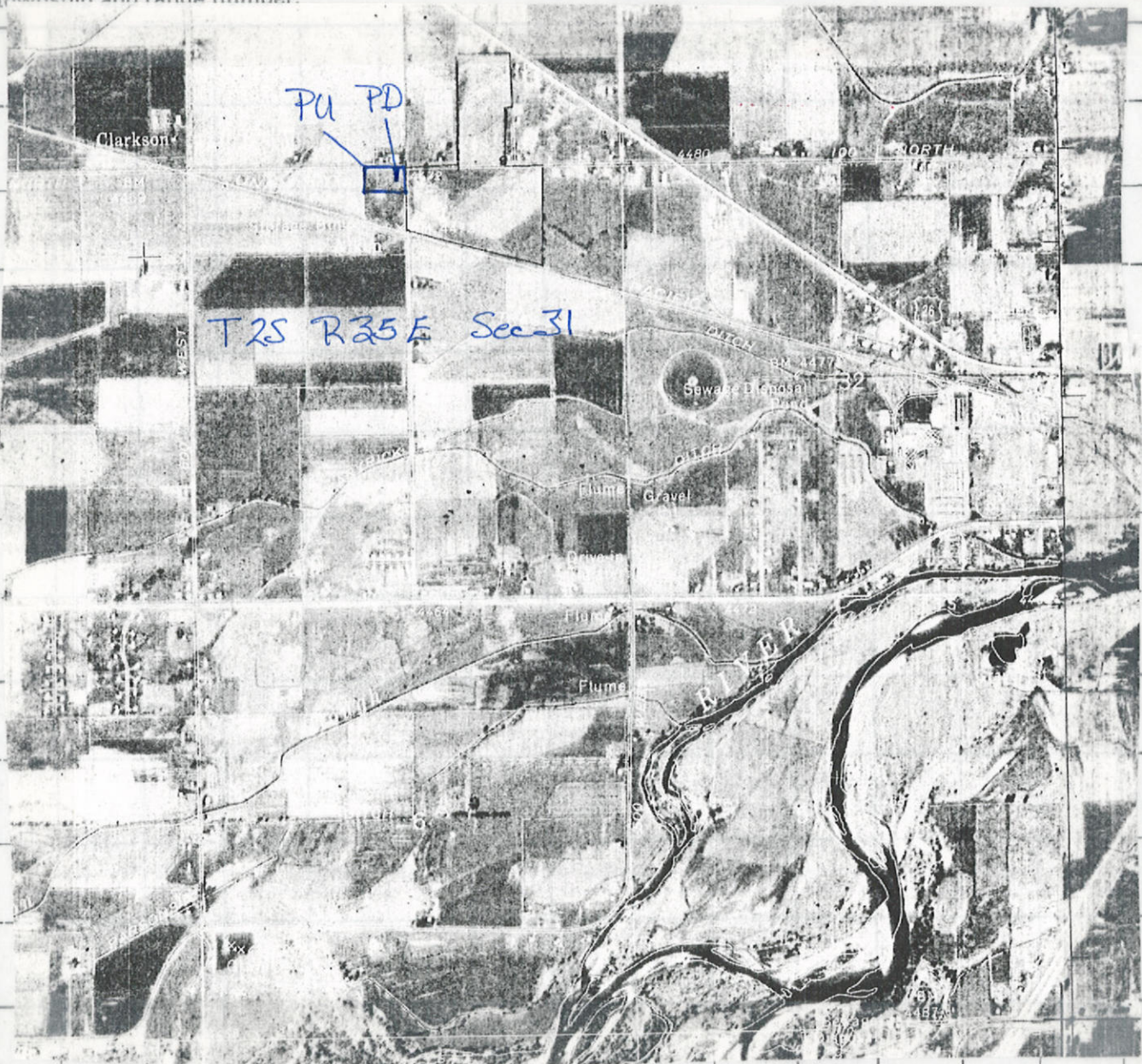


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



MICROFILMED

NOV 20 1989

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.

Randy T. Co
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 09 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08762

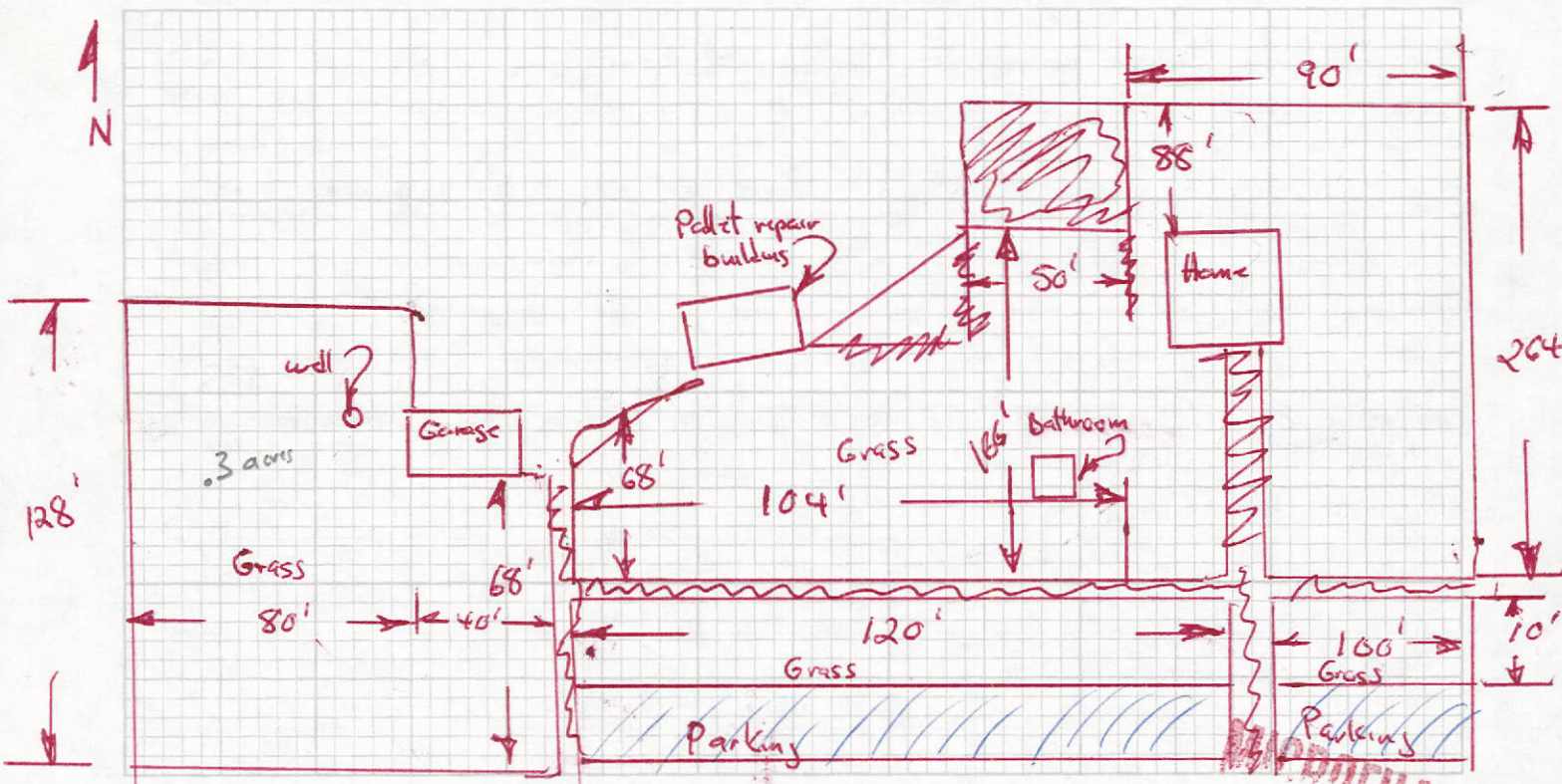
1. Owner: Randy or Pamela Cox Phone No. _____
Current Address: 555 W. 100 N Blackfoot, ID
2. Accompanied by: Applicant EXAM. DATE: 6-18-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: No ☐ Copies Attached
2. Other water rights with same point of diversion: No ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

MAR 23 1995



35-8762

Point of Diversion
and
Place of Use

T
2
S

31

R35E

35-8762

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MAR 23 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08762

Priority: May 22, 1989

Maximum Diversion Rate:
Maximum Diversion Volume:

0.09 CFS
6.8 AF

This is to certify, that RANDY COX
PAMELA COX

555 W 100 N
BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 22, 1989; and has submitted Proof of Beneficial Use on October 3, 1990. An examination indicates that the works have a diversion capacity of 0.140 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.03 CFS	5.6 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.6 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.09 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 31, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	35E	31	NENW	1.4		1.4

Total number of acres irrigated: 1.4

PLACE OF USE:

COMMERCIAL, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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.

MAR 23 1995

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

WATER RIGHT NO. 35-08762

CONDITIONS/REMARKS:

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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. Commercial use is for a repair business.
9. Domestic use is for 1 home.
10. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 14TH
day of FEBRUARY, 19 95.

Acting for

R. Keith Higginson, Director

MICROFILMED
MAR 23 1995

327-900

For Office Use Only
Amt. of Fee \$ 50.00
Date 10/3/90
Receipt No. 2018518
Received by C. Wong

Nina
Rita

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 3 1990

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

Permit No. 35-8762 Telephone No. 785-4776

Name(s) of Permit Holder(s): Randy T. Cox

Post Office Address: 555 W 100 N. Blackfoot Id 83221

Source of Water: ground water

If ground water, well driller's name: _____ Date drilled: approx 1940

Extent of Use:
Domestic 1 (No. of households) Irrigation 2 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .08 cfs _____ acre/feet

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

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

Measuring device: Required? Yes XNo Installed? Yes No

OR

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

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

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

Randy T. Cox 785-4776
Name Telephone No.
555 W 100 N. Blackfoot Id 83221
Address

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

JAN 28 1991

10-2-90
Date

Randy T. Cox
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08762

Proposed Priority: May 22, 1989

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **RANDY COX**
PAMELA COX
555 W. 100 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>
IRRIGATION	03/15 to 11/15	0.04 CFS
COMMERCIAL	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW Sec. 31, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 35E 31	NENW 2			2

Total number of acres irrigated: 2

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **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. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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NOV 20 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08762

CONDITIONS/REMARKS:

7. Commercial use is for a business.
8. Domestic use is for 1 home.

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

30th day of October, 1989.

for J. M. Saylor
R. Keith Higginson, Director

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NOV 20 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 Randy or Pamela Cox Phone (208) 785-4287
Post office address 555 W 100 N Blackfoot Idaho 83221
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____
Sec. 31 Township 2S Range 35E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-foot per annum)
Amount 0.04 for Commercial purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-foot per annum)
Amount 0.04 for Irrigation purposes from 15 Mar to 15 Nov (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) 0.12 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well and pump to distribution system for 1 home, 1 business and 2 acres of irrigation.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 60' 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 the proposed beneficial use is 1 years (minimum 1 year).

* This well was drilled in 1940 and used to irrigate 2 acres and water to the Bishop's storehouse & house.

NOV 20 1989

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. 1 household
- e. Other; describe fully. 1 Business,

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	
2S	35E	31					D												
							C												
							2												2

Total number of acres to be irrigated 210. Describe any other water rights used for the same purposes as described above. None

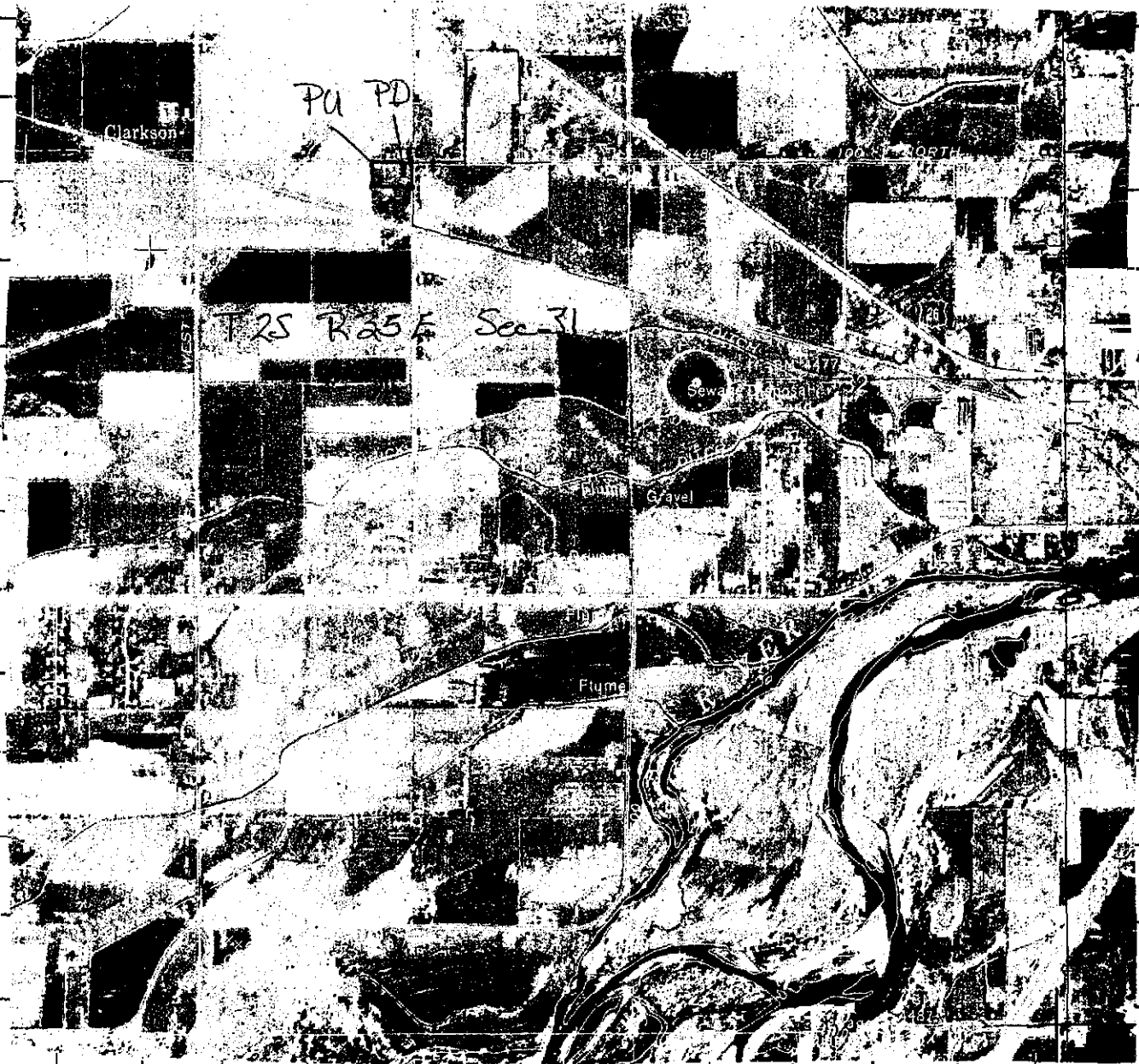
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:

NOT FILMED

NOV 20 1989

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



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NOV 20 1989

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.

Randy T. Co
(Applicant)

Received by DMS Date 22 May 89 Time 10:23 AM Preliminary check by HWJ
Fee \$ 30.00 Receipted by DMS # E007744 Date 22 May 89
Publication prepared by RB Date 7-13-89 Published in Morning News 7-20, 27, 89
Publication approved (w) Date 8-24-89 8-31-89

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:

NOT FILMED

NOV 24 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

R. KEITH HIGGINSON
DIRECTOR

February 15, 1995

RANDY COX
PAMELA COX
555 W 100 N
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08762

Dear Water Right Holder(s):

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

MAR 23 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08762 DATE 2-9-95



	Yes	No	
NAME	☐	☒	Or Address Change?
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☐	☒	Amendment needed? ☐ Overlaps? ☐
PLACE OF USE	☐	☒	Amendment needed? ☐ Overlaps? ☐
DIV RATE	☒	☐	Permit/fee limits: <u>.12 CFS</u> Meas Q = <u>1.4</u> Theo Q = <u>.14</u> Recommend: <u>.09</u> <u>1.4 x .02 = .03</u> DOMESTIC (INTERNAL) = <u>.02</u> <u>COMMERCIAL = .04</u> Combined rates exceed capacity ☐ <u>NEW</u>
ANNUAL VOLUME	☐	☒	Volume Limit: <u>Season: C/4.0 (4-1 to 10-31)</u> Calculations: <u>1.4 x 4 = 5.6 CF</u> <u>commercial OK at .10 also dom .10</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? ☐
REMARKS	☐	☒	Multiple p/d(s) in 1/4? ☐ Other <u>IRR/DOM REMARK</u>
CONDITIONS	☐	☒	Measuring/Locking Devices ☐ Watermaster control - District ☐ <u>R31</u> Irrigation Overlap ☐ Water Quality ☐ ☒ Other <u>048 049</u> Heat/Cool/ Fish verified ☐ <u>(NON-TRUST)</u>
COMMENTS:	<u>Reduce rates - see memo</u>		

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.03</u>	<u>5.6</u>	Adjustment Memo Needed	<u>YES</u>
<u>Commercial</u>	<u>.04</u>	<u>.6</u>		
<u>Domestic</u>	<u>.02</u>	<u>.6</u>	LICENSE	<u>✓</u>
<u>Total</u>	<u>.09</u>	<u>6.8</u>	1ST AMENDMENT LETTER	<u> </u>
			FINAL AMENDMENT LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with Conditions of Approval
- ☐ Well Inspection Form (If Needed)
- ☐ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☐ SRBA Attachment A Submitted to Adjudication Section
- ☐ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of government plat
- ☐ Check of P/D index HWT 6-18-92 (initial & date)
- ☐ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
- ☐ Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☐ Check of P/U index HWT 6-18-92 (initial & date)
- ☐ Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- ☐ Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to Adjudication Section

C. Review and Processing:

- Exam Completed HWT 6-18-92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent Kan 1/4/95 (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office DK 1/6/95 (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 09 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08762

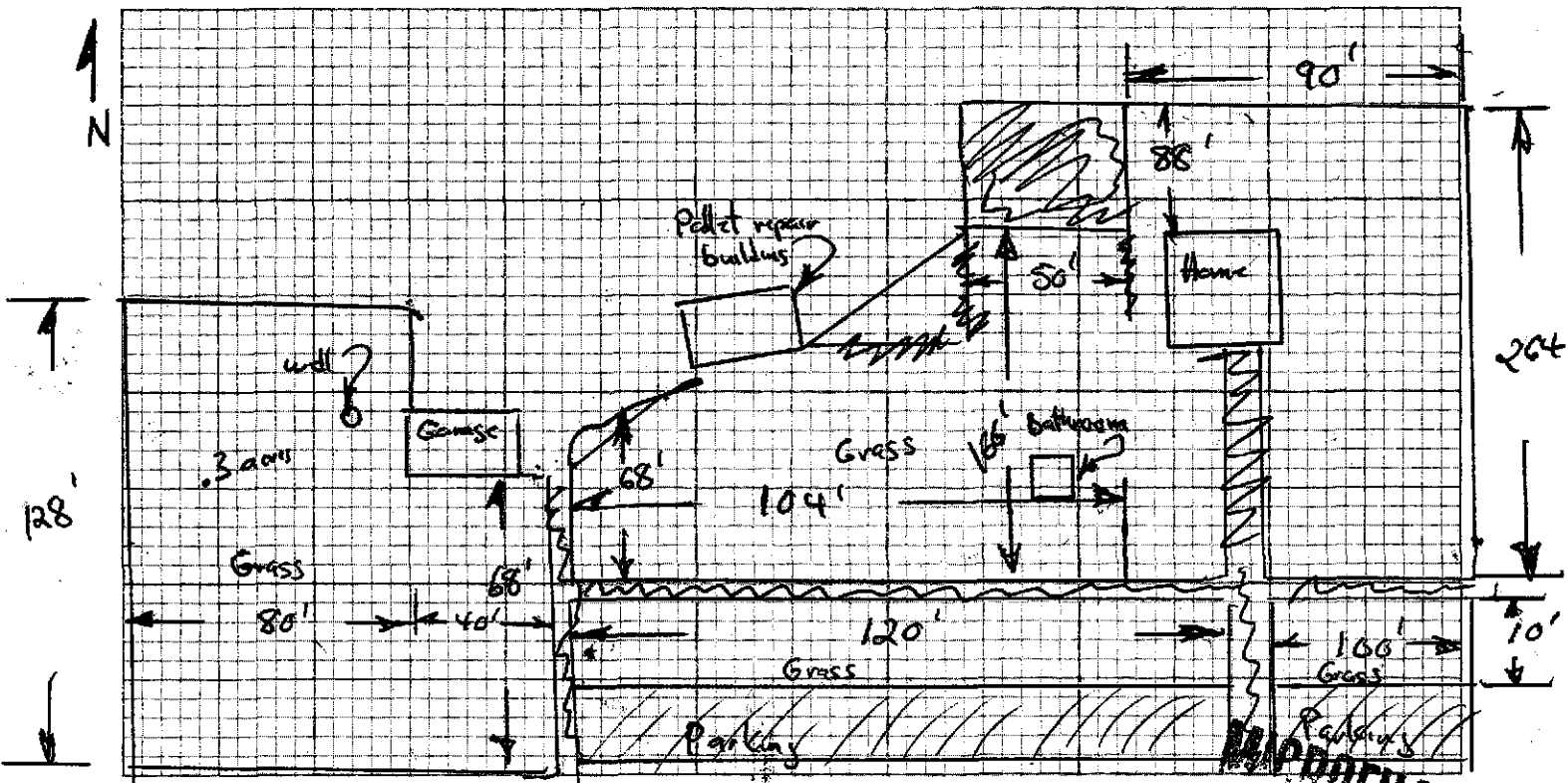
1. Owner: Randy or Pamela Cox Phone No. _____
Current Address: 555 W. 100 N Blackfoot, ID
2. Accompanied by: Applicant EXAM. DATE: 6-18-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: No ☐ Copies Attached
2. Other water rights with same point of diversion: No ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MAR 23 1995

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well pump (3hp at 60') to one home, business & irrigation

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submerged		3			

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	35E	31					1.4											1.4	

WELCOME

MAR 23 1995

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot tube & pressure gauge		Ashcraft			60 psi	

2. Measurements:

9 birds 5/32 Nozzles
 x-----x
 30 psi 30 psi
 $(4.01)(9) = 36.09 \text{ gpmph}$
 $36.09 / 448.8 = .08 \text{ cfs}$
 capacity

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \frac{h_p (8.814) \text{ cfs}}{\text{Cft} + (81 \times 2.308)} = \frac{3 (8.814) (7)}{60 + (30 \times 2.308)} = 0.14 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.4)(4) = 5.6 \text{ afa}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.08)(214)(1.9835) = 33.9$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 5.6 \text{ afa}$

2. Volume Calculations for Other Uses:

Domestic - allow 0.6 afa
 Commercial - allow 0.6 afa

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 MAR 23 1995

[illegible]

1. Recommended Amounts

☐ 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

Field Examiner's Name HAROLD JONES
Signature H. Jones
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

* See attached memo. HC

SECRET

MAR 23 1965

MEMORANDUM

TO: File 35-08762 / Randy Cox
FROM: Brenda Chapman
DATE: February 9, 1995
RE: Recommendation Adjustment(s)

=====

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

E. FLOW CALCULATIONS

The irrigation rate is reduced: $1.4 \text{ ac} \times .02 \text{ cfs} = .03 \text{ cfs}$.

The domestic rate is reduced to coincide with the examiner's recommendation of an in-house only volume. This adjustment also coincides with the current guidelines for processing combination domestic and irrigation rights.

The commercial rate for the pallet repair business has been left at the recommended .04 cfs. The instantaneous flow requirement might be higher than an internal domestic use.

I. RECOMMENDATIONS

1. Recommended Amounts

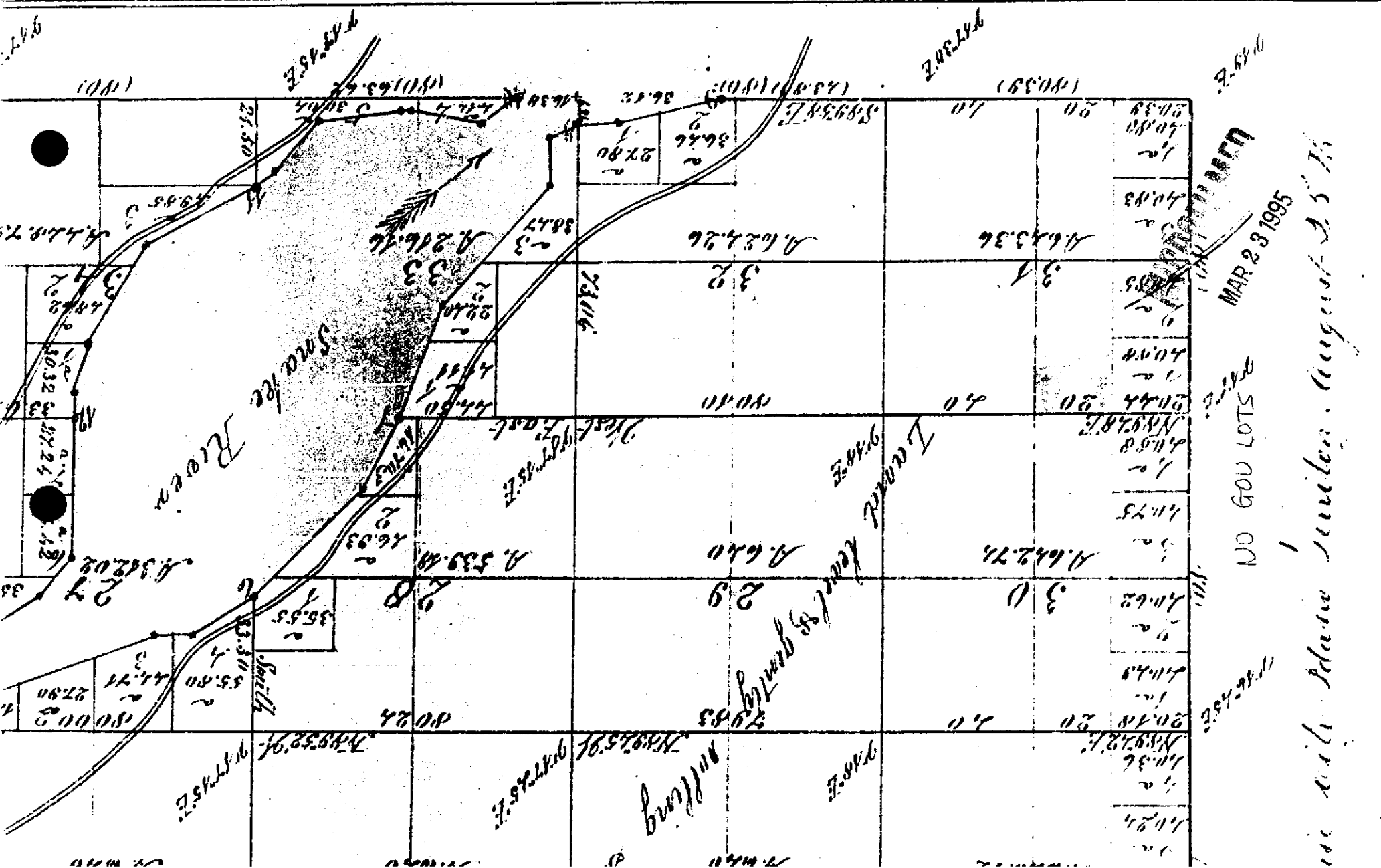
Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	.03	5.6
Commercial	1-01 to 12-31	.04	.6
Domestic	1-01 to 12-31	.02	.6

See item E.

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MAR 23 1995

Sewage 4487

Date of Survey	Amount of Survey			By whom surveyed	Notes
	Miles chains	Miles	When commenced		
Oct. 23 1876	11	78	March 20 1877	John B. Blair	1100
March 20 1877	11	78	March 20 1877	John B. Blair	1100



December 27, 1990

RANDY COX
PAMELA COX
555 W. 100 N.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08762

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

JAN 26 1991

138365

August 31, 1990

RANDY COX
PAMELA COX
555 W. 100 N.
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08762

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 November 1, 1990. (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

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JAN 28 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 30, 1989

RANDY COX
PAMELA COX
555 W. 100 N.
BLACKFOOT, ID 83221

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08762

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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NOV 20 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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NOV 20 1989

35-08728

COUMERILH, TERRY L.
Drawer H
Moreland, ID 83256
Source: GROUNDWATER
Diversion Pt: NENWNE
Sec 26 T 02S R 34E
Use: IRRIGATION, (.060 CFS)
Date Filed: 5/22/1989
In: T02S R34E S26 NWNE
3.0 ACRES TOTAL

35-08731

COLLINS, DON J.
705 W. 100 S.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENE
Sec 11 T 03S R 34E
Use: COMMERCIAL, (.300 CFS)
Date Filed: 5/23/1989
In: T03S R34E S11 NENE

35-08761

TETON WEST STEEL INC.
P.O. Box 122
Rexburg, ID 83440
Source: GROUNDWATER
Diversion Pt: SENE
Sec 32 T 02S R 35E
Use: COMMERCIAL, (.040 CFS)
Date Filed: 5/23/1989
In: T02S R35E S32 SENE

35-08762

COX, RANDY
COX, PAMELA
555 W. 100 N.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENW
Sec 31 T 02S R 35E
Use: IRRIGATION, (.040 CFS);
COMMERCIAL, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/23/1989
In: T02S R35E S31 NENW
2.0 ACRES TOTAL

35-08764

LEAVITT, DENNIS
LEAVITT, KENEA
220 N. 740 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NWSW
Sec 1 T 02S R 34E
Use: COMMERCIAL, (.020 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/08/1989
In: T02S R34E S01 NWSW

35-08765

BROADHEAD, LYNN
P.O. Box 1067
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SESWSE
Sec 31 T 02S R 35E
Use: COMMERCIAL, (.500 CFS)
Date Filed: 5/23/1989
In: T02S R35E S31 SWSE

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell do
solemnly

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

newspaper two consecutive weeks,

the first publication having been made on the

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 ex-
ecuted the same.

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

Affidavit Processing Fee..... \$5.00

RECORDED

NOV 20 1989

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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NOV 20 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

NOV 20 1989

35-08762

COX, RANDY
COX, PAMELA
555 W. 100 N.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt:

Use: IRRIGATION
COMMERCIAL
DOMESTIC

Date Filed: 5/22/1989

In: T02S R35E S31

2.0 ACRES TOTAL

NENW

Sec 31 T 02S R 35E

(.040 CFS)
(.040 CFS)
(.040 CFS)

NENW

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NOV 20 1989

The permit(s) will be subject to all prior law and may be submitted based on the criteria of Sec. 42-203, 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

NOV 20 1989

18-July-1989

Randy or Pamela Cox
555 W. 100 N.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8762

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
NOV 20 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 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

MICROFILMED

NOV 20 1989

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

RECEIVED

NOV 20 1989

35-08762

COX, RANDY
COX, PAMELA
555 W. 100 N.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NENW Sec 31 T 02S R 35E

Use: IRRIGATION	(.040 CFS)
COMMERCIAL	(.040 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 5/22/1989

In: T02S R35E S31 NENW

2.0 ACRES TOTAL

MICROFILMED

NOV 20 1989

The permit(s) will be subject to all prior water rights. All tests 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 7, 1989.

R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

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NOV 20 1989