



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
done was done on July 1, 1973
done years (minimum 1 year).

MICROFILMED

SEP 15 1989

35-08725

35-08725

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S

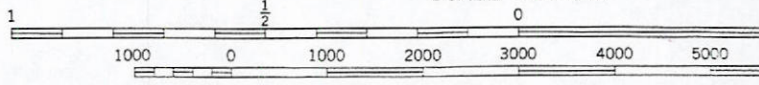
P/D

P.O.U.

2

R35E

RECEIVED
JUN 26 1993



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08725

Priority: April 24, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.1 AF

This is to certify, that LANCE I GARDNER
589 N 150 W

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 24, 1989; and has submitted Proof of Beneficial Use on October 26, 1989. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	1.7 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	2.4 AF
	Totals	0.04 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 2, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02S 35E 2

NWNE

PLACE OF USE: COMMERCIAL, same as STOCKWATER 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.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

RECORDED

JAN 26 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08725

CONDITIONS/REMARKS:

6. 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.
7. 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.
8. Commercial use is for humidifiers for potato cellars.
9. Stockwater use is for 130 range cattle.

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 15TH day of DECEMBER, 1992.

Acting for *R. Keith Higginson* Director

JAN 26 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08725

Proposed Priority: April 24, 1989

Maximum Diversion Rate:

0.40 CFS

This is to certify, that **LANCE I. GARDNER**
589 N. 150 W.
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>
STOCKWATER	01/01 to 12/31	0.20 CFS
COMMERCIAL	01/01 to 12/31	0.20 CFS
	Totals	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNE Sec. 2, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02S 35E 2 NWNE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1990.
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. 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.
7. Commercial use is for humidifiers for potato cellars.

MICROFILMED

SEP 15 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08725

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

31st day of August, 1989.

for J. Glen Saxton
R. Keith Higginson, Director

MICROFILMED

SEP 15 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 Lance I. Gardner Phone 785-5156
Post office address 589 N. 150 W. Blackfoot, Idaho 83201
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$, Govt. Lot _____
Sec. 25 2 Township 35E-2S Range 35E B.M. Bingham County; additional
points of diversion if any: None
4. Water will be used for the following purposes:
Amount 0.20* for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20* for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.40* and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well, 6" casing, 120' deep.
1 hp submersible pump, pipes to livestock waterers and pipes to
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 120' 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
done was done on July 1, 1983 years (minimum 1 year). 1 year

* As per telephone conversation 08:20 21 April 1989

MICROFILMED

SEP 15 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. 300 head Dairy cows.
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Commercial, humidifiers for potato cellars.

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	2		C/S															

Total number of acres to be irrigated _____

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? Lance I. + Mark W. Gardner
- b. Who owns the land to be irrigated or place of use? _____
- 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: _____

MICROFILMED

SEP 15 1989

Received by Jo Date 4-7-89 Time 11:20 A Preliminary check by DMS
Fee \$ 30. Receipted by Jo # E006744 Date 4-7-89
Publication prepared by RB Date 5-10-89 Published in Morning News
Publication approved RB Date 7-24-89

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

SEP 15 1989

34 27.3 2

35 2

3 27.3 2

3 27.3 2

R3SE

T 3

PLACE OF USE

POINT OF DIVERSION

TIS
T2S
37

23

39

39

39

39

37

4 118.1

5 96

3 27.3

10 11

d. Is ground water with a temperature of greater than 90°F being sought?

NO

UNCLASSIFIED

Official use is

7. Time required for the completion of the works and application of the water
done was done on July 1, 1973
_____ years (minimum 1 year).

SEP 15 1989

35-08095

WASIA, Ted
 Rt. 1, Box 11
 Pingree, Idaho 83262
 Source: GROUNDWATER
 Diversion Pt: SWNE, Sec. 24, T. 03S, R. 32E.
 SENE, Sec. 24, T. 03S, R. 32E.
 Use: IRRIGATION (1,800 CFS).
 Date Filed: 2/10/1983.
 In: T03S, R32E, S24, NENE, NWNE,
 SWNE, SENE, NESE, NWSE.
 240.0 ACRES TOTAL.

35-08130

WAGNER, Michael
 WAGNER, Pam
 1083 W. 500 N.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: SWNW, Sec. 8, T. 02S, R. 34E.
 Use: IRRIGATION (1,720 CFS).
 Date Filed: 4/14/1983.
 In: T02S, R34E, S08, NENW, NWNW,
 SWNW, SENW.
 86.0 ACRES TOTAL.

35-08578

LARSEN, Gerald
 Rt. 4, Box 331
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: SESE, Sec. 21, T. 01S, R. 34E.
 SWNE, Sec. 28, T. 01S, R. 34E.
 Use: IRRIGATION (2,200 CFS).
 Date Filed: 5/29/1985.
 In: T01S, R34E, S21, NESE, NWSE.
 S28, NENW, NWNW.
 110.0 ACRES TOTAL.

35-08725

GARDNER, Lance L.
 589 N. 150 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: NWNE, Sec. 2, T. 02S, R. 35E.
 Use: COMMERCIAL (.200 CFS).
 STOCKWATER (.200 CFS).
 Date Filed: 4/24/1989.
 In: T02S, R35E, S02, NWNE.

35-08751

HOPKINS PACKING CO.
 P.O. Box 375
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: Lot 15 (SESW), Sec. 33, T. 02S, R. 35E.
 Use: STOCKWATER (.040 CFS).
 COMMERCIAL (.070 CFS).
 Date Filed: 5/15/1989.
 In: T02S, R. 35E, S33, Lot 15, (SESW).

35-08752

DANCE, Sheldon R.
 DANCE, Patricia T.
 1165 W. Highway 30
 Blackfoot, Id. 83221
 Source: GROUNDWATER
 Diversion Pt: NWNENW, Sec. 6, T. 03S, R. 34E.
 Use: IRRIGATION (.040 CFS).
 DOMESTIC (.040 CFS).
 Date Filed: 5/03/1989.
 In: T03S, R34E, S06, NENW.
 1.5 ACRES TOTAL.

RECEIVED

JUL 20 1989

Department of Water Resources
 Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho Michael Bell

I, 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
6th day of July, 1989;

and the last publication having been made on the
13th day of July, 1989;
 that said notice was published in the regular and entire
 issue of every number of the paper as aforesaid during
 the period and time of publication, and that notice was
 published in the newspaper and not in a supplement.

On this 17th day of July, in
 the year 1989, before me a Notary Public of said State,
 personally appeared

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

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

Affidavit Processing Fee..... \$5.00

MICROFILMED

SEP 10 1989

R37E, S07, NESW, NWSW, SWSW, SESW.
150.0 ACRES TOTAL.

27-07344

DAYLEY, Marv
995 York
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NENW, Sec. 4, T. 03S, R.
36E.
Use: IRRIGATION (.110 CFS).
STOCKWATER (.020 CFS).
Date Filed: 3/02/1983.
In: T03S, R36E, S04, NENW.
6.0 ACRES TOTAL

27-07347

CARLISLE, Scott
Rt. 6, Box 403
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NENW, Sec. 4, T. 03S, R.
36E.
Use: IRRIGATION (.120 CFS).
Date Filed: 4/05/1983.
In: T03S, R36E, S04, SENW.
6.0 ACRES TOTAL

35-08083

HORSCH, Dwight W.
RR #1
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: SWNW, Sec. 2, T. 06S, R.
31E.
Use: Irrigation (2,400 CFS).
Date Filed: 1/21/1983.
In: T06S, R31E, S02, NWNW, SWNW,
SENW.
120.0 ACRES TOTAL.

35-08601

PETERSON, Jeanne
PETERSON, Hal
Route 5, Box 94
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 35, T. 02S, R.
33E.
Use: IRRIGATION (.500 CFS).
Date Filed: 7/01/1985.
In: T02S, R33E, S35, SESW, SWSE.
25.0 ACRES TOTAL.

35-08725

GARDNER, Lance T.
589 N. 150 W.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NWNE, Sec. 2, T. 02S, R.
35E.
Use: IRRIGATION (.200 CFS).
STOCKWATER (.200 CFS).
Date Filed: 4/24/1989.
In: T02S, R35E, S02, NWNE.

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 JUNE 5.

R. KEITH HIGGINSON
Director

MICROFILMED

SEP 15 1989

(395)
Pub.: 5/18/25

RECEIVED

JUN - 1 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

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
18th day of May, 19 89;

and the last publication having been made on the
25th day of May, 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 30th day of May, in
the year 19 89 before me a Notary Public of said State,
personally appeared

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

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

Affidavit Processing Fee..... \$5.00



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

December 16, 1992

LANCE I GARDNER
589 N 150 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08725

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
JAN 2 1993



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

November 20, 1992

LANCE I GARDNER
589 N 150 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08725

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

JAN 26 1993

LICENSE REVIEW CHECKLIST

Permit # 35-08725

Date 11-18-92

38

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☒	☐	Disagree with Actual Measurement? _____
			<u>.04 cfs (COMM) .03 cfs (STOCK)</u>
	☐	☒	Disagree with Theoretical? _____
	☒	☐	Limited by Capacity? <u>.04 cfs</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season
			<u> </u> Season Recommended
	☐	☒	Disagree with Examiner's Calculations? _____
			<u>2.4 afa (COMM) 1.7 afa (STOCK)</u>
	☐	☒	Limited by Flow? _____
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☐	☒	Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U	☐	☒	Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>STOCK/130 range Cattle</u> <u>COMM/</u>
	☐	☒	Special Overlap Condition <u>Humidifiers</u>
	☐	☒	Other _____
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	☐	☒	Overlap
	☐	☒	Water Quality
			DATES/MISC
			☐ Water Dist.
			☒ App Rec'd
			☒ Exam Made
COMMENTS/MEMOS NEEDED:	<u>Reduced rate</u>		

License	<u> </u>	10-Day ☒	15-Day <u> </u> Special Correspondence <u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

35-8725
Permit No.

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
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index KCW 10/22/92 (Initial and 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 35-2573 KCW 10/22/92 (Initial and 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: _____

IRRIGATION

Aerial Photo

Required? ☐ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and 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
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed HUNT 5-11-92 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent KCW 10/22/92 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 26 1992

Department of Water Resources

A. GENERAL INFORMATION

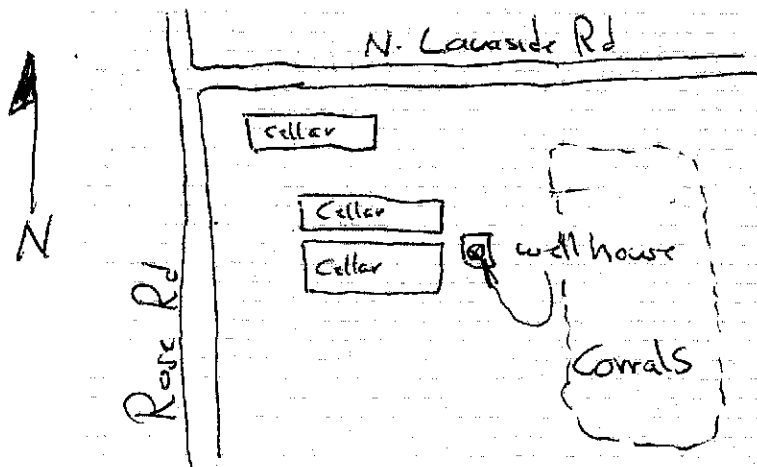
Owner: Lance Gardner (AKA Golden Sunset Ranch) Permit No. 35-08725
Current Address: 589 N. 150 W. Blackfoot, ID Phone No. 785-5156
Accompanied by: NA EXAM. DATE: 5-11-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NA - 35-02573 for irrigation
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: NA
_____ ☐ 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). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JAN 26 1993

System Description (continued)

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

Pump set at 100' Well pump in pump house to 3 cellars
and stockwater. Approx 130 head on site (cattle)

☐ 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
		1/2 hp			
		1 hp			

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	Z	2S	35E		

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	35E	2		C															
				S															

Do not use this space

JAN 26 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Theoretical - 1 hp pump, pump at 100', 40 psi av. pressure

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: (Theoretical) $Q = \frac{(1)(8.814)(1.8)}{(100) + (40 \times 2.308)} = \frac{7.0512}{192.32} = .04$

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

RECORDED

$Q = 0.04 = 17.95 \text{ gpm}$

JAN 26 1993

$17.95 \text{ gpm} \times \frac{60 \text{ min}}{\text{hr}} \times \frac{2 \text{ hrs}}{\text{day}} \times \frac{365 \text{ days}}{\text{year}} = \frac{786210}{325,850} = 2.41 \text{ afa}$

$S = (130 \text{ hdi})(0.0134) = 1.7 \text{ afa}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I recommend only .04 cfs be used

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	Jan. 1	Dec. 31	.04	1.74
Commercial	Jan. 1	Dec. 31	.04	2.41
Totals:			.04	4.15

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

J. AUTHENTICATION

Field Examiner's Name

HAROLD W. JONES

Signature

H. W. Jones

Certification Date

Field Report Preparation Date

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECORDED

JAN 26 1993

35-08725

35-08725

T
Z
S

P/D

P.O.U.

2

Well

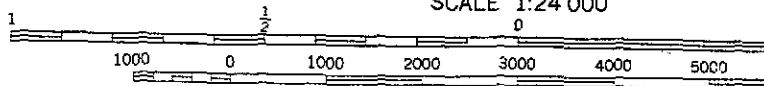
R35E

JUN 26 1993

published by the Geological Survey

S/NOAA

photographs by Kelsh plotter



SCALE 1:24 000

BLACKFOOT 5 MI.
POCAHELLO 29 MI.

(BLACKFOOT)
3570 III NE

December 1, 1989

LANCE I. GARDNER
589 N. 150 W.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08725

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

NOTIFIED

DEC 13 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8725

Date: 11/24/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
 1. well log in file 1973? NO well log found
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☐ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ NO Is a measuring device or access port required?
☐ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>MA</u>	
Date proof due		
No. of days late		
Priority date		
NEW PRIORITY DATE		

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

NOV 02 1989

RECEIVED

OCT 26 1989

Department of Water Resources
STATE OF IDAHO Eastern District Office

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 10-26-89
Date _____
Receipt # E011070
Receipt by RB
Reviewed by DS-11/24/89
Sent to region _____

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

Permit No. P 35-08725

Name(s) of Permit Holder: Lance I. Gardner

Post Office Address: 589 N. 150 W.

Blackfoot, Idaho 83221 Telephone No. 785-5156

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households) Stockwater 300-350 (number and type of stock)

Irrigation _____ (acres) Other/Remark Dairy Commercial - Potato Cellars/Humidifier

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

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

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

Fee enclosed \$ 50.00
(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:

Lance I. Gardner (Name) 785-5156 (Telephone Number)

589 N. 150 W. 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.

RECEIVED

DEC 13 1989

10-25-89
Date

Lance I. Gardner
Signature of Permit Holder (and title, if appropriate)

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) 334-7900
September 1, 1989

LANCE I. GARDNER
589 N. 150 W.
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. P35-08725

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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SEP 15 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

RECEIVED

SEP 15 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis McDunn DATE 20 April 89 APPLICATION NUMBER 35-8725

REQUIRED INFORMATION

Lance I Gardner

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested JUL 31 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6-05-89
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-POS
☐ Yes ☒ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 4-24-1989
By HWS Date 7-26-89

STATE OFFICE REVIEW POS, P23 P16 46 04 48 49
By KW See below for additional information
Date 8/24/89

ADDITIONAL INFORMATION

App. in NON-TRUST area-

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

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 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 JULY 24, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

SEP 15 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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SEP 15 1989

35-08725

GARDNER, LANCE I.
589 N. 150 W.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NWNE Sec 2 T 02S R 35E

Use: COMMERCIAL	(.200 CFS)
STOCKWATER	(.200 CFS)

Date Filed: 4/24/1989

In: T02S R35E S02 NWNE

MICROFILMED

SEP 15 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 JULY 24, 1989.

R. Keith Higginson, Director

Published 7/06/1989 & 7/13/1989

MICROFILMED

SEP 15 1989

May 11, 1989

Lanee I. Gardner
589 N. 150 W.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8725

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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SEP 15 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 10, 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 JUNE 5, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

SEP 15 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

SEP 15 1989

35-08725

GARDNER, LANCE I.
589 N. 150 W.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NENE Sec 2 T 02S R 35E

Use: IRRIGATION (.200 CFS)
 STOCKWATER (.200 CFS)

Date Filed: 4/24/1989

In: T02S R35E S02 NENE

MICROFILMED

SEP 15 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 JUNE 5, 1989.

R. Keith Higginson, Director

Published 5/18/1989 & 5/25/1989

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SEP 15 1989