

60812

25

۴۳۳۳

NRG

4826
+2060

2662 4820

new Point of Diversion

37.3

五

33.7

三

11

5.

4.9

Fun

34.2

545



B.2



1999

● **STRENGTHENING**

Exposition Point

POD

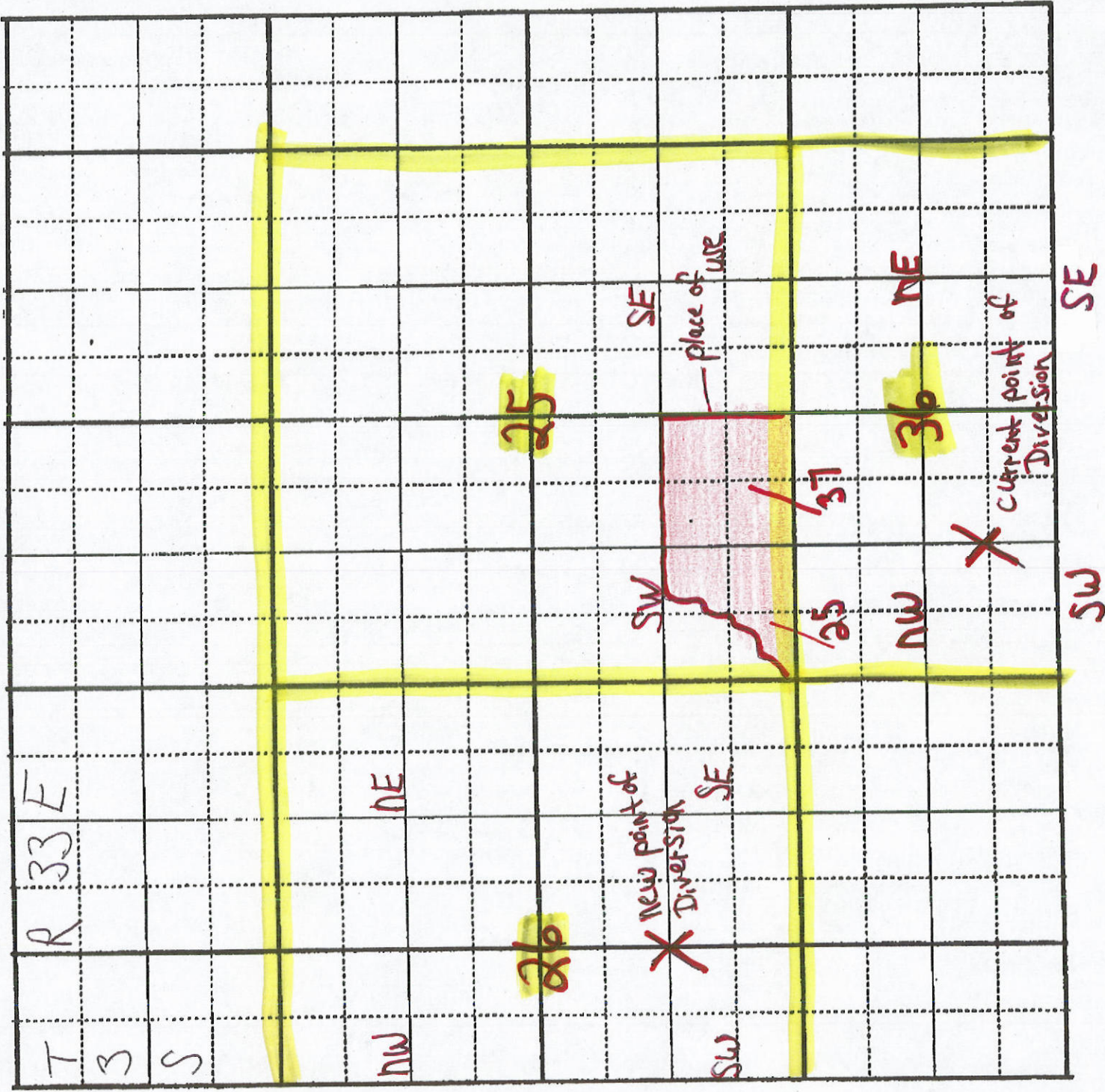
SCANNING

MAR 19 2005

71809

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

SCANNED
MAR 09 2005

71809

N↑

BM

4453

4461

4454

25

4450

4450

4450

36

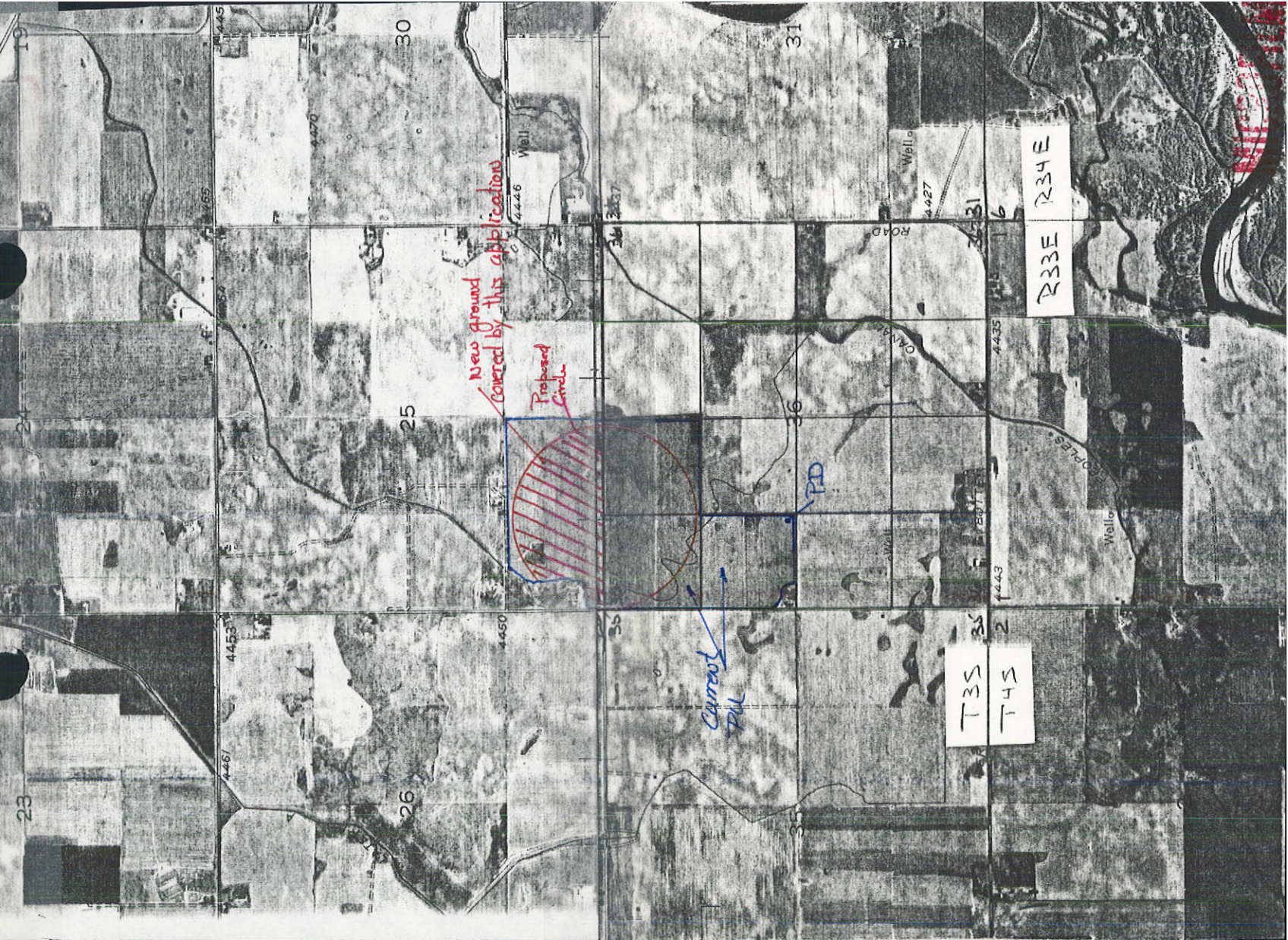
4435

MICROFILMED

FEB 10 2004

Well

ROAD



TRANSFER REVIEW SHEET

Date Reviewed 2/2005ans # 71804ght No(s)* 35-8718Split? Y NY N Y N Y N Y N Y NREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d
Add p/dChange use period
Change nature of use

Change p/u

ightID's of From & To records correct? Y N (resolve with S.O.)

Check for Partial Decree issuance, etc. since time of application's entry

ROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U X Lien Holder Release

GROUNDWATER:

DRILLING PERMIT

- All wells - 046
- DP upgrade req'd Y N (contact GW)
- WMD - North/East/West
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 067

WMD

- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL
SUPPLEMENTAL

- 065-104 (where irrigation is the only use)
- 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)
- 115 (meas. Device)

USES:

- STORAGE - 18C-R02-01P-18B-NA
- IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
- > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
- Volume only - R58/R59/R60/R61
- STOCKWATER - R37 (all BLM/USFS)
- MINING - 054-106
- FISH PROP - 029 (70's basins only)-007-122-106
- HEAT/COOL - R07 (injection well)
- FIRE PROT. - 077
- DAIRY - 082 (zoning if a concern)-106-WD8

MISC CONDITIONS/REMARKS:

- T07 - 1 yr to develop
- T08 - comply or rescind
- T17 - >1 pd, measure all (use w/ WB4)
- T18 - Special T17 & R43 combined - multiple pds in WD

- Protested - 020-X19
- Water Quality - 106-R07

- X27 - Number of acres/season in ppu
- X35 - Combined totals of multiple rts

OTHER CONDITIONS/REMARKS

SURFACE WATER:

WD

- ≤ 0.20 cfs/others
- > 0.20 cfs

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

- ≤ 0.24 cfs/5 acres
- > 0.24 cfs/5 acres

- R05 (WD# 120) WM comments rec'd

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

STANDARD SEASON

to (use X61 if extended season)

STANDARD VOLUME

af/ac

CONSUMPTIVE USE VOLUME

af/ac

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

- 022-075 RAfn - 007-109-X64

Irr., GW supp to SW

- 102

DOMESTIC

Surface water

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

>1 in restricted area

- 070-071-075 (no parks/common areas, etc)

Irr use listed separate

- WB5

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18

(if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

COMMENTS

Database files updated Approval form printed Shape files created Special Mailing Instructions (cc's, etc) Final database update after approval *Comment to WR No(s).

71809

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on

Permit No. 35-8718

BU Fee Pd \$ 125.00

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☐ n/a ☐ plat copy attached

AREA OF CONCERN: No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
Non-Trust - 048

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 106
FISH PROP - 029(70'S only)-042-106
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

Use Change/Add - P46

ADVANCE PRIORITY? ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 106-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP 4/1-10/31
4.0 afa

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed ☐ Yes ☒ No

AMENDMENTS REQUIRED ☐ Yes ☒ No

Adjustment Memo Needed ☐ Yes ☐ No

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - R22-R23 (+uses)-025-106-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

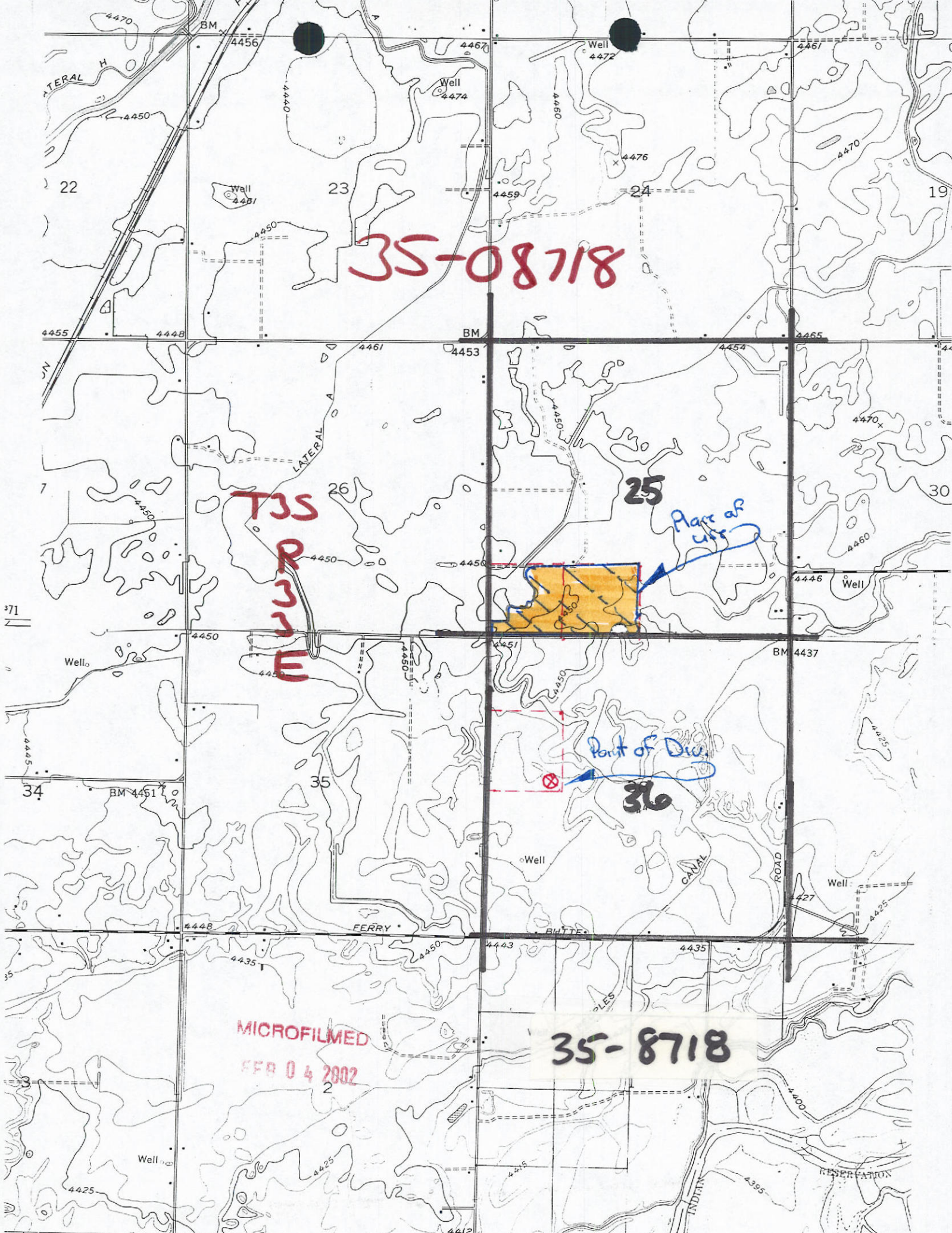
PD overlap rights - W35-W36 Right # 7947/7113B/8741B
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate 1.40 cfs Fee Limit 2.00 cfs
Measured 3.03 cfs Theoretical 3.03 cfs

Use	Rate	Volume
<u>Irr</u>	<u>1.24</u> cfs	<u>248.0</u> af
<u> </u>	<u> </u> cfs	<u> </u> af
<u> </u>	<u> </u> cfs	<u> </u> af
TOTALS	<u> </u> cfs	<u> </u> af

If no, is a claim required: ☐ Yes ☒ No

If yes, paragraph codes:



35-08718

TJS
R
E

Part of
City

Part of Div.

MICROFILMED
FEB 04 2002

35-8718

26

9
309

HEL

HEL
8

8.7

121.4

9 HEL
2.1

T2086

3240

T2012

1705

Place of use

HEL

35.8

R33E

HEL
13.0

25

T2020

3240

HEL

4.3

T 3 S

2 HEL

58.2

HEL

4

100.0

2 HEL

34.1

3 HEL

4.1

Point of Dw. (X)

HEL

2

28.5

436

T25035

2626

HEL

5.5

1927

2607

35-8718

MICROFILMED

FEB 04 2002

HEL

37.4

HEL

33.9

HEL

69.5

HEL

78.0

HEL

57.1

T2021

524

36 18.0

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30
days after the completion or abandonment of the well.RECEIVED
CP-

MAY 24 1977

Department of Water Resources
Eastern District Office

1. WELL OWNER

Name LEONARD DALTONAddress Route 1 Box 165 Pingree, ID

Owner's Permit No. _____

7. WATER LEVEL

Static water level 19 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Other Air

Discharge G.P.M.

Draw Down

Hours Pumped

10

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 50 feetCasing schedule: ☒ Steel ☐ ConcreteThickness .250 inches Diameter 6 inches From 1 feet To 18 feet

_____ inches _____ inches _____ feet _____ feet

_____ inches _____ inches _____ feet _____ feet

_____ inches _____ inches _____ feet _____ feet

_____ inches _____ inches _____ feet _____ feet

Was casing drive shoe used? ☐ Yes ☒ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number _____ From _____ To _____

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

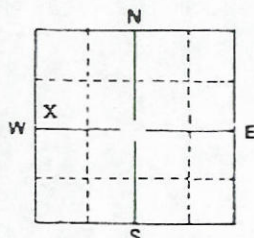
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal ☐ Cement grout☒ Puddling clay ☐ Well cuttingsSealing procedure used ☐ Shanty pit ☐ Temporary surface casing☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County RinghamSW 1/4 NW 1/4 Sec. 36 T. 3 N. R. 33 E. 44

10.

Work started 4/26/77 finished 4/26/77

II. DRILLERS CERTIFICATION

Firm Name DOUG CUSHMAN DRILLING CO. Firm No. 72Address 945 S Broadway Blkft., ID Date 5/5/77

Signed by (Firm Official) _____

and

(Operator) Ken LoveMICROFILMED
FEB 04 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71809

This is to certify that: DAYLE N MECHAM
1321 W 400 S
PINGREE ID 83262
(208)684-3875

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-8718	WR/License	04/03/1989	1.24 cfs	248 af	N/A	62.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-8718	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-8718	35-8718	1.24 cfs	248 af	N/A	62.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.24 cfs	248 af	N/A	62.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of July, 2005


Chief, Water Allocation Bureau

SCANNED
JUL 12 2005

WATER RIGHT NO. 35-8718
As Modified by Transfer No. 71809

In accordance with the approval of Transfer No. 71809, Water Right No. 35-8718 is now described as follows.

Right Holder: DAYLE MECHAM
 1321 W 400 S
 PINGREE ID 83262

Priority Date: April 03, 1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	1.24 CFS	248.0 AF
		1.24 CFS	248.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 26 Twp 03S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
03S 33E 25	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	62.0
											25.0	37.0					

Total Acres: 62

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71809, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 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.
4. Rights 35-7113B, 35-7947, 35-8741B and 35-8718 when combined shall not exceed a total diversion rate of 3.03 cfs.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED

JUL 12 2005

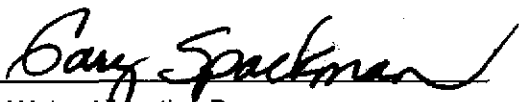
WATER RIGHT NO. 35-8718
As Modified by Transfer No. 71809

CONDITIONS OF APPROVAL

7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 8th day of July, 20 05



Chief, Water Allocation Bureau

SCANNED

JUL 12 2005

RECEIVED

JUL 08 2005

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71809

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Merham Bros. & Dayle Merham Phone 709-5498 / 684-3875
Post Office address 1321 W 400 So Pingree Idaho 83262

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes we have recently purchased the property described T3S R33E Sec. 25 S1/2 SW1/4, except the West 165 ft., and wish to change the Point of Diversion from the neighboring farm owned by Ladd and Jane Carter to our farm.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 35-8718 Priority 4-3-89 Amount (cfs/ac-ft) 1.24 CFS Nature of Use Irrigation Period of Use 4-1 to 10-31

2. Total amount of water being transferred 1.24 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE		26	03S	33E	Bingham	Olson farm - South well
	NW	SW		25	35	33E	Bingham	Drop

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %				NW %				SW %				SE %				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
03S	33E	25											25	37					62

Total acres

FROM 17 44
TO 18 44

248

82.667

SCANNED
62
MAR 09 2005

71809

PART 1

6. General Information:

a. Description of diversion system 150 Hp Pump + motor 100' lift

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
no change of the place of use

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

SCANNED
MAR 08 2005

71809

324
Page 3 of

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 71809
Receipt No. _____

Current Water Right No. 35-8718

Priority Date: 04/03/1989
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 10/31	1.24 CFS	248.0 AFA	
Total Diversion		1.24 CFS	248.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNW 03S 33E 36 BINGHAM

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S 33E 25																	62.0
											25.0	37.0					

Total Acres: 62

Conditions/Remarks:

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 35-7113B, 35-7947, 35-8741B and 35-8718 when combined shall not exceed a total diversion rate of 3.03 cfs.
4. Rights 35-7113B, 35-7947 and 35-8741B are also diverted through the point of diversion described above.

Documentation of Ownership of the Current Place of Use *warranty deed*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *Yes*

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

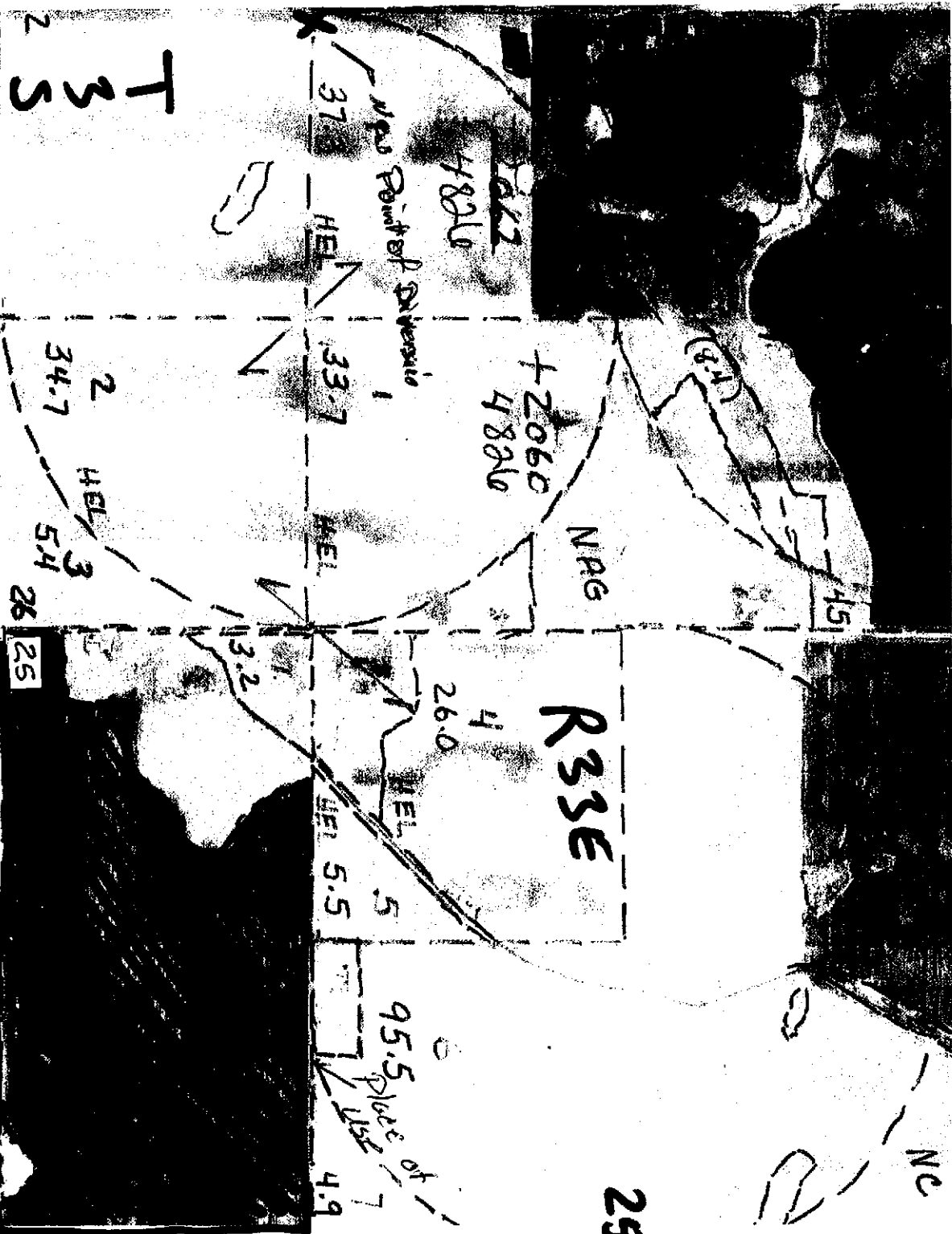
NONE WILL CONTINUE TO IRRIGATE

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

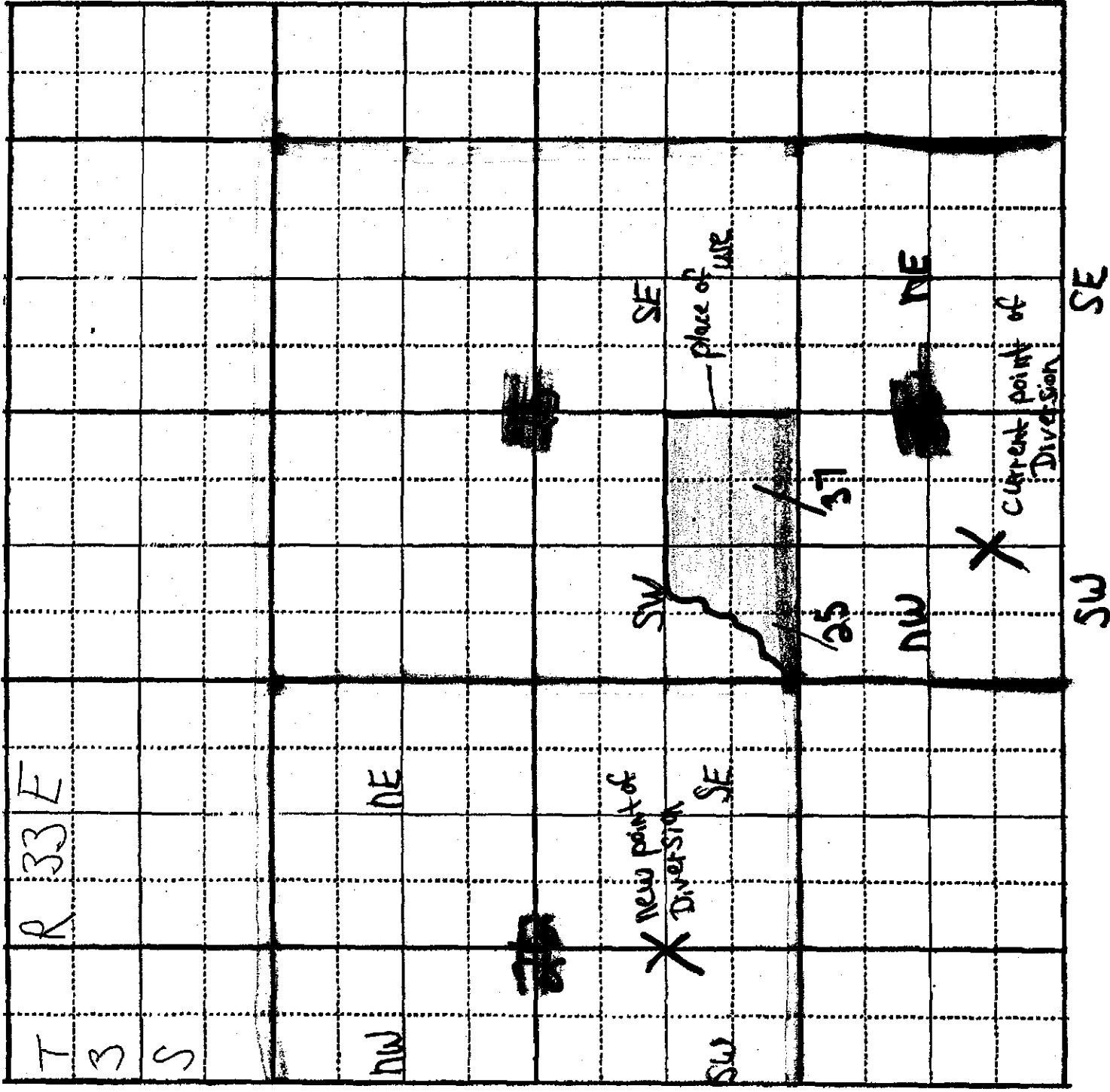
SCANNED
MAR 09 2005

71809



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

SCANNED
 MAR 09 2005

71809

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>None</u>			to _____ to _____

2. Quantity and quality of return flows and location of discharge:

N/A

3. Describe effects on other water uses resulting from the proposed change:

no change

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

2nd day of March, 2004
 (Signature of Applicant)
Marsha McBride
 (Notary Public)

My commission expires

5/26/04

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachmentsReceived by KawDate 3/2/2004

Protest filed by _____

Prelim. check by _____

Fee \$790⁰⁰ E029575Received by KawDate 3/2/2004Published in Morning News

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

SCANNED
 MAR 09 2005

71809

ZIONS BANK

BLACKFOOT OFFICE

Zions First National Bank

P. O. Box 945

Blackfoot, Idaho 83221

(208) 785-7899

FAX (208) 785-7894

February 27, 2004

Idaho Department of Water Resources

Re: Mecham Brothers

Dear Sirs,

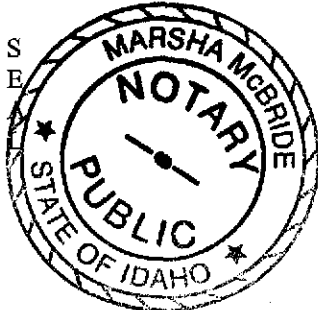
Zions Bank as lien holder on real estate owned by the Mecham Brothers, give permission to transfer point of diversion of water rights on real property described as T3S R33E S1/2, SW1/4 OF SEC25. NE1/4 OF SEC 26 AND SE1/4 OF SEC 26.

Sincerely,


William D Hudson
Vice President

State of Idaho)
 S.S
County of Bingham)

I, Marsha McBride, a notary public, do hereby certify that on this 27th day of February, 2004, personally appeared before me William D. Hudson, who, being by me first duly sworn, declared that he is the Commercial Loan Officer of Zions First National Bank, that he signed the foregoing document as Commercial Loan Officer, of the corporation, and that the statements therein contained are true.




Notary Public
My Commission Expires on 3/26/04

SCANNED

MAR 19 2005

ATTACHMENT T 71809
 1 OF 5

B48860

WARRANTY DEED

532364

For Value Received **Trudy Joy Ganske, and Tron Lee Crumley and Kymberly Crumley, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mecham Brothers Partnership

whose address is: **1321 West 400 South, Pingree, Idaho 83262**

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

The S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 3 South, Range 33, E.B.M., Bingham County, Idaho, LESS the West 165 feet.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Dated: September 17, 2003

Trudy Joy Ganske
Trudy Joy Ganske
Tron Lee Crumley
Tron Lee Crumley
Kymberly Crumley
Kymberly Crumley

FIRST AMERICAN TITLE COMPANY

2003 SEP 22 PM 4:12
RECORDED AT THE REQUEST OF

SEE 12-00P
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

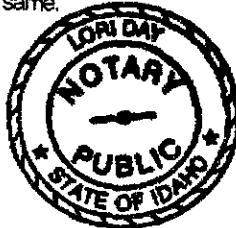
STATE OF Idaho

COUNTY OF BINGHAM

),ss.

On this 22nd day of September, 2003, before me Lori Day, personally appeared Trudy Joy Ganske, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

Lori Day
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/08



SCANNED

MAR 09 2005

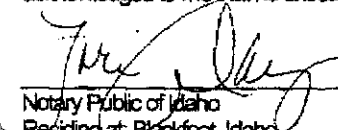
ATTACHMENT T 71809 2 OF 5

STATE OF Idaho

ss.

COUNTY OF BINGHAM

On this 18th day of September, 2003, before me Lori Day, personally appeared Tron Lee Crumley, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03

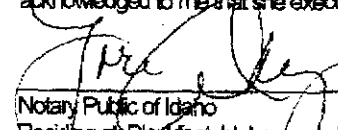


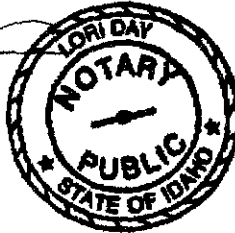
STATE OF Idaho

ss.

COUNTY OF BINGHAM

On this 18th day of September, 2003, before me Lori Day, personally appeared Kymberly Crumley, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03



532364

SCANNED

MAR 09 2005

ATTACHMENT T 71809
3 OF 5

B48860

WARRANTY DEED

532364

For Value Received **Trudy Joy Ganske, and Tron Lee Crumley and Kymberly Crumley, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mecham Brothers Partnership

whose address is: **1321 West 400 South, Pingree, Idaho 83262**

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

The S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 3 South, Range 33, E.B.M., Bingham County, Idaho, LESS the West 165 feet.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Dated: September 17, 2003

Trudy Joy Ganske
Trudy Joy Ganske

Tron Lee Crumley
Tron Lee Crumley

Kymberly Crumley
Kymberly Crumley

FIRST AMERICAN TITLE COM

RECORDED AT THE REQUEST OF

2003 SEP 22 PM 4:12

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 6-DEP

STATE OF Idaho

COUNTY OF BINGHAM

ss.

ATTACHMENT

T 71809
4 OF 5

On this 22nd day of September, 2003, before me Lori Day, personally appeared Trudy Joy Ganske, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

LORI DAY

SCANNED

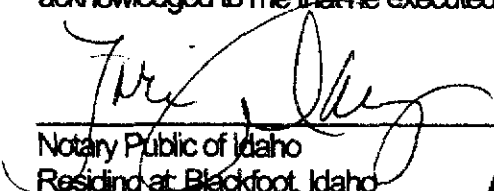
MAR 09 2005

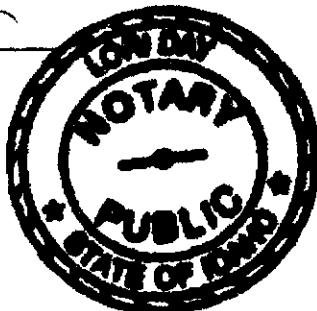
STATE OF Idaho

ss.

COUNTY OF BINGHAM

On this 18th day of September, 2003, before me Lori Day, personally appeared Tron Lee Crumley, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03

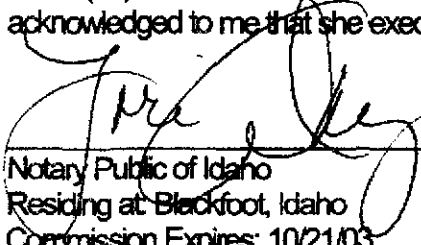


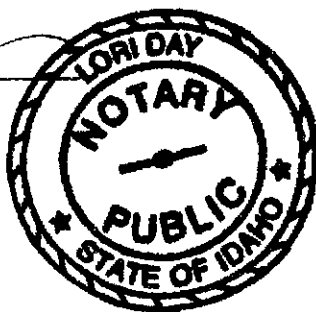
STATE OF Idaho

ss.

COUNTY OF BINGHAM

On this 18th day of September, 2003, before me Lori Day, personally appeared Kymberly Crumley, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03



SCANNED

MAR 09 2005

ATTACHMENT T 71809
5 OF 5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 26 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
35-8718					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) A Ladd Center
438 S 800W Blackfoot Id 83221
4. New Owner/Claimant(s) Mecham Brothers Partnership
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 1321 W 400 So
- City, State and ZIP Code Pinckney ID 83262
- New Telephone Number (208) 684-3875
5. Date you acquired the property Sept 22, 2003

MICROFILMED

FEB 10 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Douglas L. Lesh for Meadow Bros
(include title if applicable) 1-26-04

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your **MIDWAY FILMED** attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

FEB 10 2004

For Office Use Only

Received by <u>JC</u>	Date <u>1-27-04</u>	Fee <u>\$100 - \$25 + \$75 fm 35-2100, 35-8954</u>
Receipted by <u>JC</u>	Date <u>1-27-04</u>	Receipt No. <u>E029491</u>
Processed by _____	AJ Date _____	WR _____ Date _____

35-10739)

B48860

WARRANTY DEED

532364

For Value Received **Trudy Joy Ganske, and Tron Lee Crumley and Kymberly Crumley, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mecham Brothers Partnership

whose address is: **1321 West 400 South, Pingree, Idaho 83262**

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

The S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 3 South, Range 33, E.B.M., Bingham County, Idaho, LESS the West 165 feet.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Dated: September 17, 2003

Trudy Joy Ganske
Trudy Joy Ganske

Tron Lee Crumley
Tron Lee Crumley

Kymberly Crumley
Kymberly Crumley

FIRST AMERICAN TITLE COMPANY

RECORDED AT THE REQUEST OF

2003 SEP 22 PM 4:12

BINGHAM COUNTY RECORDER
BLAINE, IDAHO
FEE DEP

STATE OF Idaho

ss.

COUNTY OF BINGHAM

On this 22nd day of September, 2003, before me Lori Day, personally appeared Trudy Joy Ganske, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

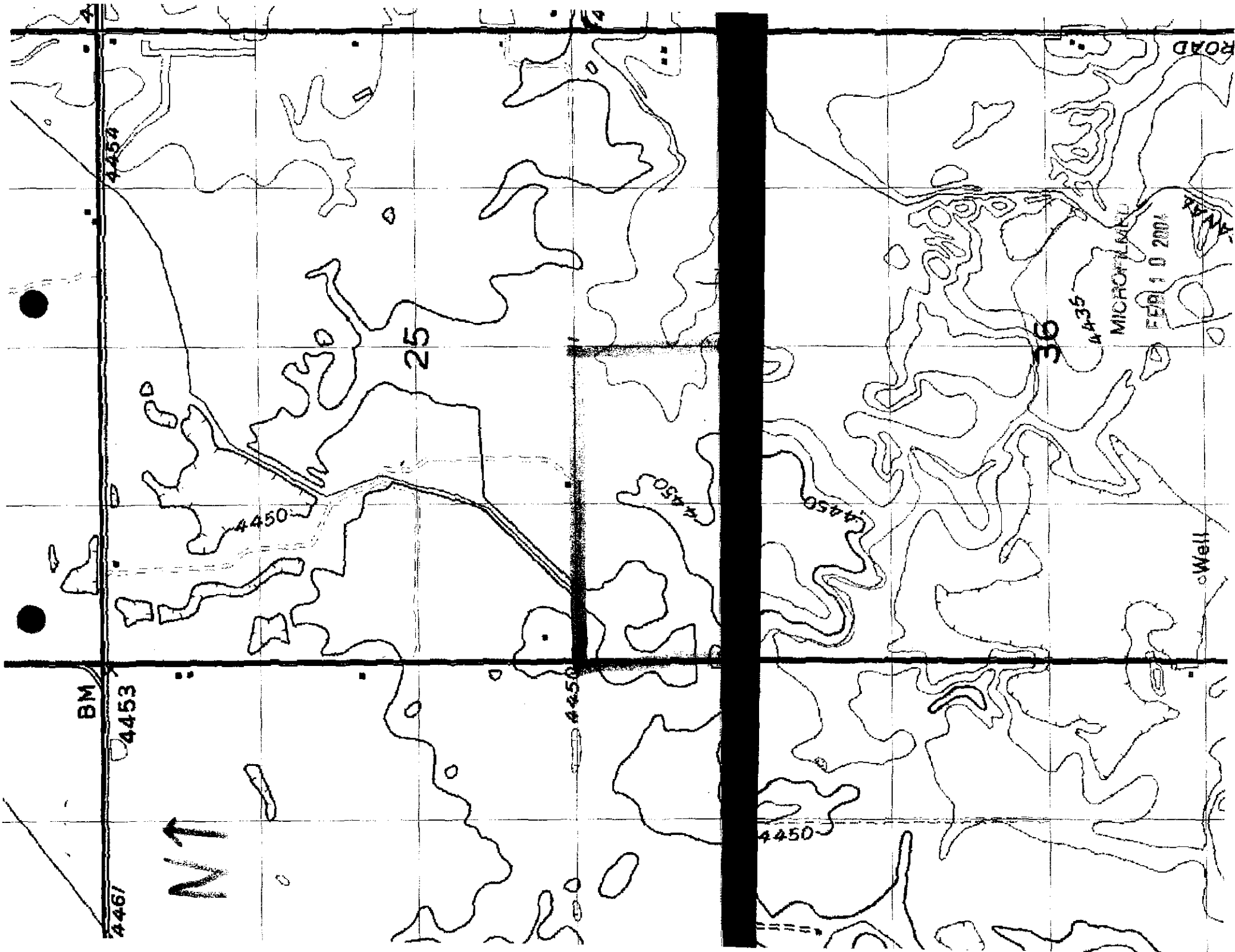
ORI DAY

MICROFILM

FEB 10 2004

To File Like Objection Snake River Basin Adm

208-736-3011



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08718

Priority: April 3, 1989

Maximum Diversion Rate: 1.24 CFS
Maximum Diversion Volume: 248.0 AF

It is hereby certified that A LADD CARTER
438 S 900 W
BLACKFOOT ID 83221 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 3, 1989; and has
submitted Proof of Beneficial Use on December 4, 1990. An examination indicates that the works have
a diversion capacity of 0 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.24 CFS	248.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp 03S, Rge 33E, B.M. BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03S	33E	25	NE	NW	SW	SE	25.0 37.0 62.0

Total Acres: 62

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 35-7113B, 35-7947, 35-8741B and 35-8718 when combined shall not exceed a total diversion rate of 3.03 cfs.
4. Rights 35-7113B, 35-7947 and 35-8741B are also diverted through the point of diversion described above.

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

Signed and sealed this 1st day of FEBRUARY, 2002.

MICROFILMED
FEB 04 2002

Acting for 
KARL J. DREHER
Director

RECEIVED
DEC 04 1990

For Office Use Only
Amt. of Fee \$125.⁰⁰
Date 12-4-90
Receipt No. 6019038
Received by *gry*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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. 35-08718 Telephone No. 785-3116

Name(s) of Permit Holder(s): A Ladd Carter

Post Office Address: 438 S 900 W Blackfoot, Id 83221

Source of Water: ground water

If ground water, well driller's name: Doug Cushman Date drilled: 5-1-80

Extent of Use:
Domestic _____ (No. of households) Irrigation 70 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 1.40 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 5-1-90

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

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

OR

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

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

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

LADD CARTER 785-3116
Name Telephone No.
438 S 900 W Blackfoot, Id
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.

MICROFILMED

JAN 28 1991

12-3-90 A. Ladd Carter
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08718

Proposed Priority: April 3, 1989 Maximum Diversion Rate: 1.40 CFS
This is to certify, that **A. LADD CARTER**
438 S. 900 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>
-----------------------	----------------------	--------------------------

IRRIGATION	04/15 to 10/15	1.40 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	SWNW Sec. 36, Township 03S, Range 33E 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>
03S	33E	25	SWSW 30	SESW 40		70

Total number of acres irrigated: 70

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1991**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
8. 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.

MICROFILMED

MAY 23 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08718

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

23rd day of April, 1990.

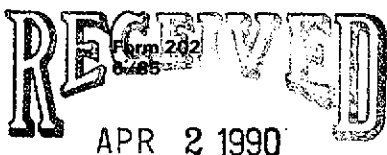
R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAY 23 1990

35-8718

Ident. No. _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant A. LADD CARTER Phone 785-3116

Post office address 438 S 900 W Blackfoot, ID 83221

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 36 $\frac{1}{4}$, Govt. Lot _____

Sec. 36 Township 3S Range 33E B.M. Bingham County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.40 cfs for irrigation purposes from April 15 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.40 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Electric pump,
one quarter mile 6 inch main line, three ^{and} one-half
laterals. (hand lines) (current diversion) - See remarks EMD

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 16" inches; proposed depth of well is 100 * feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO *

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

1 year years (minimum 1 year).

MICROFILMED

MAY 23 1990

As per telecons 11 April 89 EMD

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

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

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
35.	33E	25											30	40					70

Total number of acres to be irrigated 70

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

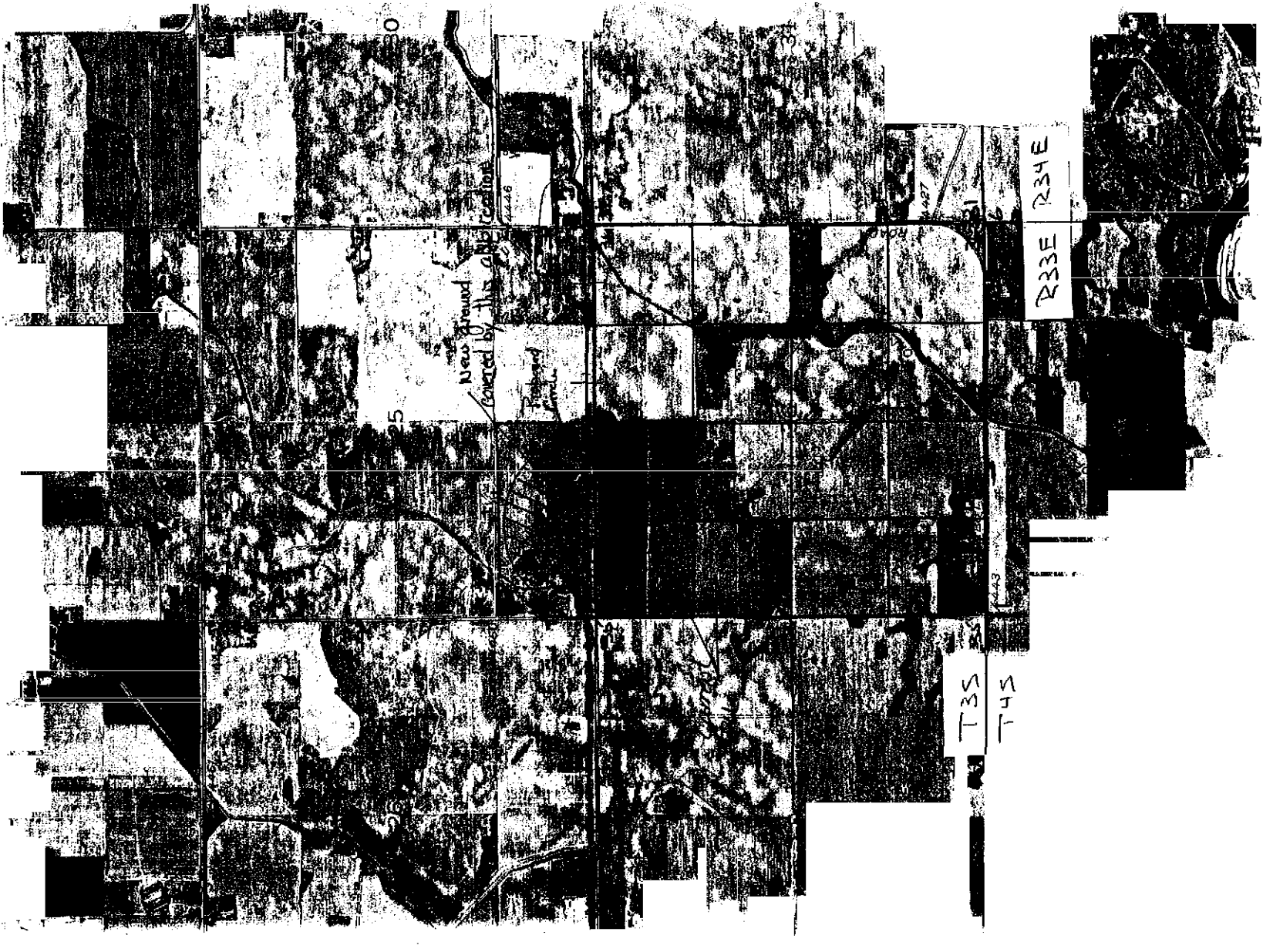
11. a. Who owns the property at the point of diversion? Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. I have leased Mr. Crumbley's farm for several years and would like to water it with my existing well.

12. Remarks: I have a water license # 35-7947 for 2.05 cfs. I would like to install a center pivot, but I need water for an additional 70 acres, on the Crumbley farm. I would use the same well and pump that now exists.

MICROFILMED



30

35

New ground
covered by this able location

Patched
area

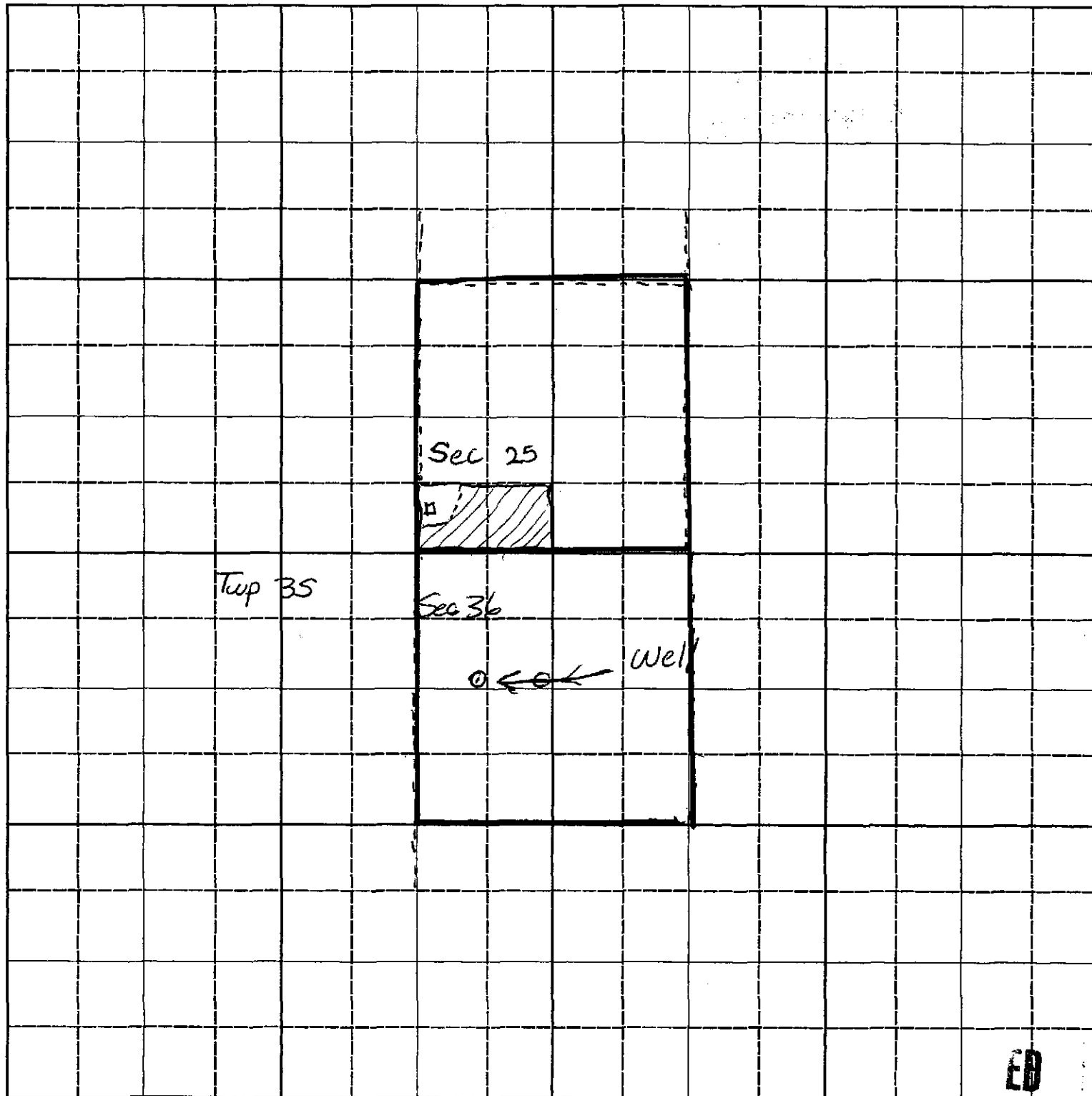
R33E

R34E

T35

T36

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



Scale: 2 inches equal 1 mile.

MAY 23 1990

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.

A. Ladel
(Applicant)

Received by CW Date 4-3-89 Time 1:12 p. Preliminary check by SMB
Fee \$ 65⁰⁰ Receipted by HWT # EC006672 Date 4-4-89
Publication prepared by LB Date 3-18-90 Published in Morning News
Publication approved CW Date 3-30-90

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

MAY 23 1990.

**State of Idaho
Department of Water Resources**

WATER RIGHT LICENSE

License of Water Right No. 35-7947 Priority February 5, 1981 Amount 2.05 cfs

THIS IS TO CERTIFY, that A. Ladd Carter
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7947 issued pursuant to Application for Permit dated February 5, 1981
and has submitted proof to the Department of Water Resources on September 13, 1983
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.05 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>2.05</u> cfs and	<u>399.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
399.0 acre feet per year, said waters to be diverted within the SW1/4 NW1/4 Section 36,
Twp 3S, Rge 33E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3S</u>	<u>33E</u>	<u>36</u>					<u>39</u>	<u>38</u>	<u>37</u>										<u>114</u>

Total number of acres irrigated 114

MICROFILMED

MAY 23 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2005

DAYLE N MECHAM
1321 W 400 S
PINGREE ID 83262

RE: Transfer No.: 71809 - Water Right 35-8718 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

SCANNED
JUL 12 2005

If you have any questions, please contact me at 208-287-4948.

Sincerely,

Camila S Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

SCANNED
JUL 12 2005

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 71809

WATER RIGHT 35-8718

**DAYLE N MECHAM
1321 W 400 S
PINGREE ID 83262**


Kari Lynn Townsend
Secretary

SCANNED

JUL 12 2005

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

RECEIVED

JUL 08 2005

Department of Water Resources

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

TRANSFER NO. 71809

DAYLE N. MECHAM, 1321 W 400 S, PIN-
GREE, ID 83262, has filed Application No.
71809 for changes to the following water
rights within BINGHAM County:

Right No. 35-8718

Priority 4/3/1989

Source GROUND WATER

Use IRRIGATION (62 acres)

1.24 CFS 248.0 AFA

Total Amount

1.24 CFS 248.0 AFA

Point(s) of Diversion S36 T03S

R33E

Place of Use S25 T03S

R33E

The purpose of the transfer is to change a
portion of the above rights as follows:

The applicant proposes to change his point
of diversion to an irrigation well that the ap-
plicant owns next to the place of use. The
point of diversion is in the NWSE Sec 26
T3S R33E.

Protests may be submitted based on the
criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change
must be filed with the Department of Water
Resources, Eastern Region, 900 N Skyline
Dr Ste A, Idaho Falls, ID 83402 together
with a protest fee of \$25.00 for each appli-
cation on or before July 05, 2005. the prot-
estant must also send a copy of the protest
to the applicant.

KARL J. DREHER, Director

Published on June 16 and 23, 2005
(#1574)

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

ss

State of Idaho)

I, Jacqueline Graham do solemnly
swear that I am the Legal
Coordinator 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 1911,
approved March 11, 1911, 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 of said

newspaper 2 consecutive Weeks
the first publication having been
made on the 16th day of June
2005, and the last publication having
been made on the 23rd day of
June 2005; that said notice was
published in the regular and entire
issue of every number of the paper
as aforesaid during the period and
time of publication, and that notice
was published, in the newspaper and
not in a supplement.

On this 23rd day of June in
the year of 2005, before me a Notary
Public of the State, personally
appeared Jacqueline Graham,
known or identified to me to be the
person whose name is subscribed to
the within instrument, and being by
me the first duly sworn, declared that
the statements therein are true, and
acknowledged to me that the
executed the same.

Margery Sitzmann

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2010

Affidavit Processing Fee \$5.00

SCANNED
JUL - 6 2005

RECEIVED
JUN 27 2005

Department of Water Resource
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 09, 2005

DAYLE N MECHAM
1321 W 400 S
PINGREE ID 83262

RE: Application for Transfer No 71809
Water Right No(s) 35-8718

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Morning News on June 16 and 23, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the 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 Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,


W. Roger Warner
Water Rights Supervisor

WRW: sc

SCANNED
JUN 09 2005

JUN 09 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 09, 2005

Legal Notice Department

MORNING NEWS

PO BOX 70

BLACKFOOT ID 83221-0070

RE: Transfer No. 71809

Water Right No(s). 35-8718

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before July 5, 2005. Your cooperation is appreciated.

Sincerely



Sharla Cox
Administrative Assistant

*boxed
6/9/05
ze*

SCANNED
JUN 9 2005

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

TRANSFER NO. 71809

DAYLE N MECHAM, 1321 W 400
S, PINGREE ID 83262, has filed
Application No. 71809 for changes
to the following water rights within
BINGHAM County:

Right No. 35-8718

Priority 4/3/1989

Source GROUND WATER

Use IRRIGATION (62 acres)

1.24 CFS 248.0 AFA

Total Amount

1.24 CFS 248.0 AFA

Point(s) of Diversion S36 T03S
R33E

Place of Use S25 T03S
R33E

The purpose of the transfer is to
change a portion of the above
rights as follows:

The applicant proposes to change
his point of diversion to an
irrigation well that the applicant
owns next to the place of use.

The point of diversion is in the
NWSE Sec 26 T3S R33E.

Protests may be submitted based
on the criteria of Sec 42-222,
Idaho Code.

Any protest against the proposed
change must be filed with the
Department of Water Resources,
Eastern Region, 900 N Skyline
Dr Ste A, Idaho Falls ID 83402
together with a protest fee of
\$25.00 for each application on or
before July 05, 2005. The
protestant must also send a copy
of the protest to the applicant.

KARL J DREHER, Director
Published on June 16 and 23,
2005

SCANNED
JUN 09 2005

MEMORANDUM

Date: June 09, 2005
To: Transfer 71809
From: dcarlson
Re: transfer evaluation

This transfer proposes change the point of diversion to an irrigation well that the applicant owns next to the place of use. The current well is on the neighbors property. After a conversation with the applicant a second well was added to the application and after another conversation with the applicant the 2nd well was dropped.

Authority to File:

Applicant provided deeds and completed an ownership change after this was licensed.

Water Right Validity:

This water right was licensed in 2002. Forfeiture is not an issue.

Injury to Other Water Rights:

In the ESPA area and water district 120. No gw measurement district. Cell changes from 17/44 to 18/44.

ESPA model shows a greater than 5% increase in depletions in three of the four reaches. The AF per trimester increase is 1.2 af in the ashton reach, 1.0 af in the milner-king hill reach and 0.6 af in the neely-mindoka reach. The shelly to neely reach shows a reduction of 2.8 af/trimester. No mitigation needed when the total amounts of each reach are less than 5% of total diversion volume for this transfer.

Watermaster gave his ok.

Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use.

The condition X35 will be difficult to administer by the watermaster after this is changed into two well systems. But there is not a good way to pro-rate this diversion limitation.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
JUN 09 2005

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

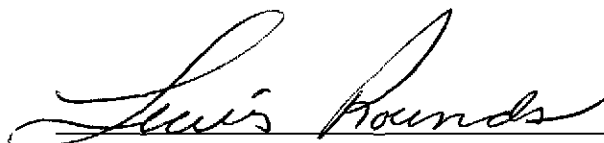
Transfer Application No: 71809 Water Right No(s): 35-8718
Transfer Applicant's Name: DAYLE N MECHAM

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 28th day of FEBRUARY, 2005.

Water District No: 120


Watermaster's Signature

SCANNED
MAR 09 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

February 28, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LEWIS H ROUNDS
WATER DISTRICT 120
900 N SKYLINE DR
IDAHO FALLS, ID 83402

RE: Application for Transfer 71809
Water Right Number(s) 35-8718

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office by March 14, 2005.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dave Carlson
Sr. Water Rights Agent

Enclosure(s)

DC:sc

SCANNED
MAR 09 2005

To Whom It May Concern:

I give my consent for the water transfers, which Mecham Brothers have applied for, that pertain to my farm property.

Aartje Crumley 4-3-04
Signature Date

SCANNED
MAR 09 2005

T ~~11111~~
ATTACHMENT 12 OF 8

503544

9766

CORRECTION WARRANTY DEED*

FOR VALUE RECEIVED HERBERT OLIVER CRUMLEY, a widower, the grantor, does hereby grant, bargain, sell and convey unto AARTJE ANN CRUMLEY, a single woman, the grantee, whose current address is 491 South 1300 West, Pingree, Idaho 83262, the following described premises, in Bingham County, Idaho, to-wit:

The West 165 feet of the South Half of the Southwest Quarter of Section 25, Township 3 South, Range 33 East of the Boise Meridian.

Together with 6.25 inches of water in the Peoples Canal.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 10th day of August, 2001.

Herbert Oliver Crumley
HERBERT OLIVER CRUMLEY

RECORDED AT THE REQUEST OF

2001 AUG 27 AM 10:36

FEE 3.45 DEP

INGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

STATE OF IDAHO)

County of *Blaine* ss
Baraduk

On this 10th day of August, 2001, before me, a notary public in and for said State, personally appeared HERBERT OLIVER CRUMLEY known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

SAUNDRA HAMM
NOTARY PUBLIC
STATE OF IDAHO

Saundra Hamm
Notary Public for State of Idaho
My com expires:

10-23-2004

*This Correction Warranty Deed is recorded to correct the legal description shown on Warranty Deed recorded August 13, 2001, recorded as Instrument No. 503143.

SCANNED 503544

MAR 09 2005

ATTACHMENT 7 OF 8

HO SS Gerson Kornell
75 E. Idaho
Blackfoot ID 83221

503143

9766

WARRANTY DEED

FOR VALUE RECEIVED HERBERT OLIVER CRUMLEY, a widower, the grantor, does hereby grant, bargain, sell and convey unto AARTJE ANN CRUMLEY, a single woman, the grantee, whose current address is 491 South 1300 West, Pingree, Idaho 83262, the following described premises, in Bingham County, Idaho, to-wit:

The West 165 feet of the South Half of the Southeast Quarter and the south Half of the Southwest Quarter of Section 25, Township 3 South, Range 33 East of the Boise Meridian.

Together with 6.25 inches of water in the Peoples Canal.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

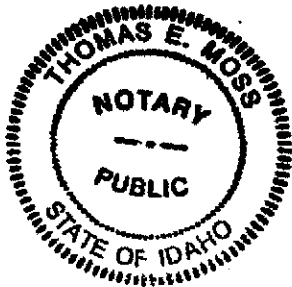
DATED this 10th day of August, 2001.

Herbert Crumley

HERBERT OLIVER CRUMLEY

STATE OF IDAHO)
: ss.
County of Bingham)

On this 10th day of August, 2001, before me, a notary public in and for said State, personally appeared HERBERT OLIVER CRUMLEY known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Thomas E. Moss
Notary Public for State of Idaho
My com expires: 9/2/2003

RECORDED AT THE REQUEST OF
Moss Crumley
45 E Judicial
Blackfoot ID 832
2001 AUG 13 PM 1:07
FEE 3.25
JANUARY 11 RECORDER
BLACKFOOT, IDAHO
245204

503143

SCANNED

MAR 09 2005

ATTACHMENT

T ~~1111~~
8 OF 8

TRANSFER REVIEW SHEET

ans #

71809

Date Reviewed

2/2005

ght No(s):

35-8718

Split?

Y N

Y N

Y N

Y N

Y N

Y N

Y N

REA OF CONCERN: No/Yes

ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d
Add p/d

Change use period

Change p/u

Change nature of use

ghtID's of From & To records correct? Y N (resolve with S.O.)

Check for Partial Decree issuance, etc. since time of application's entry

ROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U

X

Lien Holder Release

GROUNDWATER:

DRILLING PERMIT

All wells

- 046

DP upgrade req'd Y

N (contact GW)

WMD

- North/East/West

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 067

WMD

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 01M or 01Q

SUPPLEMENTAL

SUPPLEMENTAL

- 065-104 (where irrigation is the only use)

- 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)

- 115 (meas. Device)

USES:

STORAGE

- 18C-R02-01P-18B-NA

IRR ≤ 5 ac

- R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac

- R62/R63/R64/R65 (0.02 cfs/ac)

Volume only

- R58/R59/R60/R61

STOCKWATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029 (70's basins only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077

DAIRY - 082 (zoning if a concern)-106-WD8

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 01M or 01Q

STANDARD SEASON

to

(use X61 if extended season)

STANDARD VOLUME

af/ac

CONSUMPTIVE USE VOLUME

af/ac

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

- 022-075 RAFN - 007-109-X64

Irr., GW supp to SW

- 102

DOMESTIC

Surface water

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

> 1 in restricted area

- 070-071-075 (no parks/common areas, etc)

Irr use listed separate

- WB5

MISC CONDITIONS/REMARKS:

1 yr to develop

comply or rescind

T17 - > 1 pd, measure all (use w/ WB4)

T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18

(if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated Approval form printed Shape files created

Special Mailing Instructions (cc's, etc)

Final database update after approval Comment to WR No(s).

71809

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET**

INITIAL REVIEW BY: DC

1. Right number 35-8718 Applicant Doyle McLean

2. Type of right: ☐ Decree ☒ License ☐ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s)
☐ Change place of use ☐ Other _____

4. Check:

- a. ☐ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use
b. ☐ Description of original point of diversion.
c. ☐ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☒ All of right.
b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
c. Map for remainder of right? ☐ Yes ☐ No
d. ☐ Check description of point(s) of diversion.
e. ☐ Check description of place of use
f. ☐ Check map (shows p.d. and p.u. after transfer).
g. ☐ Check for correct signature, notarization, and fee.
h. ☐ Check proof of ownership of right &/or land from which water is transferred.
i. ☐ Check for expansion in use of right. Comments NONE

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NONE

k. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 120

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Reviewed by Adjudication Staff? ☐ Yes ☐ No
3. Is transfer published correctly? ☐ Yes ☐ No
4. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By PDL Date 3/23/05

Approval Updates Completed
7-8-05

71809



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 03, 2004

MECHAM BROTHERS PARTNERSHIP
1321 W 400 S
PINGREE ID 83262

RE: Change of Ownership for Water Right 35-8718

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
FEB 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 4, 2002

A LADD CARTER
438 S 900 W
BLACKFOOT ID 83221

RE: License No. 35-8718 - Issuance of License

Dear Water Right Holder(s):

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

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

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

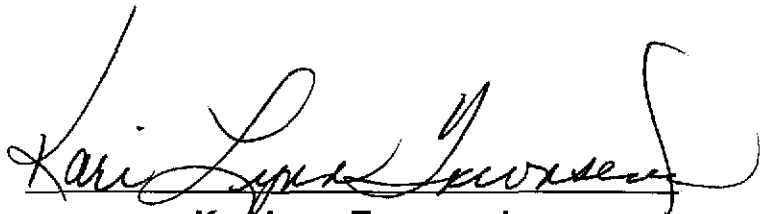
FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on February 4, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8718

**A LADD CARTER
438 S 900 W
BLACKFOOT ID 83221**



**Karl Lynn Townsend
Secretary**

**MICROFILMED
FEB 04 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
FEB 04 2002

MEMORANDUM

To: File 35-8718

From: Sharla

Date: January 17, 2002

Re: Overlap

On this date I spoke to Mrs. Carter concerning possible overlap of surface water for the acres to be licensed. She told me that they pay a yearly assessment to Peoples Canal but the surface water doesn't reach their property -- there is no delivery system or ditches to bring the water to their property. She indicated that there was a ditch system at one time but that it was wiped out years ago.

MICROFILMED

FEB 04 2002

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on

Permit No. 35-8718

BU Fee Pd \$ 125⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☐ n/a ☐ plat copy attached

AREA OF CONCERN: No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
 Supp irr (+ other uses) - 100-105
~~< 0.24 cfs/5 acres~~ - No MD
 > 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
 Non-Trust - 048

PD Change - P39/P47 - feds(P40)
 PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
 PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE - 18A-R02-01P-18B-NA
~~IRR < 5 ac~~ - R66/R67/R68/R69 (0.03 cfs/ac)
~~IRR > 5 ac~~ - R62/R63/R64/R65 (0.02 cfs/ac)
 STOCKWATER - R37 (BLM/USFS)
 MINING - 106
 FISH PROP - 029(70'S only)-042-106
 HEAT/COOL - R07(injection well)
 FIRE PROT. - 077

Use Change/Add - P46

~~NEED PRIORITY?~~ ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32
 Subd lot desc (pd) - W59
 Subd lot desc (pu) - W60
 Use definitions - W02 example - C/tire shop
 Non-consumptive - 027
 Water Quality - 106-R07
 Mitigation - 121 (if on permit)
 PPU acre limit - W27

CHECK NEW IRR SEASON MAP 4/1-10/31

4.0 afa

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed ☐ Yes ☒ No

AMENDMENTS REQUIRED ☐ Yes ☒ No

Adjustment Memo Needed ☐ Yes ☐ No

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
 WD - R04 (WD# ☐
 ≤ 0.20 cfs/others - R02- 01P or No MD
 > 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
 (02,03) - WB9 if above Weiser
 Payette R (65) - 047(Payette Lake)
 Salmon R (70's) - 029 (fish screens)
 Weiser R (67) - 086-087

USES:

POWER - R22-R23 (+uses)-025-106-W42-W43-027
 MUNICIPAL
 Restricted area - 022,075
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)
 > 1 in restricted area - 070-071-075(no parks/common areas, etc)
 Irr use listed separate - WB5
 Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights ~~WB5-WB6~~ Right # 7947/7113B/8741B
 PU overlap rights - WB7-W31(<1 ac)
 GW replaced SW - 050

Permit Rate 1.40 cfs Fee Limit 2.00 cfs
 Measured 3.03 cfs Theoretical 3.03 cfs

Use	Rate	Volume
Irr	1.24 cfs	248.0 af
	cfs	af
	cfs	af
TOTALS	cfs	af

If no, is a claim required: ☐ Yes ☒ No

If yes, paragraph codes:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 22 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8718

1. Owner: A. Ladd Carter Phone No. 785-3116

Current Address: 438 S. 900 W. Blackfoot Id. 83221

2. Accompanied by: Ladd Carter EXAM DATE: 6-21-93

Address: Same Phone No. Same

Relationship to Permit Holder: owner

3. Source: ground water tributary to _____

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: 35-087418, 35-071138, 35-07947

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	36	35	33E	Bingham	USGS Quad map

2. Place(s) of Use:

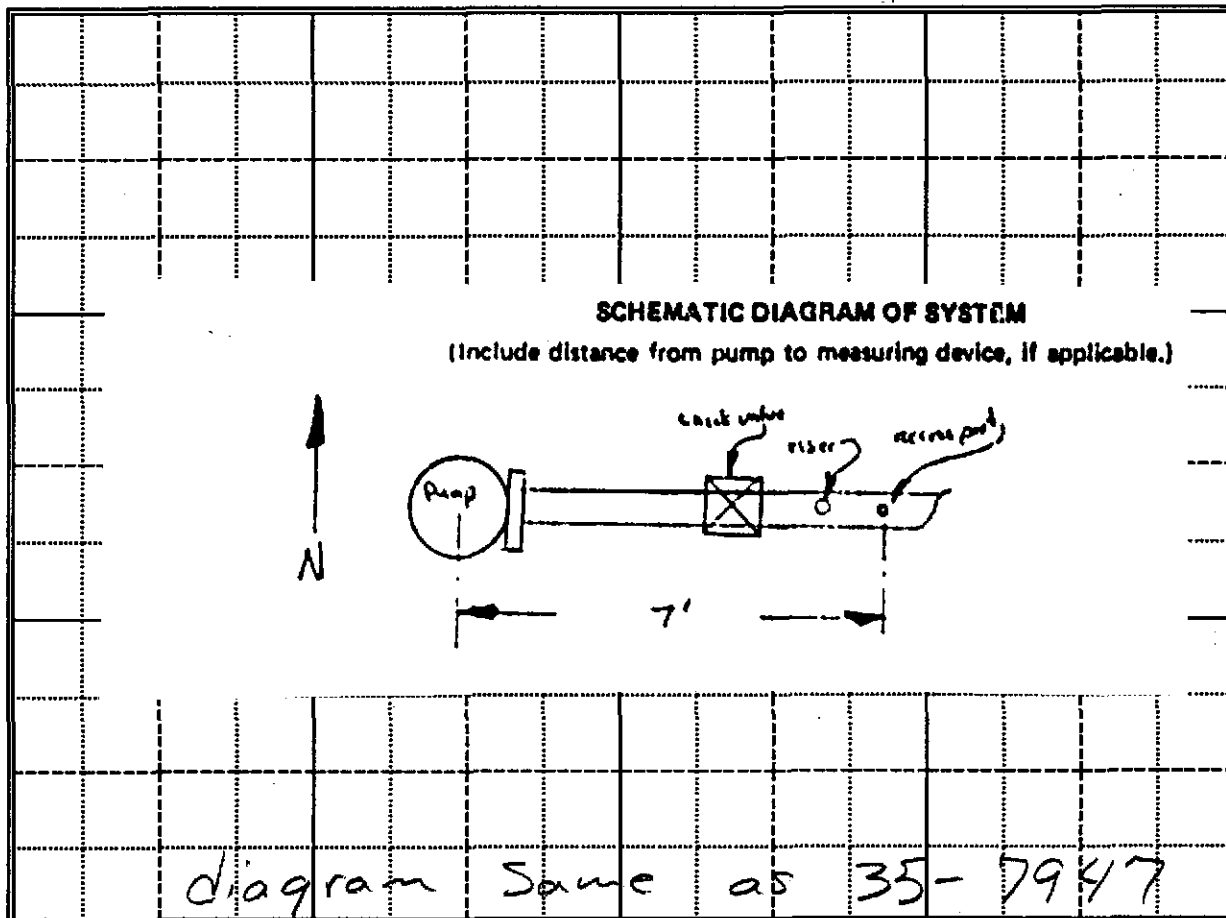
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	33E	25											232	39					62.2

MICROFILMED

FEB 04 2002

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
	GE	100	DSS423348	Johnston	8" 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 80 psi.
dynamic pumping depth 19' (according to Well Log)

MICROFILMED

FEB 04 2007

E. NARRATIVE/REMARKS/COMMENTS

100 Hp pump to 8" underground mainline supplying water to one 10 tower center pivot using Hand lines to irrigate the corners. Mainline also runs across the road to irrigate 62.2 acres of the South half of the SW of Sec. 25 with handlines.

Handlines do not operate at the same time as pivot, for the 62.2 acres in the S half of the SW $\frac{1}{4}$ of sec 25.

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

MICROFILMED

FEB 04 2002

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{(100)(8.814)(.7)}{(19) + (80)(2.308)} = 3.03 \text{ cfs (1360 gpm)}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 62.2 \text{ acres} \times 4 \text{ cfs} = 248.8 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.87 \text{ cfs} \times 214 \text{ d.} \times 1.9835 = 369.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 248.8 \text{ cfs}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-01	10-31	0.87	248.8
Totals:			0.87	248.8

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. AUTHENTICATION

Field Examiner's Name Gary Burr Date 6-21-93

Reviewer R. W. Jones Date 8-18-95

SEAL

MICROFILMED
FEB 04 2002

35-08718

T35
R3E

25

Point of Sale

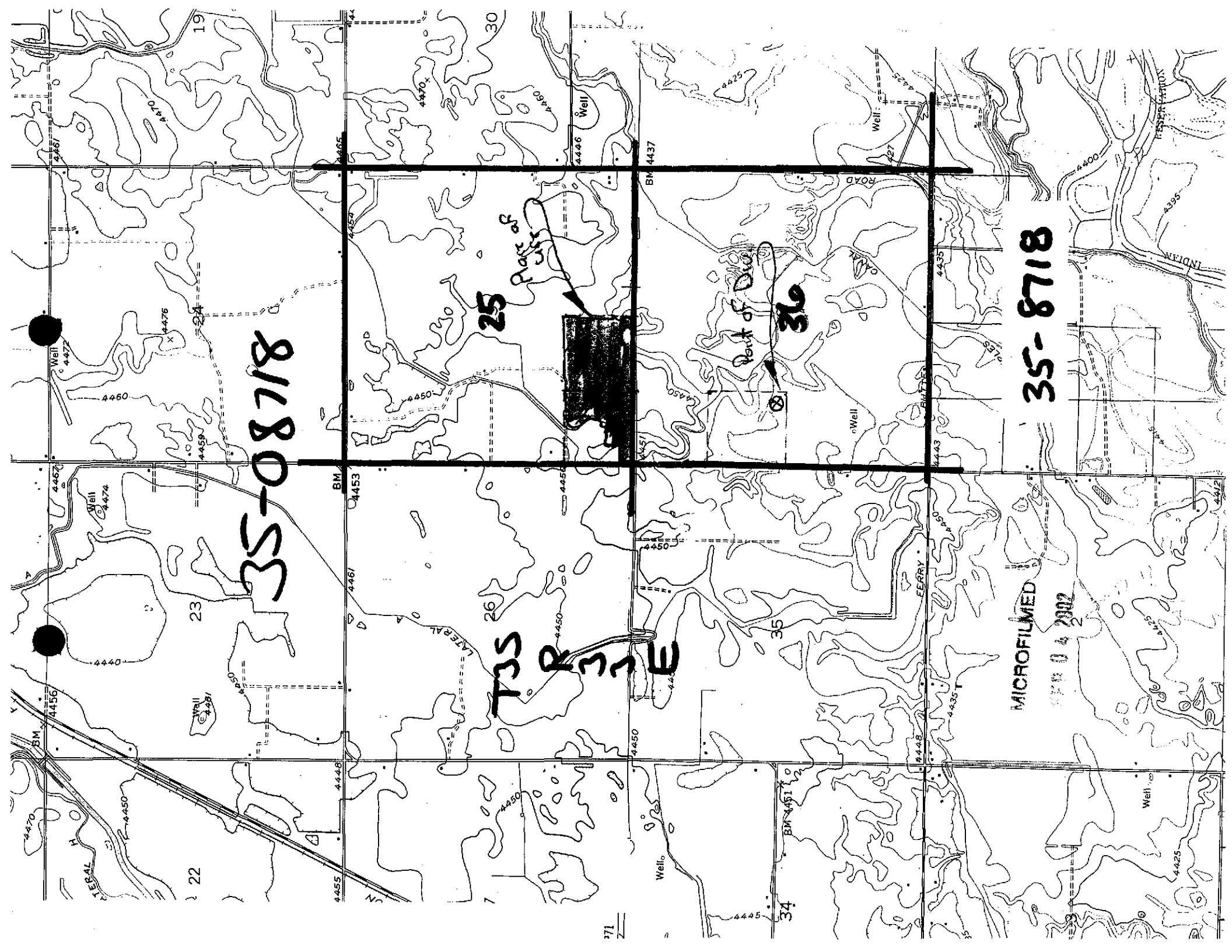
30

Point of Dip

MICROFILMED

SEP 04 2002

35-8718



9
30.9

HEL

3240

T2012

1705

Place of

use

HEL

HEL

35.8

R33E

HEL

13.0

T2019

3240

1 HEL

34.1

2 HEL

34.1

3 HEL

Point of
Div.

HEL

HEL

3035

3216

36

35-8718

MICROFILMED

FEB 0 4 2002

HEL

69.5

HEL

78.0

T2021

524

21 10.0

HEL

4

5.5

100.0

25

T 3 S

26

8.7

12.1

9.4

2.1

T2011

26

Form 2/93

35-0874
Permit Number

- CONDITIONS/REMARKS:

December 28, 1990

A. LADD CARTER
438 S. 900 W.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08718

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 28 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 35-8718

Date 12-26-90

GENERAL CONSIDERATIONS

X Name same as permit?
X Address same as permit? If no, prepare data entry form.
X Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

V Surface water source
V Ground water source
N Drill permit req'd? N/A
Copy in file? Drill permit no. N/A
Well log in file?
Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

X Required?
125 Amount submitted?
X Correct amount?

MEASURING DEVICE

X Measuring device or access port required?
X Installed?
N Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received LB
Date proof due
No. of days late
Priority date
NEW PRIORITY DATE

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

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
April 24, 1990

A. LADD CARTER
438 S. 900 W.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08718

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MicroFILMED

MAY 23 1990

MicroFILMED

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

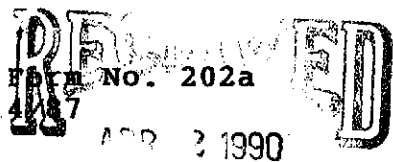
Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAY 23 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

NON-TRUST
ADD FILE

Department of Water Resources

35-8718

INITIAL REVIEW BY Dennis Sunn DATE 11 Apr 89 APPLICATION NUMBER A Ladd Carter

REQUIRED INFORMATION

- ☒ 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.) none
- ☒ Overlapping point of diversion 39-7947
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No 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

MICROFILMED

MAY 23 1990

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested APR 05 1990

RECEIVED
APR 05 1990
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 3-19-90
☐ 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-P05
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 4-03-1989
By HCS Date 3-30-90

STATE OFFICE REVIEW P05, P23, P03, P16 48 49 46 04 016
See below for additional information
By KW Date 4-17-90

ADDITIONAL INFORMATION

Condition; L0167

App. in NON-TRUST area-

MICROFILMED
MAY 23 1990

13-Feb-1990

A. Ladd Carter
438 S. 900 W.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8718

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 your 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

MAY 23 1990

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 13, 1990

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 MARCH 19, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAY 23 1990



Lips

Source: GROUNDWATER

Diversion Pt: SWNW Sec 36 T 03S R 33E

```

Use:  IRRIGATION      ( 1.400 CFS)
      Total Diversion: ( 1.400 CFS)

```

Date Filed: 4/03/1989

In: T03S R33E S25 SWSW SESW

70.0 ACRES TOTAL

MAY 23 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 19, 1990.

R. Keith Higginson, Director

Published 3/01/1990 & 3/08/1990

MICROFILMED

MAY 23 1990

April 17, 1989

A. Ladd Carter
438 S. 900 W.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8718

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned the identification number listed above. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor
HWJ/rb

MICROFILMED

MAY 23 1990

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

WATER RIGHT
DATA ENTRY LOG

[illegible]