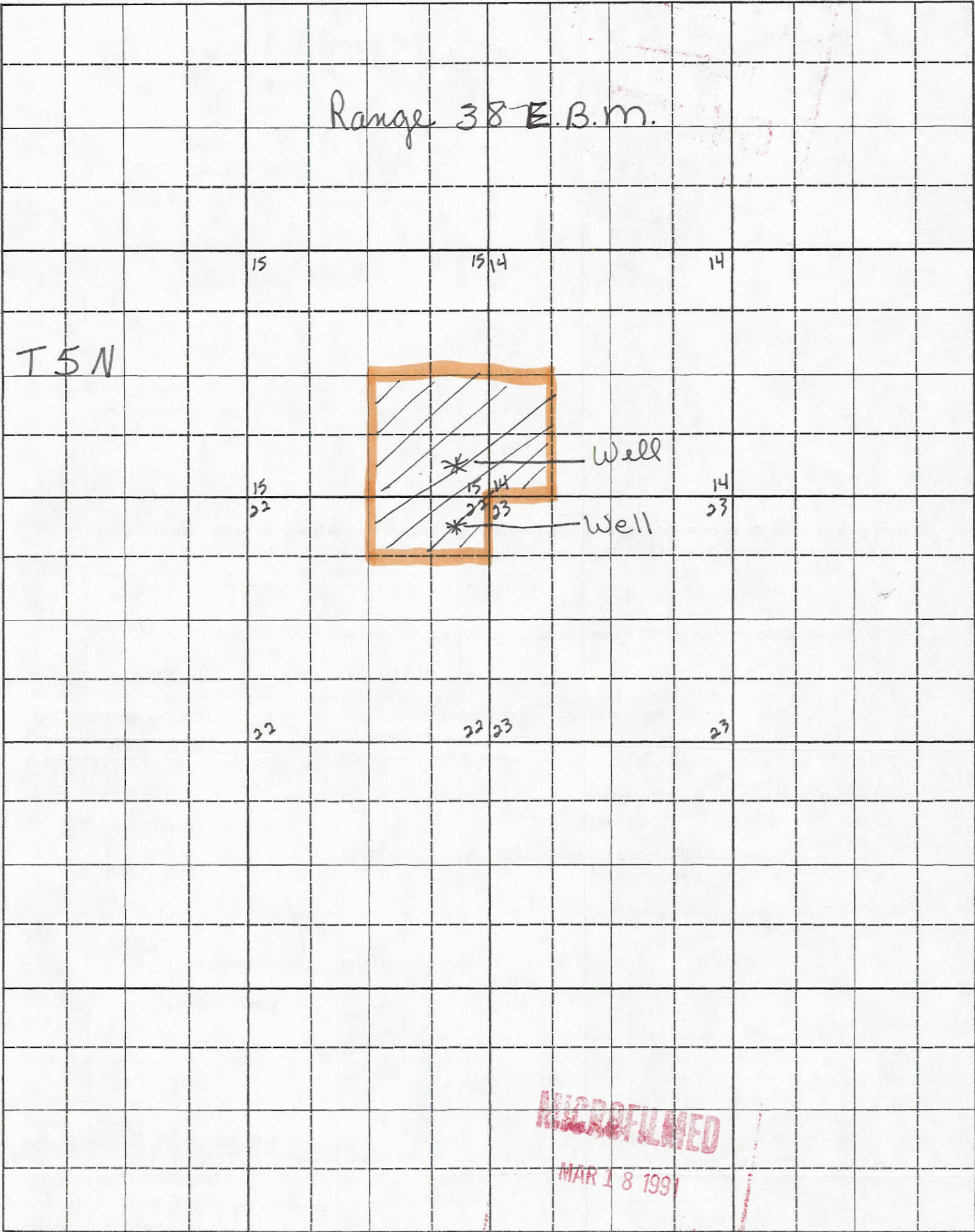


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

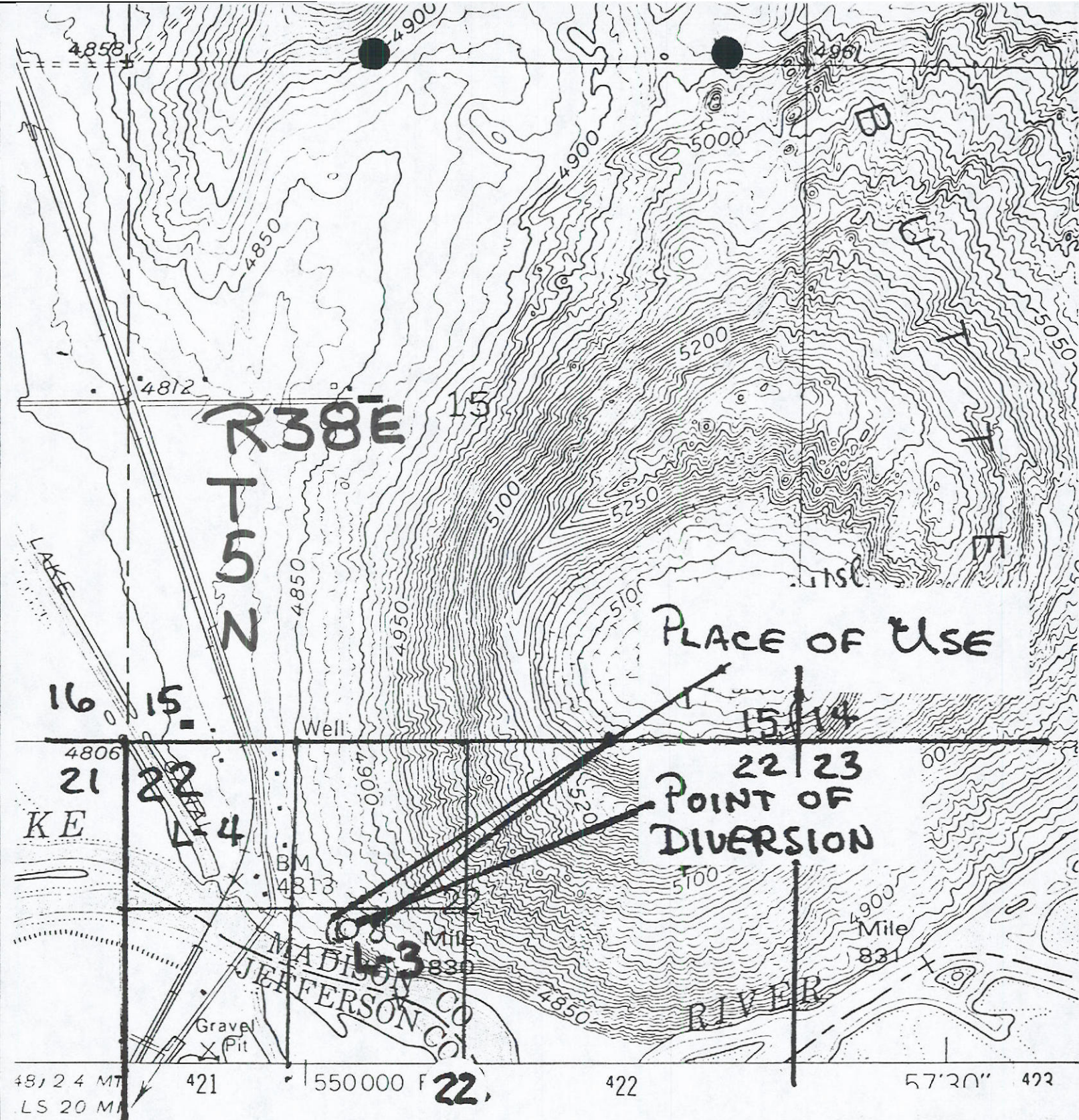
N



Scale: 2 inches equal 1 mile.

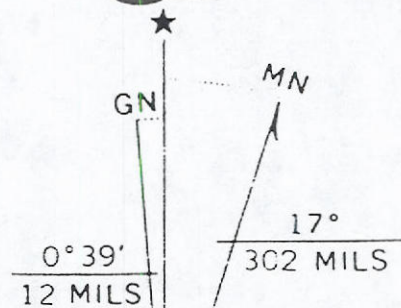
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Marjorie South
(Applicant)



by the Geological Survey

by Kelsh plotter
 aerial photographs taken 1950
 American datum
 coordinate system, east zone



MICROFILMED
 JUN 10 1997

16 15
21 22

L-4

Place of Use

Point of Diversion

L-3

R38E
T
5
N

MICROFILMED
JUN 10 1997

35-08658

713
T-869

11
NH&L

NOT TO
MAP NU

Point of Diversion



35-8658
MICROFILMED
JUN 10 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08658

Priority: November 2, 1985

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.4 AF

This is to certify, that JEFF CRANDALL
SUSAN CRANDALL

3612 E 880 N
MENAN ID 83434

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 30, 1985; and has submitted Proof of Beneficial Use on March 4, 1994. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SENW), Sec. 22, Township 05N, Range 38E
MADISON County

PLACE OF USE: DOMESTIC
TWN RGE SEC
05N 38E 22 Lot 3(SENW)

CONDITIONS OF APPROVAL AND 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. Domestic use is for 2 homes.

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 23rd day of MAY, 1997.

MICROFILMED

Acting for

KARL J. DREHER, Director

JUN 10 1997

State of Idaho
Department of Water Resources

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MAY 21 1997

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08658

Department of Water Resources

Date of Priority: November 2, 1985

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 2.4 AF

Comes now

JEFF CRANDALL
SUSAN CRANDALL

3612 E 880 N
MENAN ID 83434

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-08658, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SE¹/₄), Sec. 22, Township 05N, Range 38E
MADISON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 38E 22 Lot 3 (SE¹/₄)

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

Signed at Menan, Idaho, this 13th day of May, 19 97.

MICROFILM

JUN 10 1997

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08658

FOR DEPARTMENT USE ONLY

Preliminary check by SW Fee = 50.00 Received by JW # 6038449 Date 5/21/97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08658 with the following;

CONDITIONS OF APPROVAL AND 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. Domestic use is for 2 homes.

Witness my hand this 23RD day of MAY, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 10 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 35-08658 IN THE NAME	)	ORDER RESCINDING
	)	CONDITIONS OF APPROVAL
OF JEFF & SUSAN CRANDALL	)	
	)	

WHEREAS, on October 18, 1985, Marjorie South filed an application for permit to appropriate groundwater for irrigation and domestic purposes; and,

WHEREAS, on March 5, 1991, the department approved the Permit No. 35-08658 with the following conditions:

Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.;

and,

WHEREAS, on April 28, 1994, the permit was assigned to Jeff and Susan Crandall; and,

WHEREAS, on July 16, 1996, a field examination of the water diversion and delivery system was conducted and it was determined that the use of water under this permit is for domestic purposes only for 2 homes; and,

WHEREAS, the above conditions were applicable to the use of trust water for irrigation purposes, but are not applicable to the actual use found under the permit; and,

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JUN 10 1997

WHEREAS, there appears to be reasonable cause to rescind the condition,

IT IS, THEREFORE, HEREBY ORDERED That the conditions of approval regarding the use of trust water are RESCINDED.

Dated this 25th day of April, 1997.


L. GLEN SAXTON
Chief, Water Allocation Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	35-08658	Marjorie South	2.86
Full Assignment	35-08658	Jeff & Susan Crandall	2.86

RECORDED
JUN 10 1994

JUN 10 1994

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MAR 4 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08658 Telephone No. 208/754-8536
2. Name(s) of Permit Holder(s): JEFF and SUSAN CRANDALL
3. Mailing Address: 3612 EAST 880 NORTH THERMAN, Id. 83434
4. Source of Water: WELL

If GROUNDWATER, Well Driller's Name: (Before 1987) Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 2 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 5 1/2 (No. of acres) Other _____

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

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

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

Flow Measurement Port: Required? ☒ Yes ☒ No ☒ Installed? _____ Yes _____ No Please waive flow measurement

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Jeff or Susan Crandall 208/754-8536 (529-0833)
Name Telephone No.
3612 E. 880 N. THERMAN, Id. 83434
Address

10. 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.

Date

Signature (and title, if on behalf of a company or organization)

JUN 10 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 28 1994
Department of Water Resources

Barry Southland
(for deceased
MARGORIE SOUTH)

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Susan Crandall (Permit Holder) hereby assign to Jeff & Susan Crandall
of 3612 East 880 North, Meridian, Id. 83434
(Full Address)

All my right, title, and interest in and to Permit No. 35-08658
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 35-08658 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

- 2 Households
- approx. 6 acres + or -

Made this 26th day of April, 19 94.
Susan Crandall
Permit Holder(s)

State of Idaho)
County of Bonneville ss

On this 26th day of April, 199 4, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Ilene Klingler Ilene Klingler
Notary Public

SEAL

Ilene Klingler
Signature

My commission expires: 8 Jan. 1999

JUN 10 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08658

Proposed Priority: October 30, 1985 Maximum Diversion Rate: 2.86 CFS

This is to certify, that **MARJORIE SOUTH**
3612 E. 880 N.
MENAN, ID 834345100

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	04/01 to 11/01	2.80 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	2.86 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE Sec. 22, Township 05N, Range 38E
SESE Sec. 15, Township 05N, Range 38E
MADISON 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>
05N	38E	14	NWSW 10	SWSW 20		30
		15	NESE 20	NWSE 10	SWSE 30	
			SESE 40			100
		22	NENE 5	NWNE 5		10

Total number of acres irrigated: 140

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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MAR 18 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 35-08658

CONDITIONS/REMARKS:

6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. 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.
10. Domestic use is for 2 homes.

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

5th day of March, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 18 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marjorie South Phone (208) 754-4117
 Post office address 3612 E. 880N
Rt. 2 Box 114, Menan, Idaho 83434-5100

2. Source of water supply groundwater which is a tributary of -----

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 5N.
 Range 38 E.B.M. Madison County, additional points of diversion if any: -----
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 5N., R. 38 E.B.M.

4. Water will be used for the following purposes:

Amount 2.80 for irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 0.06 for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
 (cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 2.86 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and sprinkler system.

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
 (Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 600 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 5N.
 Range 38 E. B.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered

(4) Name of municipality to be served , or number of families to be supplied with domestic water 2.

(5) If water is to be used for other purposes describe:

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MAR 18 1991

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N.	38E.	14										10	20						30
5N.	38E.	22	5	5															10
5N.	38E.	15													20	10	30	40	100

Total number of acres to be irrigated 140

c. Describe any other water rights used for the same purposes as described above. _____

NONE

9. a. Who owns the property at the point of diversion Applicant

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

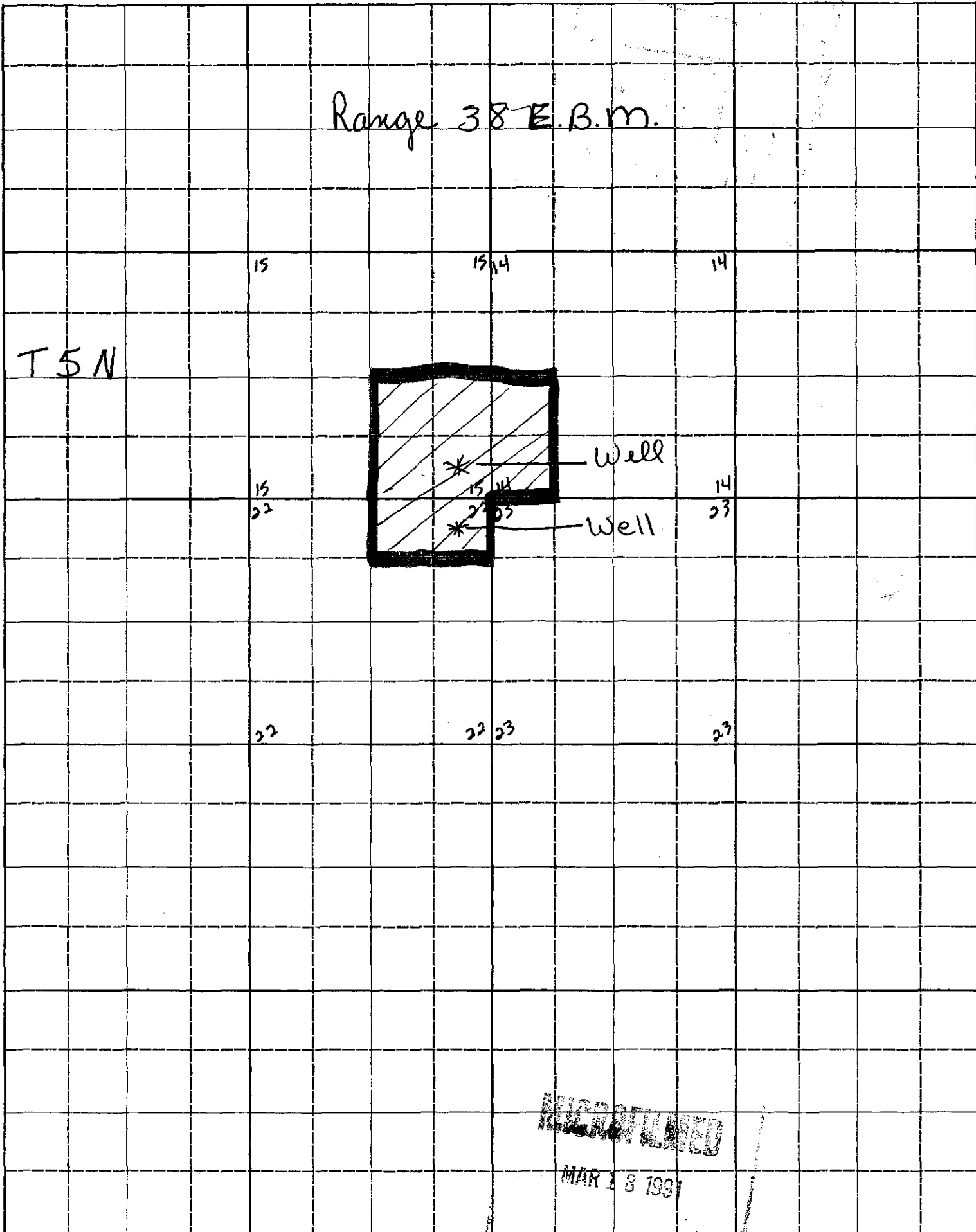
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

RECORDED
MAR 18 1991

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

N



RECORDED

MAR 18 1931

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.

Marjorie South
(Applicant)

Received by CW Date 10-30-85 Time 1:30P
Preliminary check by HWS Fee \$ 85.00
Receipted by MD #35524 Date 11/7/85
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. Other: _____

RECEIVED

MAR 18 1991

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 04 1991

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

NOTICE OF APPLICATION #25-08658a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

TWO consecutive issues, the first publication having been made on JANUARY 3, 1991 and the last publication having been made on JANUARY 10, 1991

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

25-08658

SOUTH, MARJORIE

3612 E. 880 N.

MENAN, ID 83434-5100

Source: GROUNDWATER

Diversion Pt: SESE Sec 15 T 05N R

38E NENE Sec 22 T 05N R 38E

Use: IRRIGATION (2.800 CFS)

DOMESTIC (.060 CFS) Total Diversion:
(2.860 CFS)

Date Filed: 10/30/1985

In: T05N R38E S14 NWSW SWSW S15
NESE NWSE SWSE SESE S22 NENE
NWNE

140.0 ACRES TOTAL

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 JANUARY 21, 1991.

R. KEITH HIGGINSON
Director

Publ. Jan. 3 and 10, 1991J.

STATE OF IDAHO)
COUNTY OF MADISON)

On this 11TH day of JANUARY in the year of 1991, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

MAR 18 1991



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

May 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JEFF CRANDALL
SUSAN CRANDALL
3612 E 880 N
MENAN ID 83434

RE: WATER RIGHT NO. 35-08658

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

JUN 10 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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JUL 10 1987

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

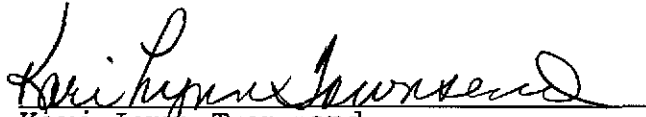
RECEIVED
JUN 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of May, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08658

JEFF CRANDALL
SUSAN CRANDALL
3612 E 880 N
MENAN ID 83434


Kari Lynn Townsend
Secretary

RECORDED

JUN 18 1997



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

April 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JEFF CRANDALL
SUSAN CRANDALL
3612 E 880 N
MENAN ID 83434

RE: WATER RIGHT NO. 35-08658

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

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

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

Also, enclosed is a copy of the Order Rescinding Conditions of Approval from the original permit.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

RECEIVED
JUN 10 1997

MEMORANDUM

TO: File 35-08658

FROM: Sharla

DATE: April 3, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 35-08658 are based on the following:

H. RECOMMENDATIONS

1. Recommended Amounts

Domestic	1/1 - 12/31	0.06 cfs	2.4 afa
----------	-------------	----------	---------

The examiner has allowed volume for the domestic component to include yard/garden watering. There is no information given to verify that the lawn/garden areas are 1/2 acre per yard; the domestic component sufficiently covers the water usage.

Examiner: Steven Garrison

Exam Date: July 16, 1996

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JUN 10 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08658

DATE 4/3/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change/clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO

Amendment required YES

PLACE OF USE Change OK

Amendment required YES

Does map agree with written description? YES yes NO no

OVERLAPS NO P/D NO P/U

RATE OF DIV

Permitted Rate 2.86 cfs

Fee limit .2 ~~1.0~~ cfs \$50.00

Measured NO cfs

Theoretical .06 cfs

Recommended Total Div Rate .06 cfs

ANNUAL VOLUME/

NATURE OF USES NO

Use YES

Dom.

Volume Calculation

2.4 af

NO af

NO af

NO af

SUBTOTAL 2.4 af

Flow rate .06 cfs X 365 days X 1.98 ~~1.98~~ = 43.4 af

Total volume recommended 2.4 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

D/2 homes.

CONDITIONS NO Watermaster Control WD# NO

NO GW Measurement/Measuring Device

NO Overlap

NO Use-specific conditions R55, R56

Advancement of Priority Date Required NO yes NO no

SRBA Claim Filed N/A

1st Amend Letter P37, P38

Adjustment Memo twice

2nd Amend Letter P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 31 1997

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 35-086581. Owner: Jeff and Susan CrandallPhone No: 754-8536Current Address: 3612 East 880 North, Menan, ID 834342. Accompanied by: Susan CrandallEXAM DATE: 16 JUL 96

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

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

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

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
	3	SE	NW	22	05N	38E	Madison	on site/USGS	

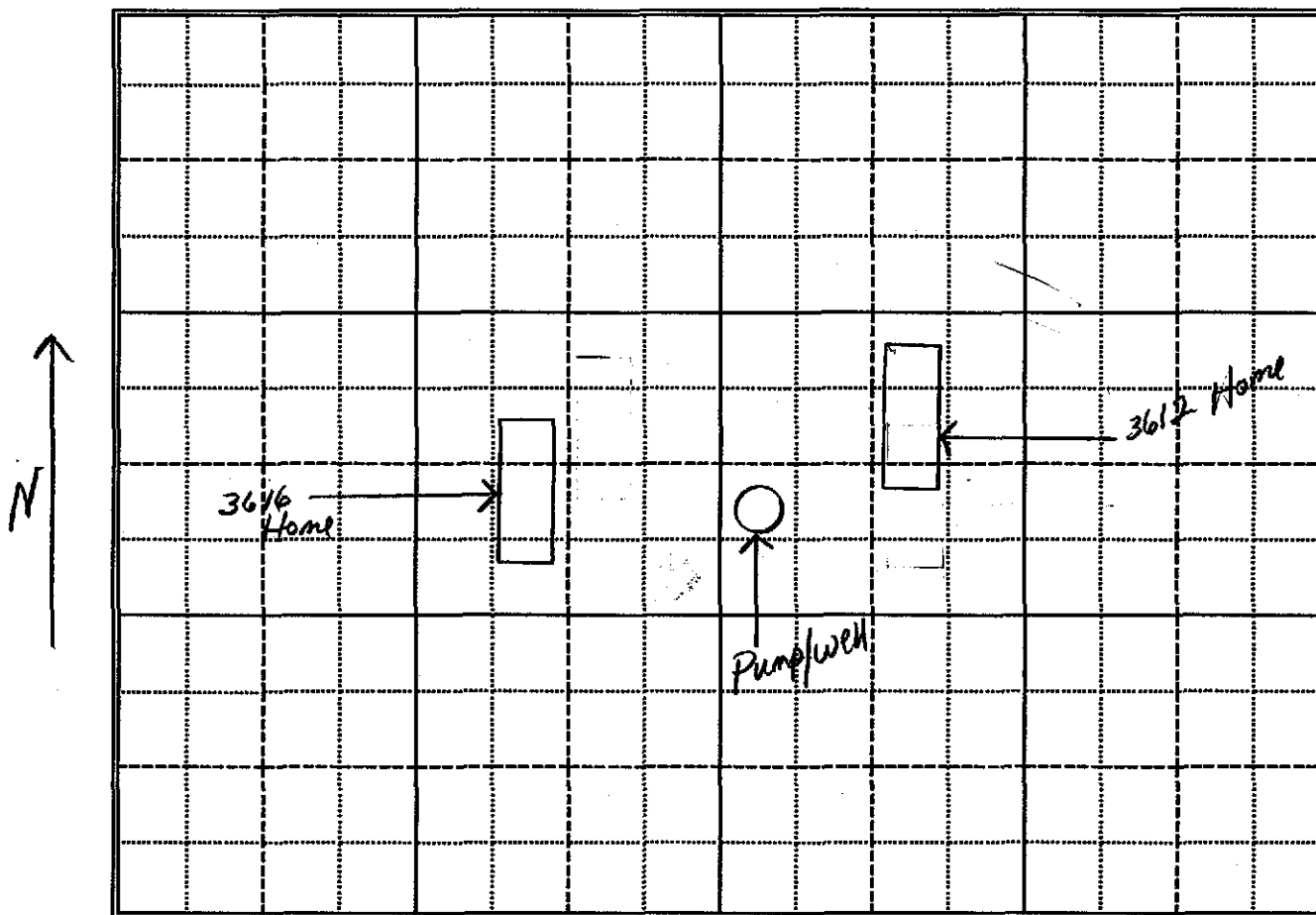
2. Place(s) of Use:Indicate Method of Determination on site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	22								2D									2 homes same well
										1									1
										L-3									

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JUN 10 1997

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
—	—	1	—	Grundfos	8823
			*Serves two (2) homes		

*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 Gauge					0-60	
Theoretical						

2. Measurements:

Operating PSI = 30

APPROVED

JUN 10 1997

E. NARRATIVE/REMARKS/COMMENTS

* Assignment of Permit to Jeff and Susan Crandall,
SE NW Section 22. The well is shared
with Neil Anderson who owns 1 acre in the NWSE NW.
1 HP pump. Operating PSI = 30
Pump/well to two domestic.

* Note: According to Compliance Oversight and individual
who sent the Proof of Beneficial Use there is no other
development. No irrigation witnessed (except 1/2 acre per household
for both houses = 1 ac)

* Note: Determined $Q = 0.06$ plus 0.03 CFS irrigation

* Note: Licensing amendment as indicated.
Total 0.06 CFS

* Crandall's Address - 3612 East 880 North

* Other domestic on well - 3616 East 880 North

Q Theoretical: HP = 1
PSI = 30
EFF. = 70%

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

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JUN 10 1997

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{Theor.} = \frac{1HP(8.814) \cdot 7eff}{40' lift + (30 PSI + 2.308)} = 0.06 CFS$$
$$Q_{Total} = 0.06 CFS$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Q Limited to 0.02^{cfs} for irrigation non-additive.

$$V_{ol. Dem.} = 1.2 afa \times 2 = 2.4 afa \quad Total = 0.06 CFS$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.06 cfs	2.4 afa
IRRIGATION	4/1	11/1	0.03 cfs	4.0 afa
Totals:			0.06 cfs	6.4 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Steven Garrison Date 16 Jul 96

Reviewer KEITH C WILSON Date 3-24-97

SEAL

MICROFILMED

JUN 10 1997

1643

21

L-4

R38E

T S N

Point of Direction
Place of Use

MICROFILMED
JUN 10 1997

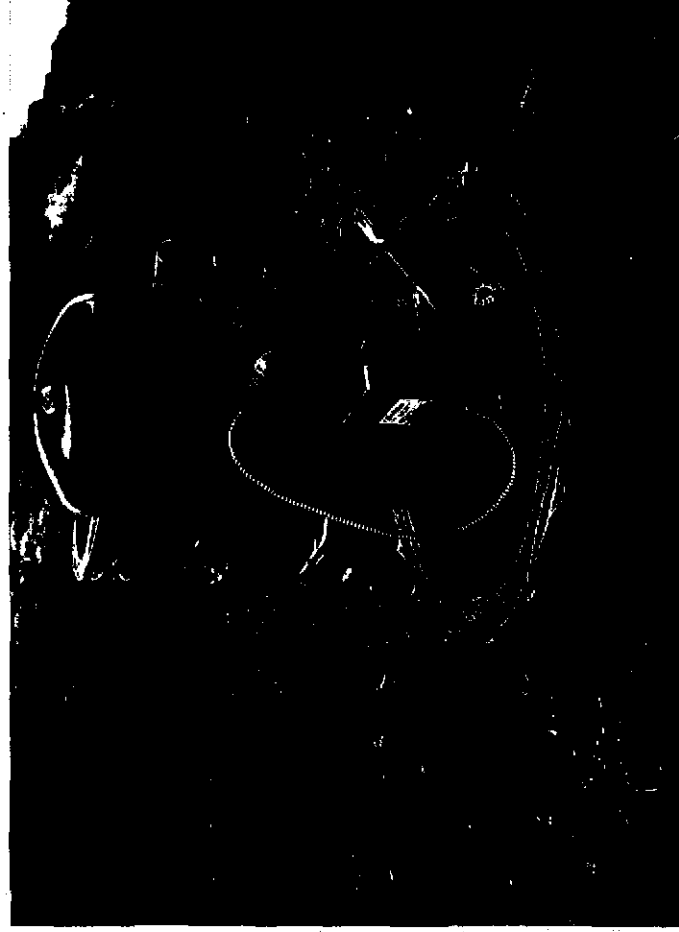
35-08658

713
T-869

1-111162

NOT TO
MAP NO

Point of Diversion



35-8658
FILMED
JUN 10 1997

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 1
Eff = Efficiency = .7 (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = 40 ft.

Assumed Draw down = + 0 ft.

Lift = 40

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 30 psi

$$Q_{cfs} = \left[\frac{1}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{40}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{6.1698} \right] \div \left[\underline{109.24} \right]$$

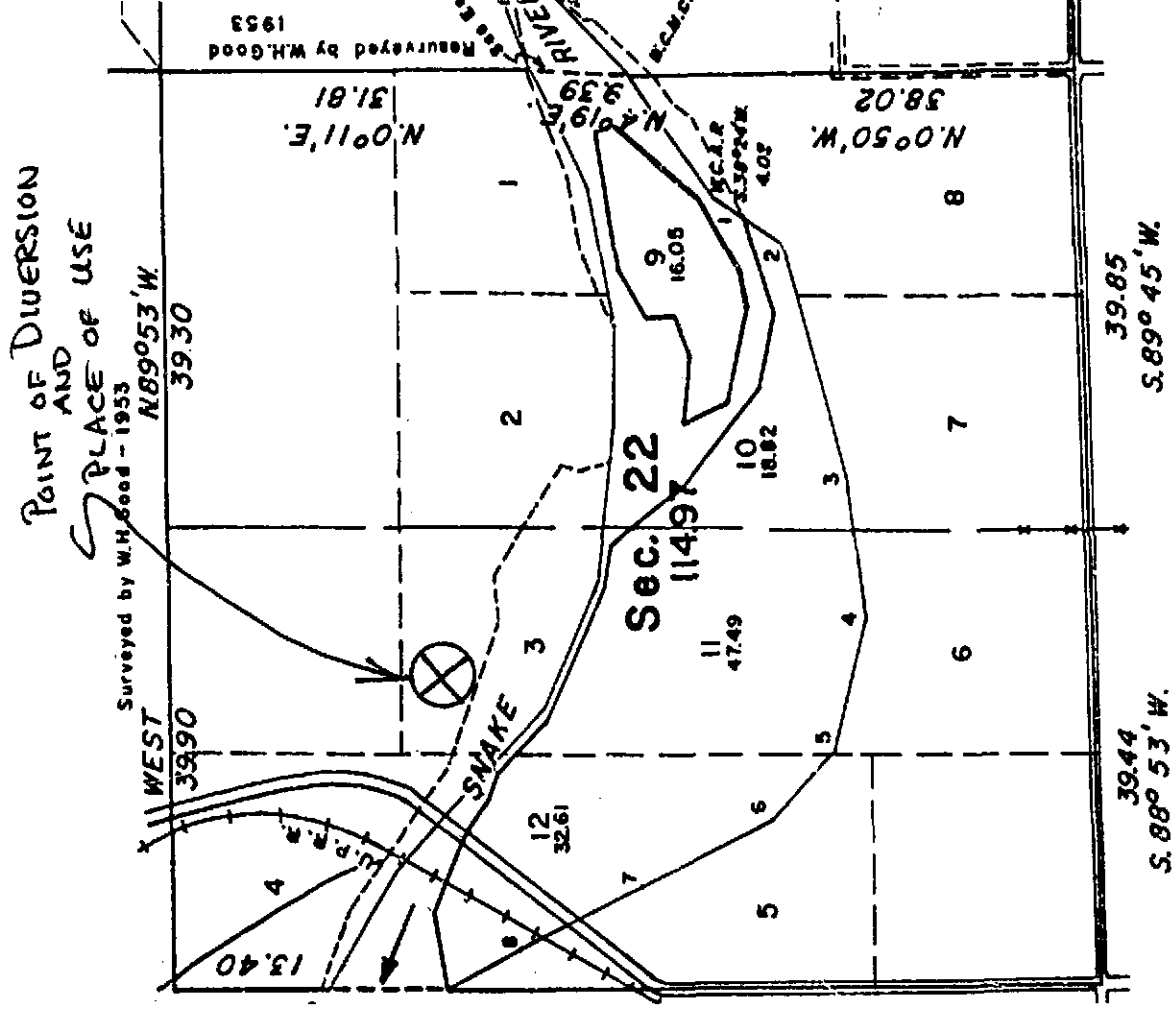
$$Q_{cfs} = \underline{0.06} \text{ cfs}$$

MISSOURI
JUN 10 1957

PERMIT NO. 35-08658

R38E

T5N



35-08658

May 13, 1994

Jeff and Susan Crandall
3612 E 880 N
Mehan, ID 83434

RE: Permit No. 35-08658

Dear Permit Holder:

The Department acknowledges receipt of the proof of beneficial use and assignment of permit form transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Enclosed is an order reinstating your permit since the Proof of Beneficial Use form was submitted after the proof due date. Please note that the priority date has been advanced to November 2, 1985. Additionally, please note that the department has waived the flow measurement port condition

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 any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

JUN 10 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08658 Reviewed by AW Date 3-16-94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? Dom. Irr.
yes Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
no Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50.00 Amount Submitted
yes Correct?
yes Required?
no Installed?
yes Waiver requested?

PRIORITY CALCULATION

Date proof received 3-4-94
Date proof due 3-1-94 -
No. of days late 3 =
Priority Date 10-30-85 +
New Priority Date 11-2-85

DEFICIENCIES OR ACTION ITEMS

Reinstate + advance priority to November 2, 1985
Waive Flow port condition.

need assignment
5/4- Proof acceptable

DATA ENTRY

New Address

Proof Made 3-4-94

RECEIVED

APR 28 1994

Department of Water Resources

MYRNA SOUTH
Attorney at Law
3007 E. 49th N.
Idaho Falls, Idaho 83401
Telephone: (208)529-0833

Attorney for Plaintiff

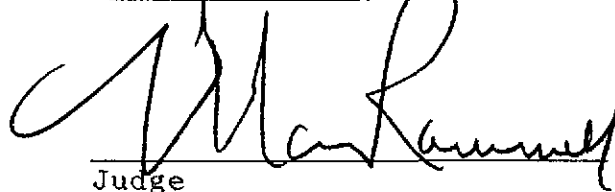
IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON

IN RE ESTATE OF MARY
MARJORIE SOUTH

)
) CASE NO. SP-93-00147
)
) LETTERS TESTAMENTARY
)
)
)

BARRY SOUTH AND SUSAN CRANDALL are herby appointed joint
personal representatives of the estate.

WITNESS: Mark S. Ramell, Magistrate of the
District Court, County of Madison, State of Idaho, with the seal
fo the Court affixed the 9th day of July, 1993.


Judge

CERTIFICATE
I HEREBY CERTIFY THE
FOREGOING INSTRUMENT
TO BE A TRUE AND COR-
RECT COPY OF THE ORIG-
INAL ON FILE IN MY
OFFICE

DATED July 9, 1993
BETH B. REFSE
Madison County Clerk,
Auditor and Recorder,
Clerk of the District Court

BY M L Bell
Deputy

LETTERS TESTAMENTARY

NOTED

JUN 10 1994

March 25, 1994

Jeff and Susan Crandall
3612 E 880 N
Mehan, ID 83434

RE: Permit No. 35-08658

Dear Permit Holder:

On March 4, 1994, the Department received the proof of beneficial use form and fee for the above referenced permit. I note, however, that the permit is in the name of Majorie South.

Before the department can take action on the permit, the permit needs to be in some way associated with you. Enclosed is an assignment, which when completed by the permit holder or representative of the permit holder, will convey the permit to you. If, however, it is impossible to acquire an assignment, there are other options.

The department can accept the proof and fee if you can demonstrate that you have possessory interest in the land. This can be accomplished by providing the department with a copy of the tax record or a copy of your warranty deed and/or sales contract. By submitting such document(s), the department can allow you to take action to maintain the permit, but not necessarily as documentation for conveying ownership of the permit.

In order to protect your priority date, it will be necessary for you to submit this documentation within 30 days of the date of this mailing. I realize this can be confusing, so if you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECEIVED 2/27/94

JUN 10 1994

December 31, 1993

MARJORIE SOUTH
3612 E. 880 N.
MENAN ID 834345100

PROOF DUE NOTICE

RE: PERMIT NO. 35-08658

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 March 1, 1994. (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.

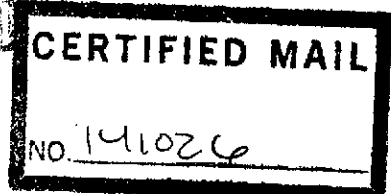
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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JUN 10 1994





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 11, 1991

MARJORIE SOUTH
3612 E. 880 N.
MENAN, ID 834345100

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08658

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

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.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

FILED

MAR 18 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECORDED

MAR 18 1991

APPLICATION FOR PERMIT REVIEW

Application #: 35-8658
Date: 2-26-91

Reviewer: Pam Skaggs

Existing:

✓ No

Complete in 1 year - 26A-P17
P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

✓ GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99

✓ Not included - 046-P23(All GW, even existing wells)

Location:

Water Districts - WD No. 01
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

✓ Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - 7 (1 or Blank)

✓ Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 11D-P72

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044

Power - Use Power Review

Mining - 06A, 006, 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

✓ Beneficial Use Due Date: - 03-01-1994

Other Conditions Recommended

MICROFILMED

MAR 18 1991

✓
Jew
3-4-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

DECEMBER 26, 1990

The Rexburg Standard-Journal
Box 10
Rexburg, ID 83440

Dear Legal Dept.:

Enclosed you will find legal notices 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 JANUARY 21, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED

MAR 18 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-08658

SOUTH, MARJORIE
3612 E. 880 N.
MENAN, ID 834345100

Source: GROUNDWATER

Diversion Pt: SESE Sec 15 T 05N R 38E
 NENE Sec 22 T 05N R 38E

Use: IRRIGATION (2.800 CFS)
 DOMESTIC (.060 CFS)
 Total Diversion: (2.860 CFS)

Date Filed: 10/30/ 1985

In: T05N R38E S14	NWSW	SWSW		
S15	NESE	NWSE	SWSE	SESE
S22	NENE	NWNE		

140.0 ACRES TOTAL

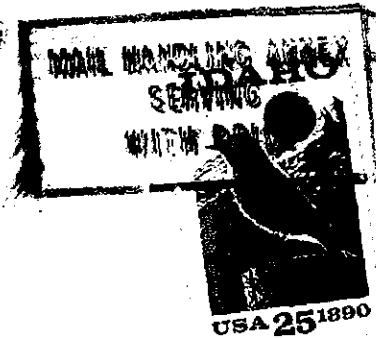
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 21, 1991.

Published 1/ 3/1991 & 1/10/1991

R. Keith Higginson, Director

MICROFILMED
MAR 18 1991

MAJORIE SOUTH
3612 EAST 880 NORTH
MENAN ID 83434-5100



Attention: Tim Luke
Department of Water Resources
1301 North Orchard Street,
Statehouse Mall,
Boise, Idaho 83720-(208) 327-7900

MAR 18 1991

RECEIVED

*Address
Changed
Base*

ACTION REQUIRED

FROM: File 35-8658

TO: _____

Per Skip & Dennis

- Mrs. Smith owns the POW/CRATER & intends to pursue every proj.
- Skip & Dennis say the Proj is marginal - but it would not be impossible to tamper/inigate.

Ad for 1/2/80

- Skip sending memo?

RECEIVED

MAR 18 1991

MEMORANDUM

TO: H.W. JONES

FROM: TIM LUKE *TL*

RE: Application 35-8658/Trust Water Processing

DATE: 12-11-90

This application has come up for trust water review and processing. The applicant has returned a trust water questionnaire and states that there is no development under the filing but that she is interested in pursuing development as originally proposed.

You will recall that we discussed this one. The place of use appears to lie largely within the south Menan Butte cinder cone. You suggested that your office could do a pre-permit inspection.

I am forwarding a copy of the application and a copy of the returned questionnaire. I know you have been in the area and are aware of some development on the slopes of the cinder cone. By just looking at the topo map, I feel that the place of use under this application is perhaps marginal at best. Is the place of use irrigable? Please provide your comments or field inspect if necessary.

MICROFILMED

MAR 18 1991

RECEIVED

DEC 10 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Department of Water Resources

Application No.

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

- 1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐
b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

- 2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☐ No ☒
b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. None ~~120 approx~~

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 120 Acres approx.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

None

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.) No Changes

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant

Marjorie South

Date

Dec. 5, 1990

FILED

MAR 18 1991

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent the article from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

MARJORIE SOUTH
RT 2
MENEAN NJ 08532

MAR 18 1991

UNDELIVERED

4. Article Number
33547

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X Myra South

7. Date of Delivery

11-30-90

8. Addressee's Address (ONLY if
requested and fee paid)

35-8658

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO: Print Sender's name, address, and ZIP Code in the space below.

RECEIVED
DEC 03 1990

Water Allocation Bureau
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83705

NOV 30 1990
IDAHO
MICROFILMED
MAR 18 1991



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources



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

November 26, 1990

Marjorie South
Rt. 2, Box 114
Menean, ID 83434

RE: Application for Permit No. 35-8658

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On October 18, 1985, you filed with the Department of Water Resources (Department) Application for Permit No. 35-8658 which proposed the diversion of 2.86 cubic feet per second of groundwater for domestic use and irrigation of 140 acres. Review and approval of the application had been delayed due to the Swan Falls litigation and settlement.

The Department mailed a letter and questionnaire to you on October 23, 1990. The letter requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this notice is to provide a second and final opportunity for you to submit the requested information. Pursuant to Section 42-204, Idaho Code, the Department may void applications for which requested information is not submitted. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Section 42-204, Idaho Code.

If no development has been completed as authorized by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

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MAR 18 1991

Please feel free to contact me if you have questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

TIM LUKE
Sr. Water Resource Spec.

Enclosure
cc: Region

RECEIVED
MAR 18 1991



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

October 22, 1990

RE: APPLICATION FOR PERMIT NO. 35-8658

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

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Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

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MAR 18 1991

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35-8658

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: M. South

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☐ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____

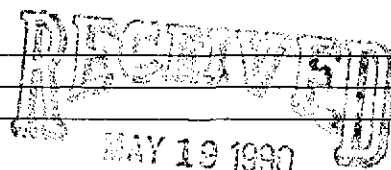
Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.

By: _____ Date: _____



Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

35-8658

SOUTH, MARJORIE

RT. 2 BOX 114, MENAN, ID 83434

Source: GROUNDWATER

Diversion Pt: NENE Sec 22 T 05N R 38E SESE Sec 15 T 05N R 38E

Use: IRRIGATION (2.8 CFS)
DOMESTIC (0.060 CFS)

Priority Date: 10/30/1985

In: NWSW SWSW Sec 14 T 05N R 38E NENE NWNE Sec 22 T 05N R 38E NESE NWSE SWSW
SESE Sec 15 T 05N R 38E FOR 140 ACRES

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MAR 18 1991

October 21, 1985

Marjorie South
Rt. 2 Box 114
Menan, ID. 83404

Dear Ms. South:

Enclosed is your application for permit. It is being returned because the fee for the application was not enclosed. I've suggested one change on your application for the amount used for two (2) domestic units. This amount should be 0.06 cfs and the total quantity to then be appropriated for all uses would be 2.86 cfs. This amount requires a fee of \$85.00.

Sincerely,

Harold W. Jones
Sr. Resource Agent

HWJ/md

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MAR 18 1991