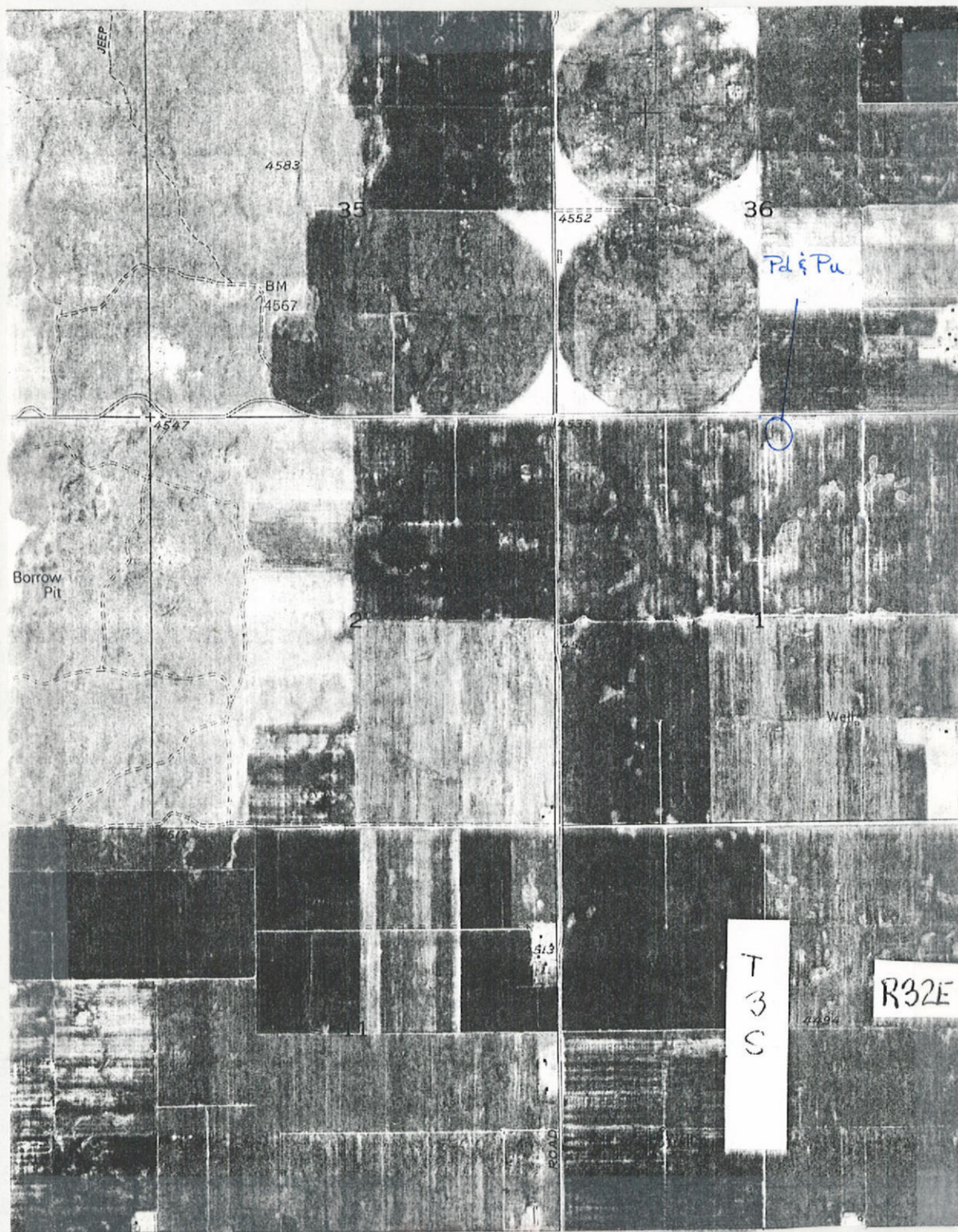
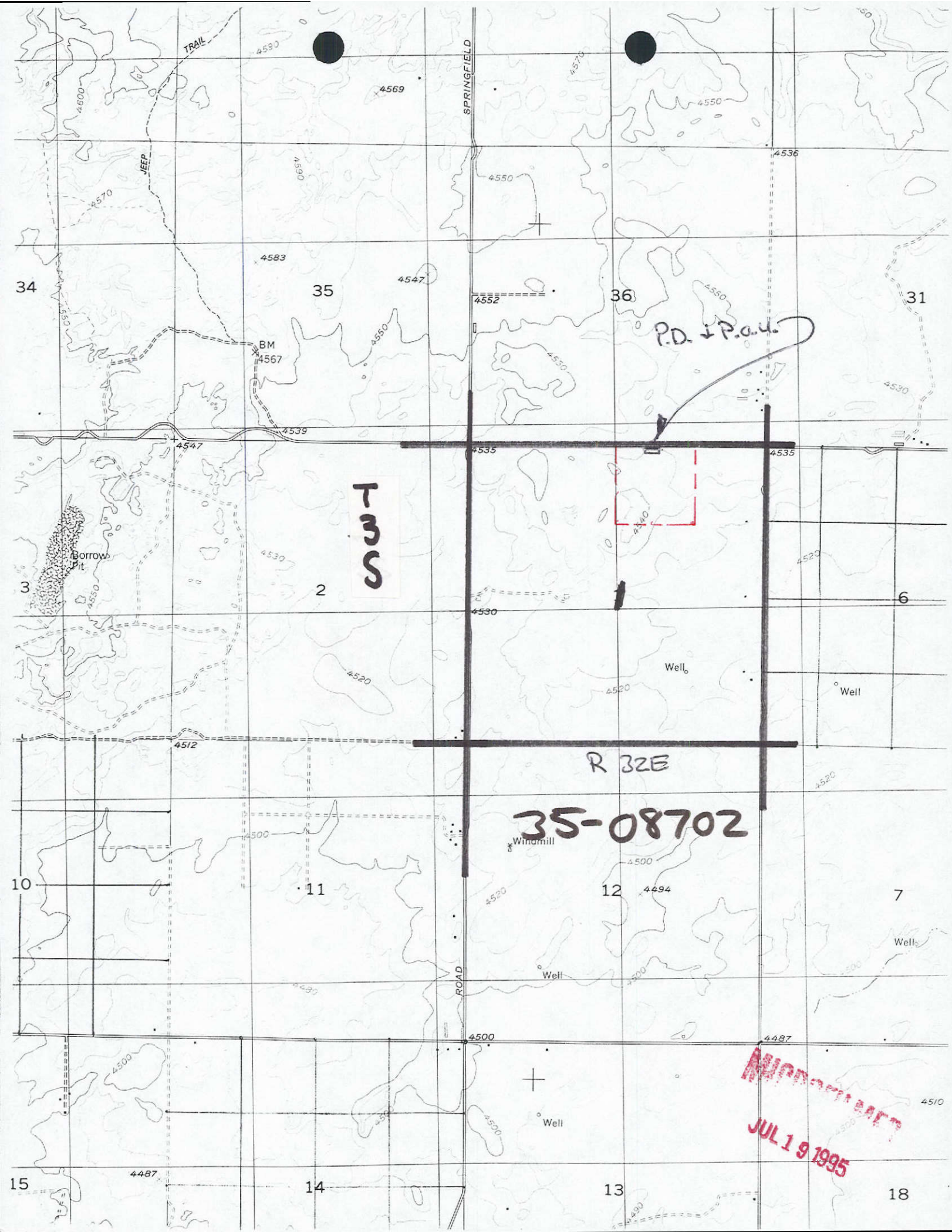




MICROFILMED

NOV 20 1989



35-8702

Hoff Rd.

Place of use

Well

T
3
3
R32E

NHEL
2
7.2

NHEL
3
6.1

NHEL
4
7.0

NHEL
5
16.7

NHEL
8
7.0

①

NHEL
6
127.9

NHEL
10
7.0

3080

11.6

2
5.8

Webb Rd. 90.6

35-8702

JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08702

Priority: April 19, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.5 AF

This is to certify, that FURNISS BROTHERS FARMS

131 N OAK

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 27, 1989; and has submitted Proof of Beneficial Use on January 21, 1992. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.01 CFS	0.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 1, Township 03S, Range 32E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03S 32E 1 Lot 2(NWNE)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water groundwater rights.
7. Commercial use is for a potato cellar humidifier.

RECORDED

JUL 19 1995

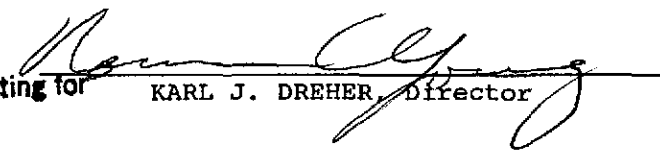
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08702

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 12TH
day of July, 1995.

Acting for


KARL J. DREHER, Director



MICROFILMED

JUL 19 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-08702)
IN THE NAME OF FURNISS BROTHERS FARMS) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

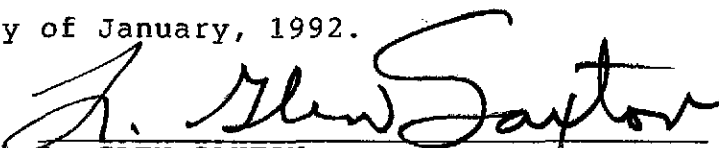
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 21, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-08702 be REINSTATED with an advance in priority to April 19, 1989.

Dated this 31st day of January, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

**RECEIVED
FILMED**

FEB 07 1992

RECEIVED

JAN 21 1992

STATE OF IDAHO

For Office Use Only
 Amt. of Fee \$ 0
 Date 21 Jan 1992
 Receipt No. —
 Received by KCW

Department of Water Resources
 Eastern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

- Permit No. 35-8702/8703 Telephone No. 785-0891
- Name(s) of Permit Holder(s): Furniss Brothers Farms
- Post Office Address: 131 N. Oak Blackfoot, ID 83221
- Source of Water: Groundwater
 - If ground water, well driller's name: Andrulis (Independent) Date drilled: 1984 & 1982
 - Pump horsepower: 3/4 Pressure (psi): 40 Dynamic pumping level (ft.): 140'
- Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Commercial - Potato Cellars

- Total rate and/or volume for which proof is submitted 35-8702 (0.04 cfs)
35-8703 (0.04 cfs) _____ acre/feet

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

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

OR

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

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

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

Nolan Furniss
 Name

785-0891
 Telephone No.

Same

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.

21 Jan 92
 Date

Nolan E. Furniss
 Signature (and title if on behalf of a company or organization)

RECEIVED
 FEB 07 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08702

Proposed Priority: February 27, 1989 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **FURNISS BROTHERS FARMS**
131 N. OAK
BLACKFOOT, ID 83221

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NWNWNE Sec. 1, Township 03S, Range 32E BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03S 32E 1 NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
7. Commercial use is for a potato pit humidifier.

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

30th day of October, 1989.

MICROFILMED

NOV 20 1989

R. Keith Higginson
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: FURNISS BROTHERS FARMS 208-785-0891
Address: 131 N. OAK
BLACKFOOT, ID 83221

2. Source: GROUNDWATER Trib. to:

3. Location of point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	32E	1	NW	NW	NE		BINGHAM

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
COMMERCIAL	01/01	12/31	0.040		

5. Total quantity appropriated is:
0.040 CFS (and/or) AFA

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL, 6" CASING, 150' DEEP, SUBMERSIBLE PUMP.
- 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.
- Proposed well diameter is 6 inches; proposed depth of well is 150
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.

8. Description of proposed uses:
C/ POTATO PIT HUMIDIFIER.

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NOV 20 1989

9. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	32E	1	NW NE		COMMER	

10. Describe any other water rights used for the same purposes.
NONE

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

APPLICANT

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

APPLICANT

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

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [✓]

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.

Nola E. Furniss
Applicant
GEN. PARTNER - FURNISS BROS. FARMS

Received by EMC Date 2/27/89 Time _____ Preliminary check by DMD

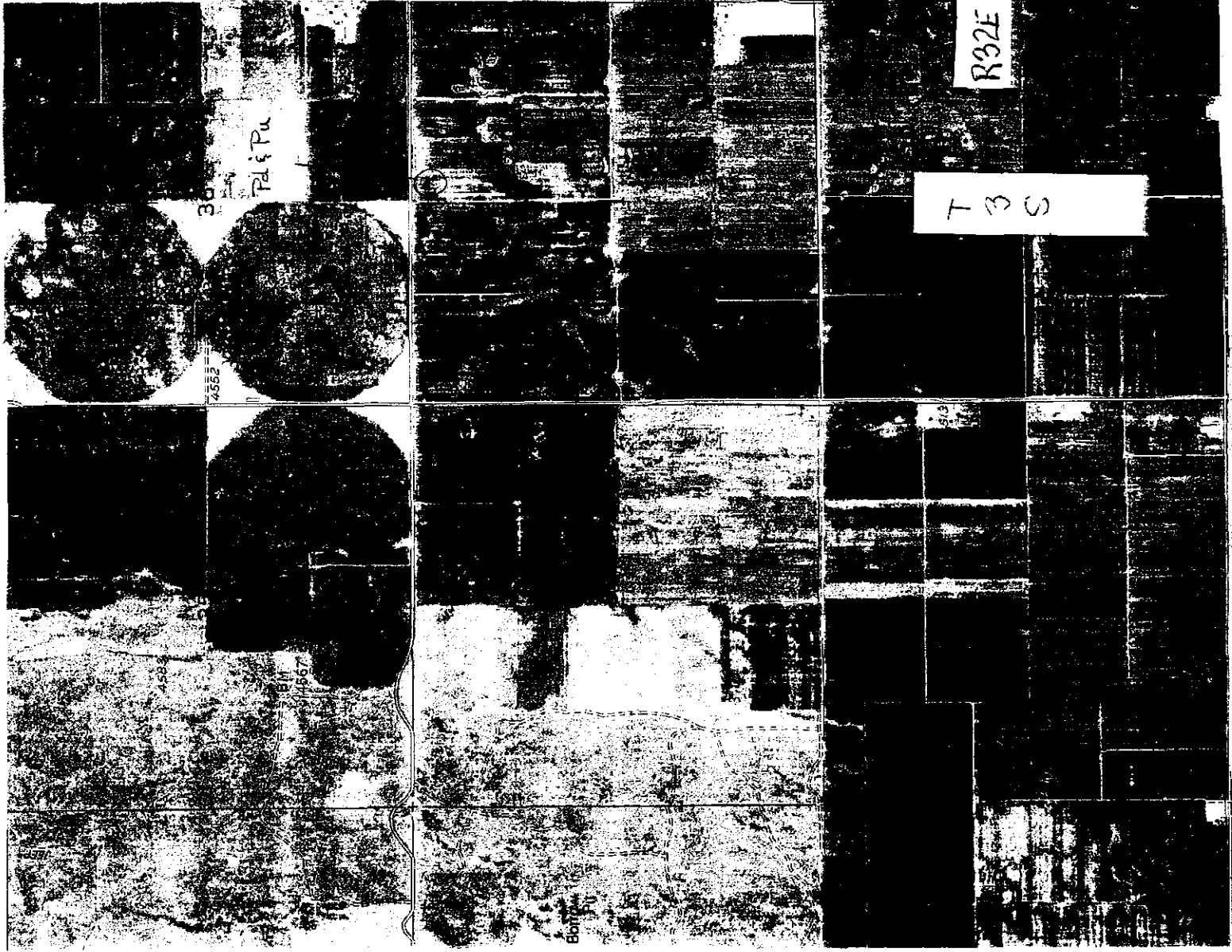
Fee \$ 30⁰⁰ Receipted by EMC # 8005913 Date 2/27/89

Publication prepared by RB Date 3-7-89 Published in 3-16, 23, 89 Morning News

Publication approved aw Date 4-4-89

MICROFILMED

NOV 20 1989



NOV 20 1989

OFFICE:
131 North Oak
Blackfoot, Idaho 83221
785-0891



Nolan E. 684-3233
Rudell A. 684-4216

October 20, 1989

RECEIVED
OCT 24 1989

Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RE: Application for Permit Nos. 35-8702/8703

The names and addresses of officials within our organization are:

Nolan E. Furniss	131 N. Oak	Blackfoot, Idaho 83221
Rudell A. Furniss	131 N. Oak	Blackfoot, Idaho 83221

Thanks Gary -
Nolan

MICROFILMED

NOV 20 1989

3 GENERATIONS OF IDAHO POTATOES AND WHEAT



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 1995

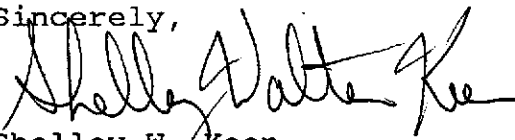
FURNISS BROTHERS FARMS
131 N OAK
BLACKFOOT ID 83221

RE: WATER RIGHT NOS. 35-08702 AND 35-08703

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:rl

Enclosures

NOT RETURNED
JUL 19 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 35-08702 DATE 7-11-95

NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ☒ Advance? YES Advanced to: 4-19-89
 Order to reinstate needed? Done
 Incorrect fee for rate recommended? ☐

SOURCE ☒ Changes or just clarification of originally intended source? ☐
 Notice of Intent to Void necessary? ☐

POINT OF DIV ☒ Amendment needed? Add Gov Lot 2
☒ Overlaps? ☐

PLACE OF USE ☒ Amendment needed? Add Gov Lot 2
☒ Overlaps? ☐

DIV RATE ☒ Permit/fee limits: .04 CFS
 Meas Q = Theo Q = .02 Recommend: .01 CFS
1 humidifier @ 36 gal/hr = .6 gal/min or < .01 CFS
 Combined rates exceed capacity ☐

ANNUAL VOLUME ☒ Volume Limit: Season: 1-1 to 12-31
 Calculations: 36 gal/hr x 12 x 365 = .5 gals
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable ☐

USES ☒ Change in Nature of Use or additional uses? ☐
 Amendment necessary? ☐

ADDITIONAL INFO ☐ Supplemental Groundwater ☐ PPU Scenario ☐
☐ Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS ☐ Multiple p/d(s) in $\frac{1}{4}$ $\frac{1}{4}$? ☐
☐ Other Edit use comment

NEW CONDITIONS ☐ Watermaster control - District ☐
☐ Measuring/Locking Devices ☐
☐ Irrigation Overlap ☐
☐ Other ☐
☐ Water Quality ☐ Heat/Cool/Fish verified ☐

COMMENTS: Reduce rate

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Commercial</u>	<u>.01</u>	<u>.5</u>	Adjustment Memo Needed	<u>NO</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	☒
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER	<u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 23 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8702
1. Owner: Furniss Brothers Farms Phone No. 785-0891
Current Address: 131 N. Oak Blackfoot, Idaho 83221
2. Accompanied by: Nolan Furniss EXAM. DATE: 7-29-92
Address: Same Phone No. Same
Relationship to Permit Holder: owner
3. Source: ground water tributary to _____

B. OVERLAP REVIEW

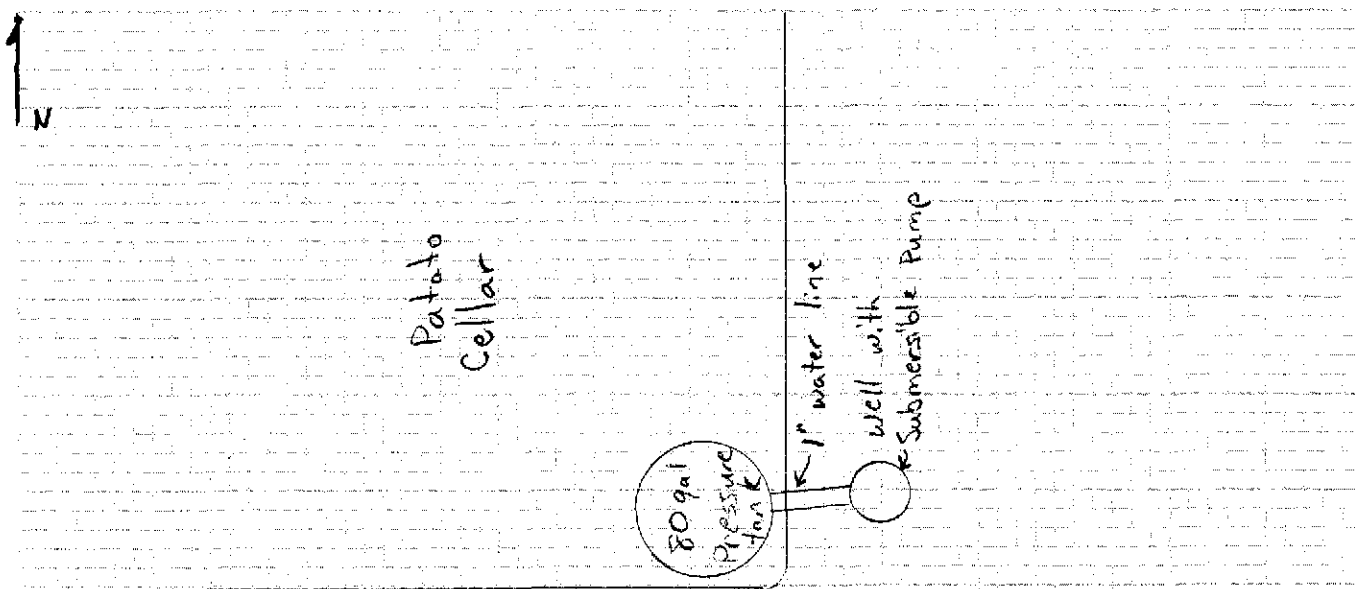
1. Other water rights with same place of use: NA

☐ Copies Attached
2. Other water rights with same point of diversion: NA

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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JUL 19 1995

Scale: 1" = _____

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

System Description (continued)

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

3/4 Hp pump to 80 gallon pressure tank

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	3/4	unknown	Sta-Rite	1" discharge

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NE	1	3S	32E	Bingham	USGS Quad / Aerial Photo

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	32E	1				C													

RECEIVED

JUL 19 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure Gage	Fluid	ashcroft	—	—	60psi	

2. Measurements:

operating pressure 40 psi

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Theory $\frac{7/4 H_p (8.814)(70\%)}{140' + 40 \text{ psi} (2.308)} = .02 \text{ cfs} (8.94 \text{ gpm})$
Capacity

2. Alternate Method for Checking Purposes:

*Allow 0.01 cfs as per memo

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

*allow 0.5 cfs as per memo

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JUL 19 1995

[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	0.01	0.5
Totals:			0.01 cfs	0.5 af/a

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

Field Examiner's Name Gary Buss
Signature Gary Buss
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

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

REPORT

JUL 19 1995

INTER-DEPARTMENT MEMO — 1

FROM Terry Blau

DATE September 2, 1980

TO Staff

SUBJECT Field exams on potato storage facilities

After talking with 2 suppliers and installers of ventilating and humidifying equipment for potato storage. The following are some rules of thumb which maybe helpful in doing exams.

Max. rate of flow - 1 gal/hr/1000 cwt of spuds (2.4 cubic feet/100 lbs)

Max length of storage 11 months

Volume 1/2 gal/hr/1000 CWT/year

Alt method

36 gal/hr per humidifier (max)

Use would be less than 25% of max during winter months

Vol. use 36 gal/hr x 12hrs/day/ 365 days or #days of use.

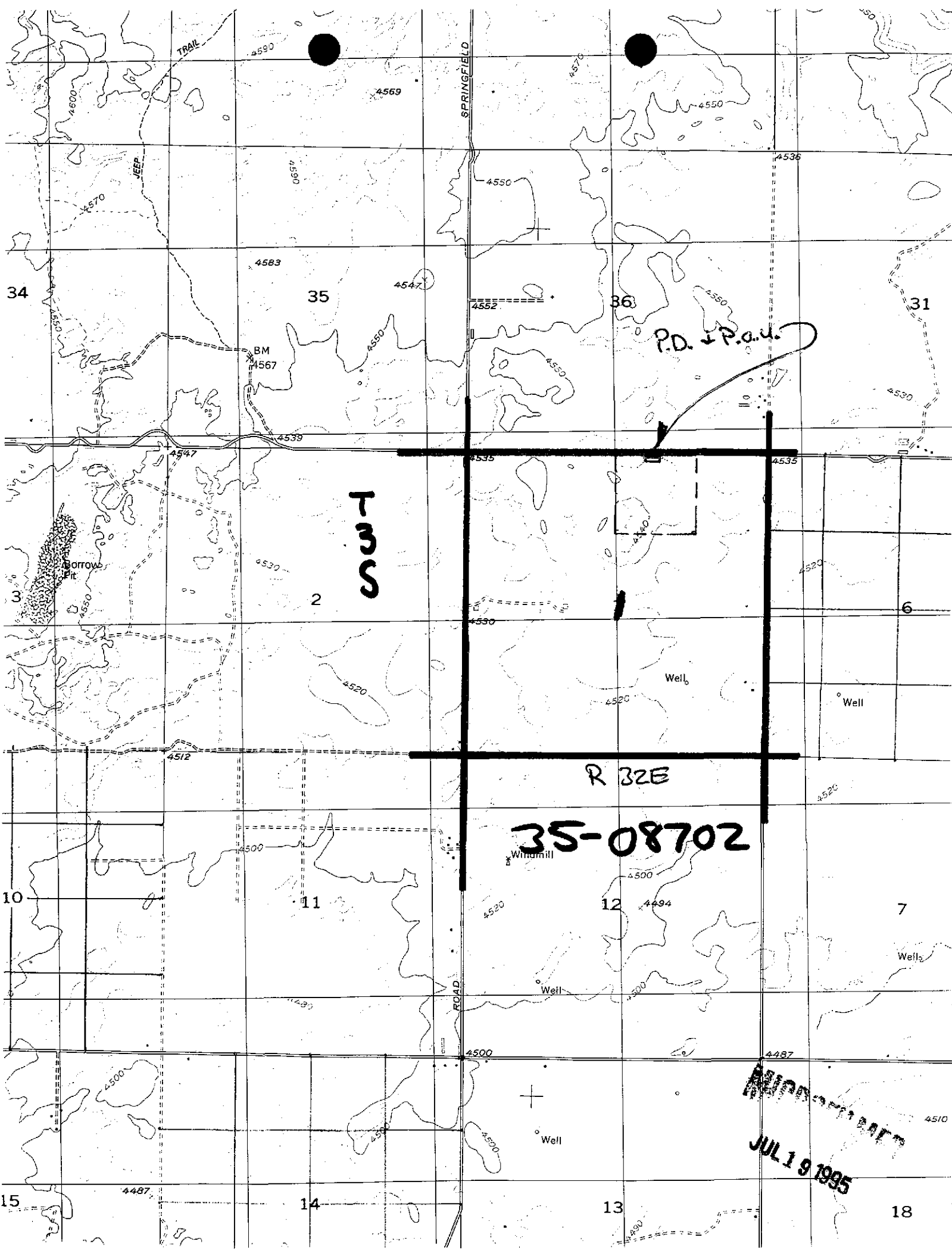
MICROFILMED

JUL 19 1985

Terry Blau

SIGNATURE

35-8702



34

3

10

15

35

2

11

14

36

6

12

13

31

6

7

18

TRAIL

SPRINGFIELD ROAD

JEEP

BM 4567

Borrow Pit

Windmill

Well

Well

Well

Well

Well

P.D. & P.O.U.

R 32E

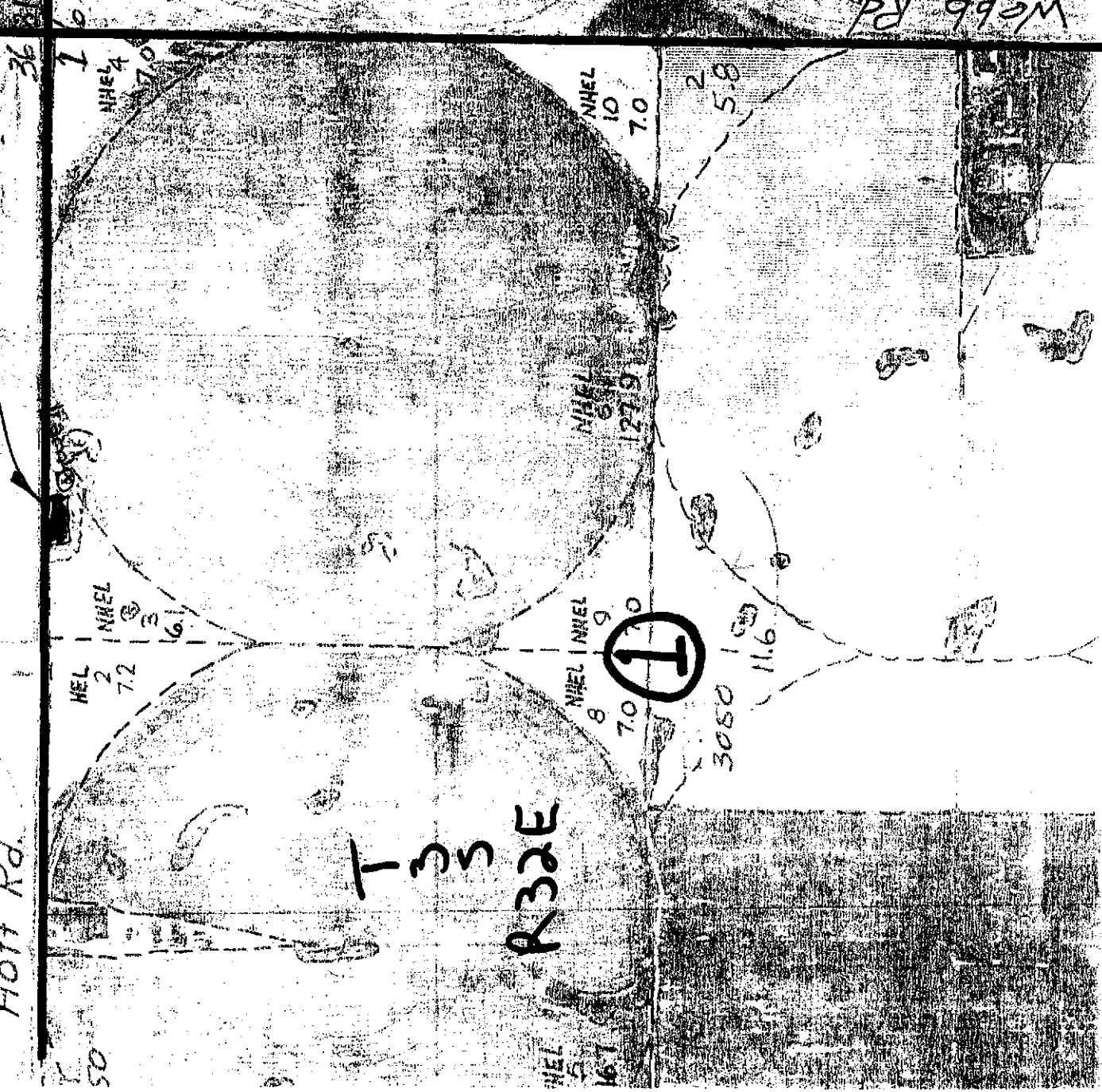
35-08702

JUL 19 1995

35-8702

Place of use

Hoff Rd.



35-8702

JUL 19 1995

February 6, 1992

FURNISS BROTHERS FARMS
131 N. OAK
BLACKFOOT ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08702

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED
FEB 07 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08702

Reviewed by Klg

Date 1/30/92

GENERAL CONSIDERATIONS

TYPES OF USE

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

commercial
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

NA Required?
 Amount Submitted
 Correct?

MEASURING DEVICE

NA Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 1/21/92 21
Date proof due 12/1/91 + 30
No. of days late = 51
Priority Date 2/27/89 + 58
New Priority Date 4/19/89 109

365
335
30

DEFICIENCIES OR ACTION ITEMS

proof acceptable
needs an order

DATA ENTRY

New Address

Proof Made 1/21/92
2/6/92 Klg

December 10, 1991

FURNISS BROTHERS FARMS
131 N. OAK
BLACKFOOT ID 83221

LAPSE NOTICE

RE: PERMIT NO. 35-08702

Dear Permit Holder:

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

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12-18-91
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

FEB 07 1992

138055

September 30, 1991

FURNISS BROTHERS FARMS
131 N. OAK
BLACKFOOT ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08702

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

RECEIVED

FEB 07 1992

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

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 31, 1989

FURNISS BROTHERS FARMS
131 N. OAK
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08702

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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NOV 20 1989

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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NOV 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

September 28, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Furniss Brothers Farms
131 N. Oak
Blackfoot, ID 83221

RE: Application for Permit Nos. 35-8702/8703

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION FOR PERMIT

On February 27, 1989 the Department of Water Resources received an application to appropriate water, numbered 35-8702/8703 for commercial purposes within Bingham County.

On June 13, 1989 the Department requested that you supply a listing of all names and addresses of officials within your organization. Pursuant to Section 42-204, Idaho Code, failure to respond to this notification is cause for the department to void the application. As of this date, the department has not received the requested information.

The purpose of this letter is to request that you withdraw your application or explain why the Department should not void the application. Enclosed is a withdrawal form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from voiding your application.

If you fail to respond to this notice within thirty (30) days of the date of mailing of this letter, the Department will act to void your application. The application will be voided for failure of the applicant to supply requested information within 30 days.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

GARY SPACKMAN

Supervisor, Water Allocation Section

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NOV 20 1989

I hereby certify that on this 29th day of September, 1989, I sent the original copy of this letter, postage prepaid, to the person and address listed above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1989

RE: Application for Permit Nos. 35-8702 and 35-8703

Furniss Brothers Farms
131 N. Oak
Blackfoot, ID 83221

Gentlemen:

We have received your applications for permit, for commercial purposes, from our Eastern Regional Office for final review. However, prior to final action being taken on the applications we need to have a list of the names and addresses of all partners entitled to take action on these water rights. This is a requirement of the Department's Water Appropriation Rules and Regulations.

Please submit this information within the next thirty (30) days so we can continue processing your applications.

Sincerely,

Kay Walker

KAY WALKER
Technical Records Specialist

KW:hm

cc: Eastern Region

*Rec'd list
10/24/89-
see under
app. kw*

NOTIFICATION

NOV 20 1989

March 15, 1989

Furniss Brothers Farms
131 N. Oak
Blackfoot, ID 83221

Application for Permit No. 35-8702 & 35-8703

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned identification No. 35-8702 & 35-8703. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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NOV 20 1989

35-08600
RICKS BROTHERS
Route 4, Box 107
Rexburg, Idaho 83440
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 8 T, 01N, R 31E;
SENW, Sec. 9, T 01N, R. 31E.
Use: IRRIGATION (.600 CFS).
Date Filed: 6/28/1985.

In: T01N

R31E S04 NESW SESW NESE NWSE
SWSE SESE
S05 NESW NWSW SWSW SESW
S06 NESE NWSE SWSE SESE
S07 NENE NWNE SENE NESE
S08 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW NESE NWSE
S09 NENE NWNE SWNE SWNW
SESW NESW NWSW SWSW
SESW
S17 SWNE SWNW SENW
S18 SENE

1614.0 ACRES TOTAL

35-08610

WILLIAM M. WILLIAMS FAMILY
LTD. PTSHIP.

Route 5, Box 107

Blackfoot, Idaho 83221

Source: GROUNDWATER

Diversion Pt.: SESE, Sec. 13, T. 02S, R.
33E.

Use: IRRIGATION (2.588 CFS).

Date Filed: 6/28/1985.

In: T02S, R33E, S13, SWNE, SENE, NESE,
NWSE, SWSE, SESE — 129.0 ACRES TOTAL.

35-08611

WILLIAM M. WILLIAMS LTD. PTSHIP

Route 5, Box 107

Blackfoot, Idaho 83221

Source: GROUNDWATER

Diversion Pt: SWNW, Sec. 13, T. 02S, R.
33E.

Use: IRRIGATION (1.300 CFS).

Date Filed: 6/28/1985

In: T02S, R33E, S13, SWNW, SENW —
85.0 ACRES TOTAL.

35-08613

WILLIAMS, Jennie L.

WILLIAMS, Est. of C.L.

Route 5, Box 17

Blackfoot, Idaho 83221

Source: GROUNDWATER

Diversion Pt: NWSW, Sec. 11, T. 02S, R.
33E.

Use: IRRIGATION (3.300 CFS)

Date Filed: 6/28/1985

In: T02S, R33E, S11, NWNW, SWNW,
SENW, NESW, NWSW, SWSW, SESW —
160.0 ACRES TOTAL.

35-08702

FURNISS BROTHERS FARMS

131 N. Oak

Blackfoot, Idaho 83221

Source: GROUNDWATER

Diversion Pt: NWNWNE, Sec. 1, T. 03S, R.
32E.

Use: COMMERCIAL (.040 CFS).

Date Filed: 2/27/1989

In: T03S, R32E, S01, NWNW.

35-08703

FURNISS BROTHERS FARMS

131 N. Oak

Blackfoot, Idaho 83221

Source: GROUNDWATER

Diversion Pt: NWNWNE, Sec. 1, T 03S, R,
32E.

Use: COMMERCIAL (.040 CFS).

Date Filed: 2.27/1989.

In: T03S, R32E, S01, NWNW.

RECEIVED

APR 3 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell)

solemnly do

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

newspaper two consecutive week

the first publication having been made on the

16th day of March, 1989;

and the last publication having been made on the
23rd day of March, 1989
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 30th day of March, in
the year 1989 before me a Notary Public of said State,
personally appeared

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

Ray A. Rayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

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NOV 20 1989

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

MARCH 8, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 3, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MAIL ROOM

NOV 20 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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NOV 20 1989

35-08702

FURNISS BROTHERS FARMS
131 N. OAK
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NWNWNE Sec 1 T 03S R 32E

Use: COMMERCIAL (.040 CFS)

Date Filed: 2/27/1989

In: T03S R32E S01 NWNE

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NOV 20 1988

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 APRIL 3, 1989.

R. Keith Higginson, Director

Published 3/16/1989 & 3/23/1989

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NOV 1989