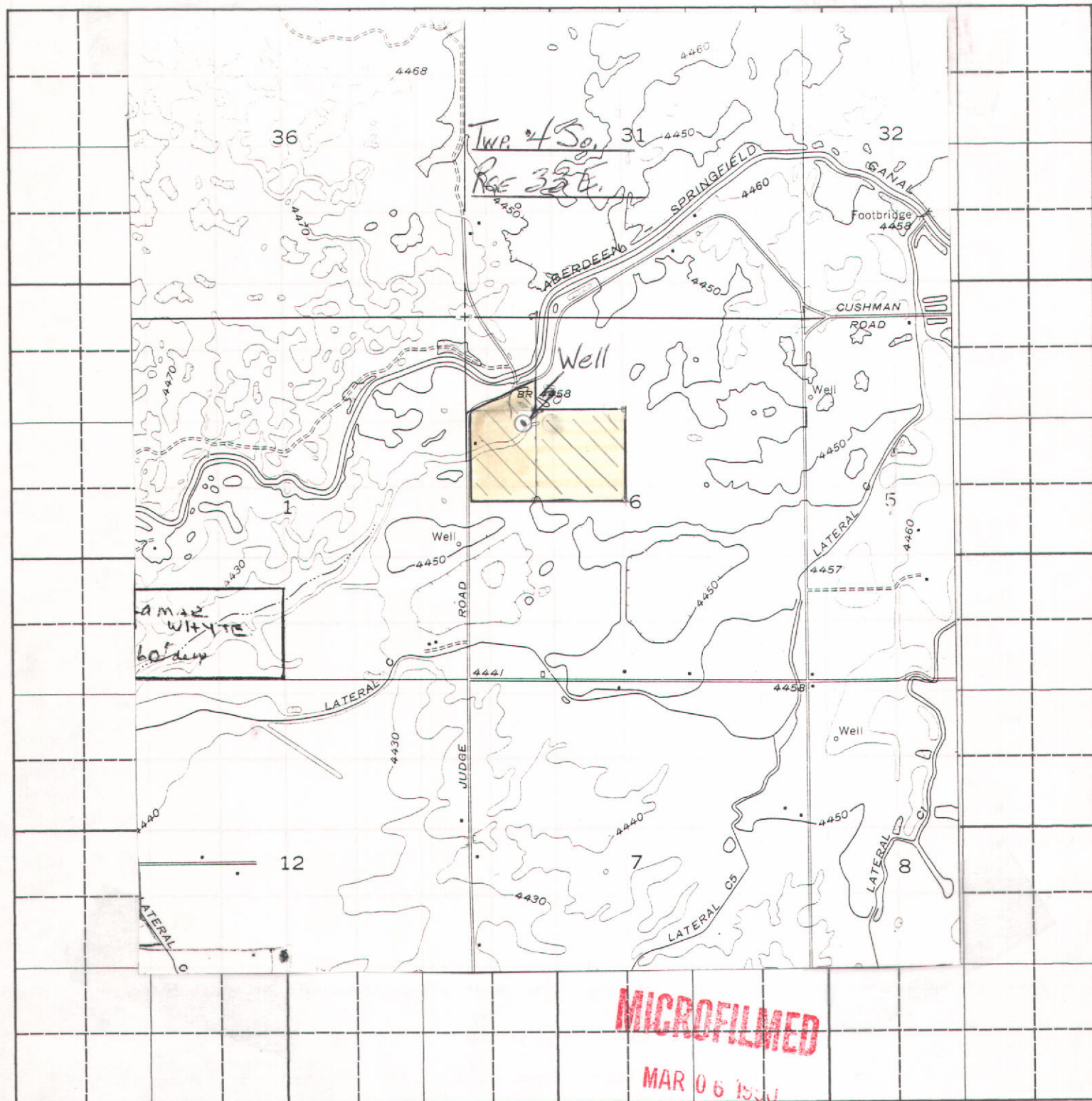


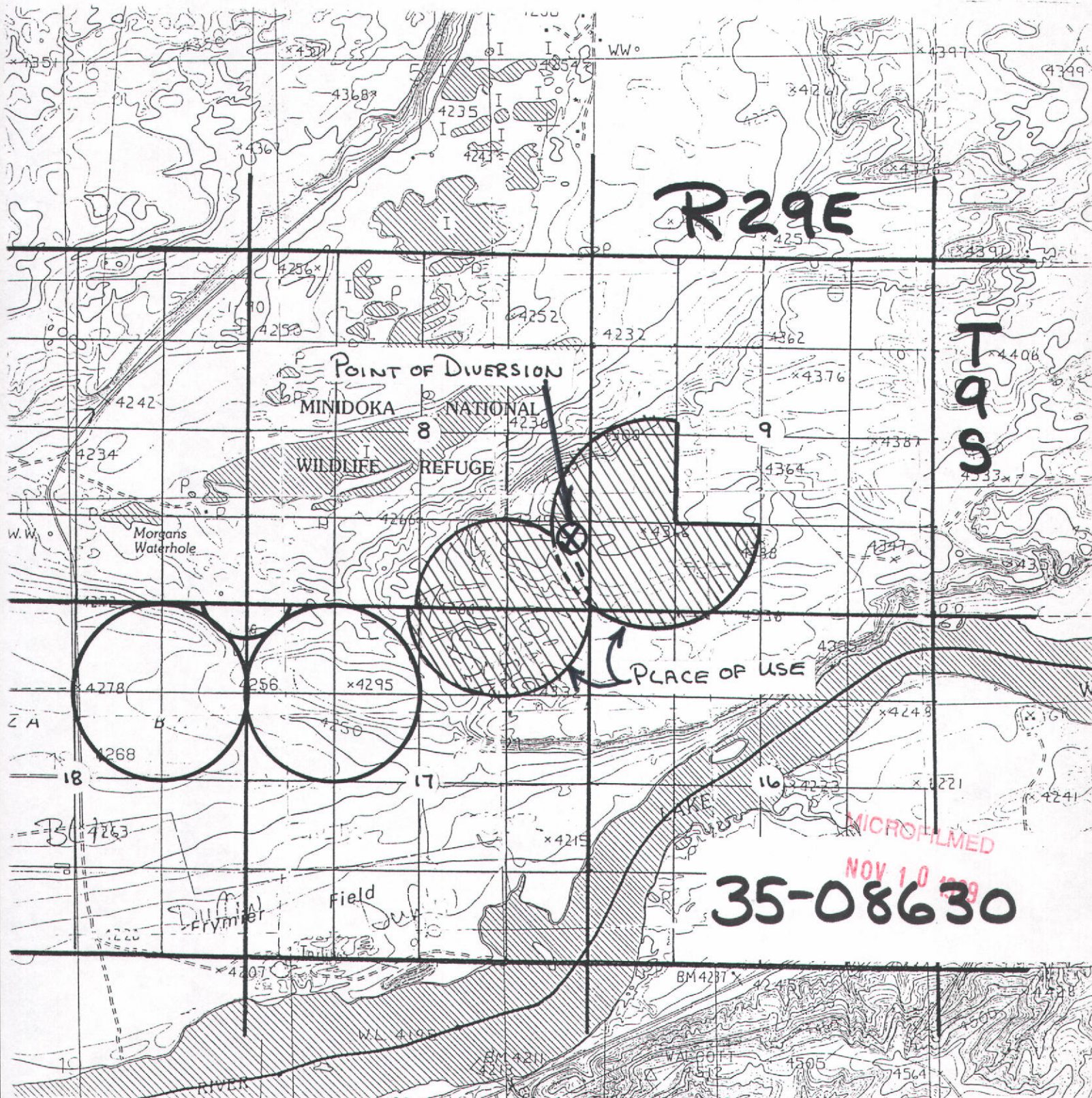
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

L. Blaine Sasser
(Applicant)



18.9

105.1

T 2732

HEL

L 31.9

35-086053

SEC 8

SEC 9

R29E

T
9
S

POINT OF DIVERSION

T 439

Ben Cavanaugh

T 2615

SURVEY MARKER

8 9

1716

7-
126.7

PLACE OF USE

SEC 16

SEC 17

35-08630

BEN CAVANESS

IRRIGATION

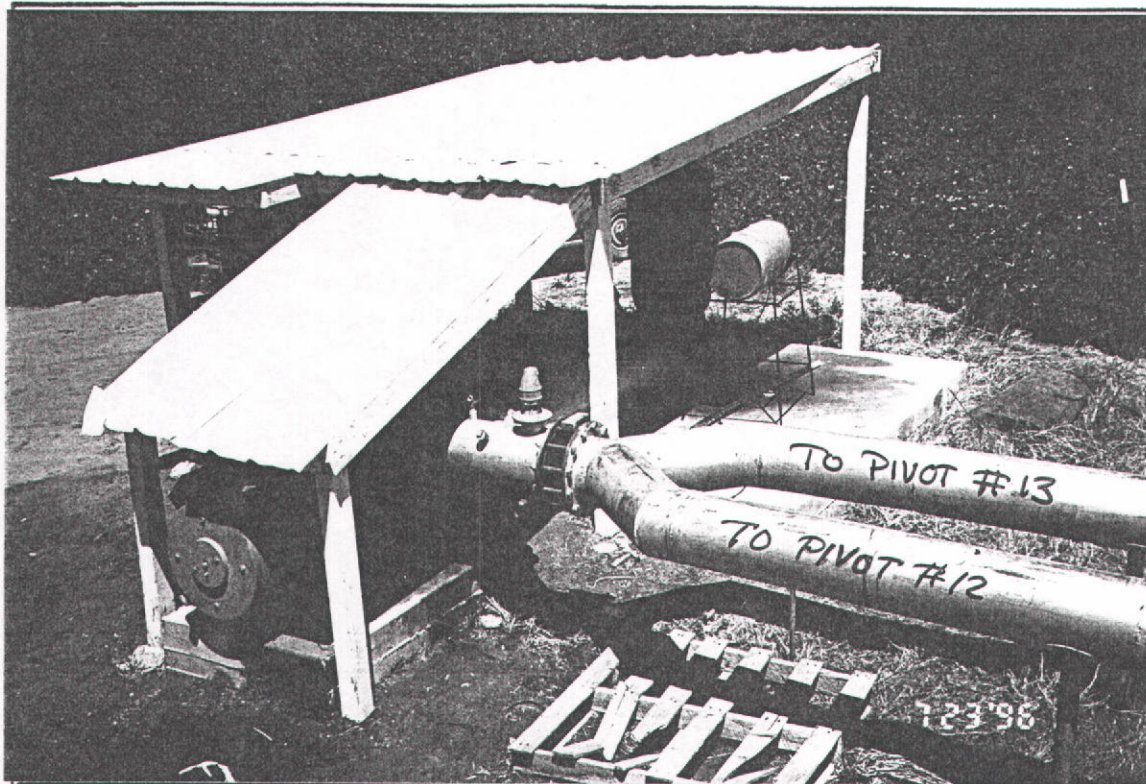
10/3

EAST WELL

VIEW OF
POINT OF
DIVERSION

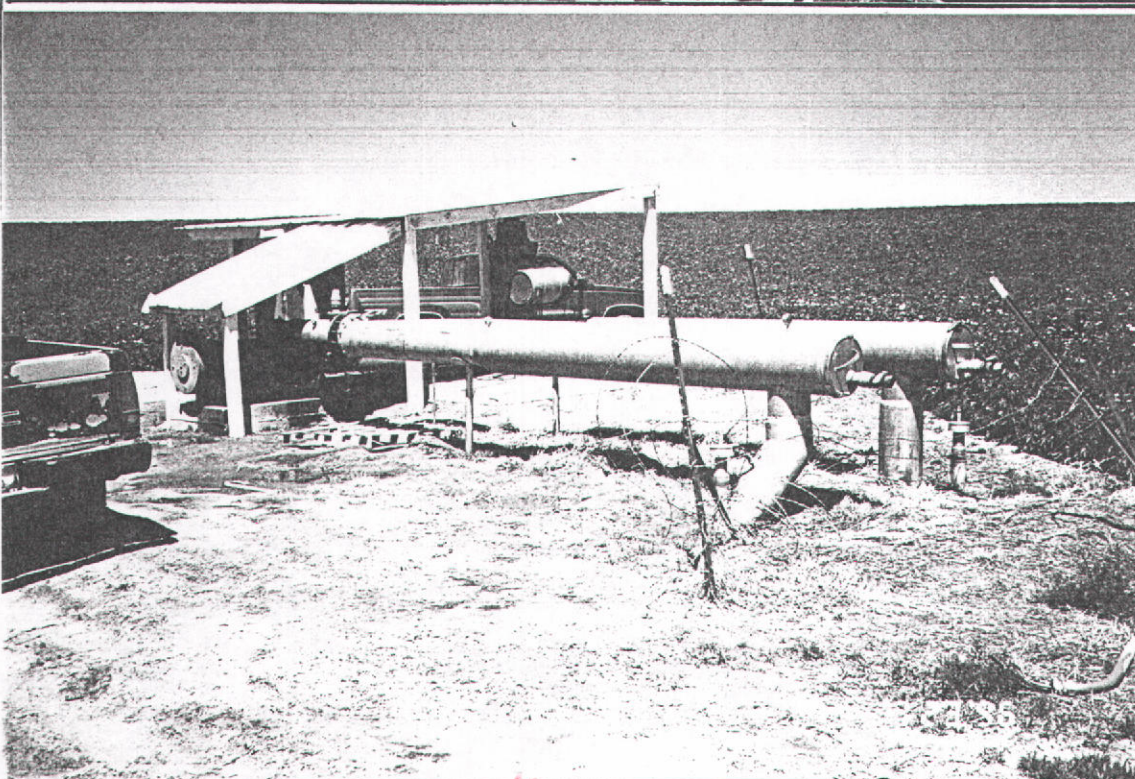
WELL FOR
PIVOTS 12 & 13
(EAST WELL)

PLACE OF
MEASUREMENT



VIEW OF
POINT OF
DIVERSION

WELL FOR
PIVOTS 12 & 13
(EAST WELL)



35-08844C
35-08630

MICROFILMED
NOV 10 1999

PERMIT
NKMBA

35-08605R^E

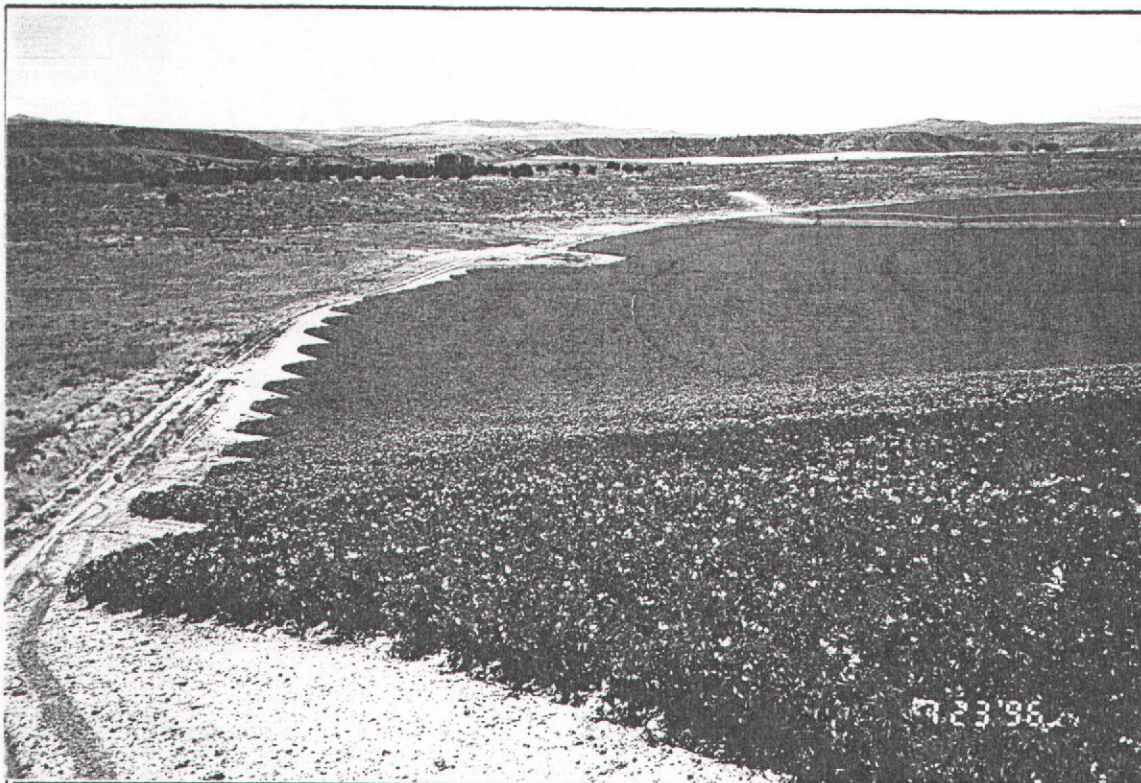
IRRIGATION

BEN CAHALESS

243

PILOT 13

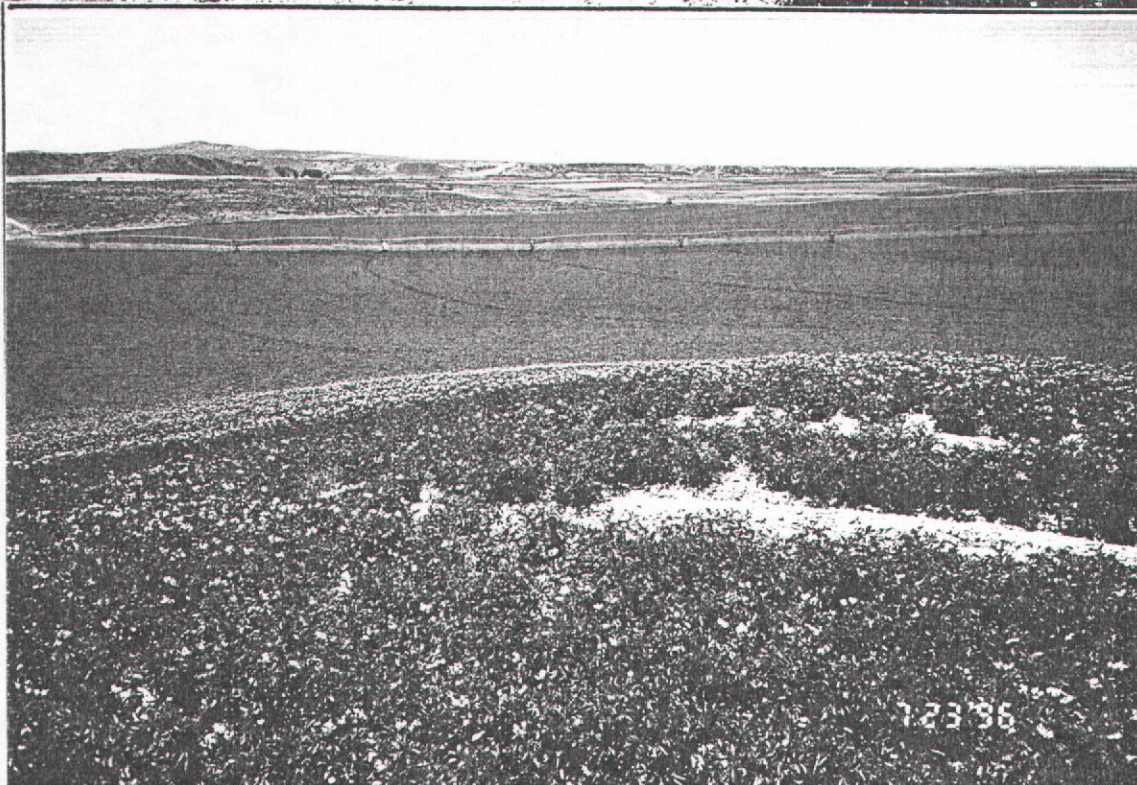
PLACE OF
USE



PLACE OF
USE

PILOT 13
IN FOREGROUND

PILOT 12
IN BACKGROUND



MICROFILMED
NOV 10 1999

35-08644C
35-08630

PERMIT

... 101501E

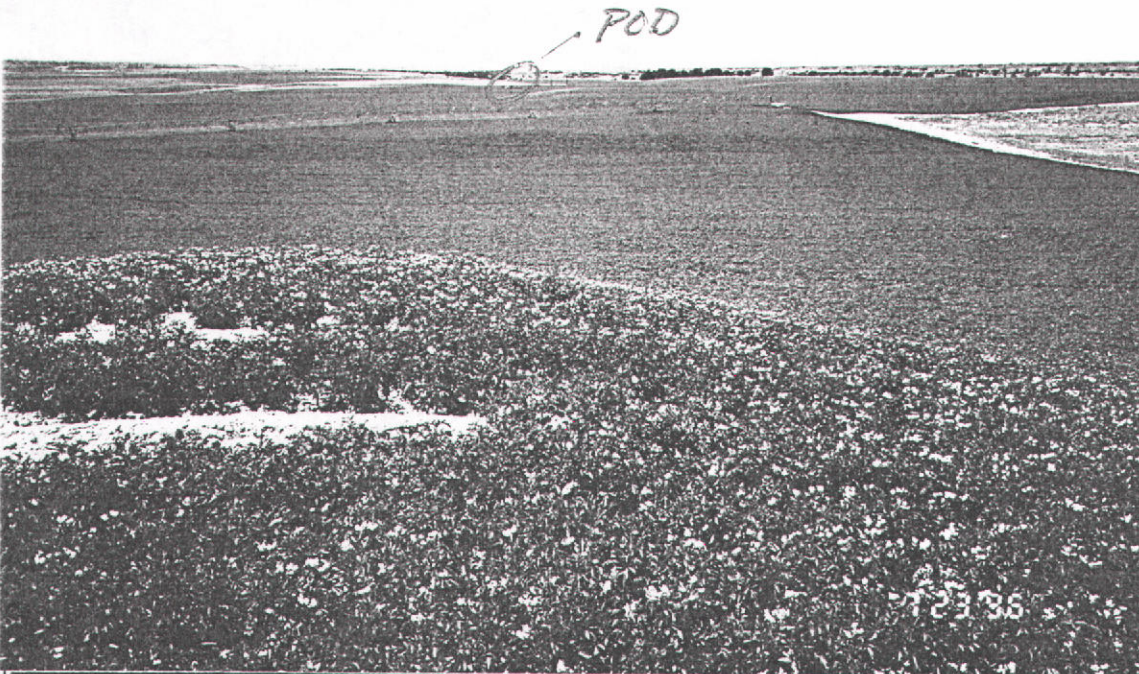
BEN CAVANESS

IRRIGATION

3-13

VIEW OF
PLACE OF
USE

PIVOT 13



VIEW OF
PLACE OF
USE

← NOT
IRRIGATED



35-08844C

35-08630

MICROFILMED
NOV 10 1999

PERMIT
NUMBER

35-0860521^E

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08630

Priority: June 9, 1986

Maximum Diversion Rate: 1.40 CFS

Maximum Diversion Volume: 292.0 AF

This is to certify, that BEN CAVANESS
LINDA CAVANESS

895 FILLMORE

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 9, 1986; and has submitted Proof of Beneficial Use on April 30, 1993. An examination indicates that the works have a diversion capacity of 5.100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.40 CFS	292.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESESE , Sec. 8, Township 09S, Range 29E
POWER 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>
09S	29E	8	NESE 9	SWSE 34	SESE 39	82
		9	SWNW 4	NWSW 39	SWSW 40	
			SESW 33			116
		16	NENW 4	NWNW 7		11
		17	NENE 33	NWNE 36	NENW 1	70

Total number of acres irrigated: 279

CONDITIONS OF APPROVAL AND REMARKS

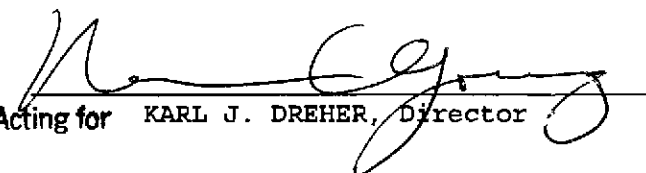
1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 73 acres within the place of use described above in a single irrigation season.
5. Rights 35-08605E and 35-08844C are also diverted through the point of diversion described above.

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 35-08630

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 22nd day of OCTOBER, 1999.


Acting for KARL J. DREHER, Director

RECEIVED

OCT 25 1999

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08630

Date of Priority: June 9, 1986

Maximum Diversion Rate: 1.40 CFS

Maximum Diversion Volume: 292.0 AF

Comes now

BEN CAVANESS
LINDA CAVANESS

895 FILLMORE

AMERICAN FALLS ID 83211

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. 35-08630, 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>
IRRIGATION	04/01 to 10/31	1.40 CFS	292.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESESE, Sec. 8, Township 09S, Range 29E
POWER 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>
09S	29E	8	NESE 9	SWSE 34	SESE 39	82
		9	SWNW 4	NWSW 39	SWSW 40	
			SESW 33			116
		16	NENW 4	NWNW 7		11
		17	NENE 33	NWNE 36	NENW 1	70

Total number of acres irrigated: 279

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 American Falls, Idaho, this 20th day of October, 1999.

Ben Cavaness
(Signature)

NOV 10 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 35-08630

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by JM # 0046953 Date 10/25/99

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. 35-08630 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 73 acres within the place of use described above in a single irrigation season.
5. Rights 35-08605E and 35-08844C are also diverted through the point of diversion described above.

Witness my hand this 20TH day of OCTOBER, 1999.

Acting for KARL J. DREHER, Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	35-08630	L Blaine Sasser Ardeena Sasser	1.40
~~Full Assignment~~	~~35-08630~~	~~Erin Prudhomme~~	~~1.40~~
Full Assignment	35-08630	Ben Caveness Linda Caveness	1.40

RECEIVED
JUN 29 1993

RECEIVED

APR 30 1993

OFFICE USE ONLY
Amt. of Fee \$ 125.00
Date 5-5-93
Receipt No. 0027404
Receipt by CA

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. 35-08630 Telephone No. 226-5201
2. Name(s) of Permit Holder(s): Ben Cavaness
3. Mailing Address: 895 Fillmore, Am. Falls, Idaho 83211
4. Source of Water: groundwater

If **GROUNDWATER**, Well Driller's Name: Sherman Couch Date Drilled: 12/20/93

OPTIONAL:

Pump horsepower: 125 Pressure (psi): 40 Dynamic pumping level (ft.): 140

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 73 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 1.46 cfs OR _____ acre/feet

7. 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

8. Fee Enclosed: \$ 125.00 (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.

Permittee named above at above address & phone.

Name _____ Telephone No. _____

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.

4-22-93
Date

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

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
APR 30 1993
Department of Water Resources

I, Erin Prudhomme, hereby assign to Ben & Linda Cavaness
of _____
Address _____

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 35-08630
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 22nd day of April, 19 93.

Erin Prudhomme
Permit Holder

NONE
Spouse of Permit Holder

State of Idaho)
County of Power) ss.

On this 22nd day of April, 19 93, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

[Signature]
Notary Public residing at

My commission expires:

4/19/98

JUN 29 1993

database updated 5/28/93 c32

RECEIVED

NOV 10 1992

Department of Water Resources

For Office Use Only

\$15 Fee Received by RLHDate 11/13/92Receipt No. COJ5495STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 35-08630Name(s) of Permit Holder: ERIN PrudhommeMailing Address: 740 Teton, AM. FALLS, ID 83211Date Proof is Due MARCH 1, 1993 Telephone No. 226-5138

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

surveyed boundaries, put deposit down on pivot, hired
well driller, beat brush, designed irrigation system
secured loan commitment, drilled well, designed power
line extension Costing \$50,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

MAY NOT have pivots installed & operating by MARCH 1, 1993
Well drilling may NOT be done in time to put system
on & test it prior to deadline.

Permit holder(s) request an extension to MAY 1, 1993.

FEE: \$15.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to May 1, 1993.

JUN 29 1993

Signed this 17th day November, 1992

Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

I/we L. Blaine Sasser & Ardeena Sasser hereby assign to Erin Prudhomme
of 740 Teton, American Falls, Idaho 83211
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 35-08630 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
Application for Application for Permit No. N/A to appropriate the public
waters of the State of Idaho.

Describe portion of the application 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.

Made this 11th day of August, 1992

L. Blaine Sasser Ardeena Sasser
Applicant

State of Idaho)
County of Bingham) ss

On this 11th day of August, 1992 personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Ben C. [Signature]
Notary Public

seal

Residing at American Falls, Idaho
Comm: Expires:

My commission expires: 11/15/97

OCT 23 1992

STATE OF IDAHO

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Erin Prudhomme, a single woman Phone 226-5188
of (address) 740 Teton, Am. Falls, Idaho 83211, 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. 35-08630, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 8, Township 9S, Range 29E., B.M.,
County of Power. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

No Change
Amount 1040 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

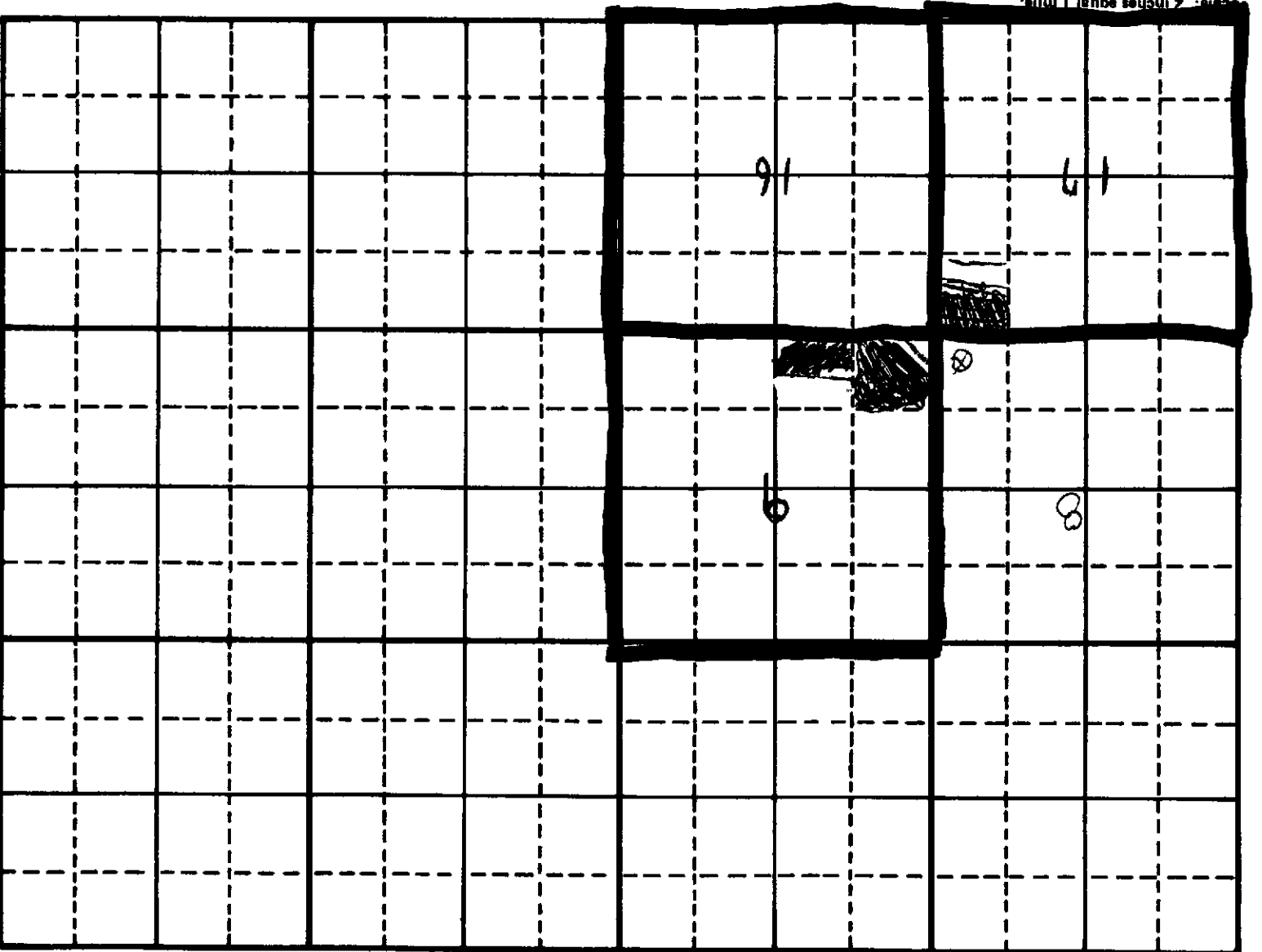
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	29E	17	24																24
9S	29E	9										33	16						49

Total number of acres to be irrigated = 73

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the 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: Note: Person signing application has a power of attorney given in Option contract a copy of which is attached.

00728002

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.
Signed at American Falls, Idaho, this 13th day of August, 19 92.

Erin Brockmeyer
(Signature)
By Don Chinnery Jr.
attorney in fact

FOR DEPARTMENT USE ONLY

Preliminary check by *HWS* Fee = \$20.00 # *E017717* Received by *HWS* Date *8-13-92*
Publication prepared by *XJB* Date *8-14-92* Published in *Boyer County Press*
Publication dates *8-20; 21-92*

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, *L. GLEN SAXTON*, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

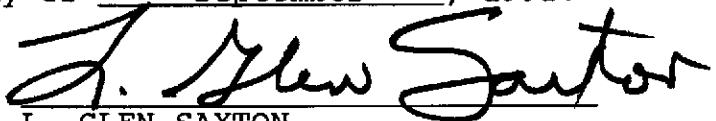
Witness my hand this *29th* day of *September*, 19 *92*.
L. Glen Saxton
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 35-08630

1. The previous conditions as set forth in Permit No. 35-08630 must be met.
2. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
4. Construction of the well must comply with Idaho well construction standards.
5. 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.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Dated this 29th day of September, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

OPTION TO PURCHASE

This agreement, made and entered into this 12th day of August 1992, by and between Erin Prudhomme, a single woman of 740 Teton Street, American Falls, Idaho, hereinafter, referred to as "Seller" and Ben Caviness of 895 Fillmore, American Falls, Idaho, hereinafter referred to as "Buyer" witnesseth.

That for and in consideration of the sum of \$1,000.00 receipt of which is hereby acknowledged by Seller, Seller does herewith irrevocably give and grant unto Buyer his heirs and assigns an exclusive option and privilege to purchase all of Sellers right, title and interest in and to the real property particularly described in Exhibit "A" attached and incorporated hereto.

That the remaining terms and conditions of said option are as follows:

1. Term. This option shall commence upon execution hereof by all parties either of duplicate originals or counterparts thereof. The same shall terminate, unless extended by mutual agreement of the parties in writing on March 1, 1993.

2. Option Price. Seller agrees that the option purchase price for the above described property shall be the sum of \$100,000.00 lawful money of the United States of America, payable in cash at the time of closing. That said option price also includes Seller assigning to Buyer at closing all of her right, title and interest in and to an existing state grazing lease.

3. Exercise of Option. Buyer agrees to give Seller written notice of his intention to exercise this option to purchase no later than March 1, 1993 and establish a closing date and close within 60 days thereafter. Said notice shall be sent by certified mail, return receipt requested.

4. Seller Costs. Seller represents to Buyer that she has the authority to sell said property and agrees to provide Buyer with a policy of Title Insurance at closing showing good and marketable title to be well vested in Seller subject only to standard exceptions and easements and rights of ways of record. Seller will also pay all real property taxes and assessments up through the day of closing, at closing.

5. Water Rights. Seller understands that Buyer will be attempting to secure water rights for the subject property, and will be placing the transferred water rights in the name of Seller. Seller gives Buyer her power of attorney to act on her behalf in attempting to secure said water rights. That Seller is aware that if the transferred water rights are timely protested, and if Buyer is unable to get the protests withdrawn that Buyer will transfer the water permits back to their previous owner, if

so requested.

5. Development Rights. Seller also understands that subsequent to the execution hereof that Buyer will need to have access to the property to survey property boundaries and test rip certain areas to search for rocks. That after notice of exercise of the option to purchase but prior to closing Buyer will have to drill a well, beat the brush, disc, plow, and possibly plant the property. Seller and Buyer agree that said improvements are to be at the sole risk and expense of Buyer and Buyer will not be acting as an agent of Seller in this regard and Buyer agrees to promptly pay when due and prior to delinquency all bills of all workmen and suppliers so providing said improvements.

Seller in addition may be required, prior to closing, to grant to the Raft River Rural Electric Company an easement for a short powerline into the subject property to the location of a well site on or immediately adjacent to the premises herein optioned and from the location of the existing powerline to the south edge of the real property. Seller is retaining

approximately 400' if necessary and w/ Seller's approval of location

7. Legal Ramifications. Seller acknowledges that she is aware that Buyer is an attorney, who is acting on behalf of himself in drafting this document and negotiating terms of this transaction. Seller agrees to seek independent legal advice prior to her execution of this document if she has any legal questions or concerns of any nature, recognizing that said Buyer cannot give her any legal or financial advice.

8. Failure to Exercise Option. In the event Buyer fails or neglects to purchase the real property herein described within the term hereof that then and in that event the option will lapse and be of no further force and effect and Seller may retain the option consideration paid herewith as her sole property and there shall be no further liability on the parties to this agreement, one to the other. However, if Buyer does exercise this option the option consideration shall be deducted from the purchase price.

9. Restriction on Transfer or Encumbrance of Title. Seller agrees not to lease or transfer any rights to the subject property to any other person other than Buyer during the term hereof.

10. Release of Interest. In the event this option is not exercised within the period specified Buyer shall, on request of Seller execute and deliver to Seller a written release of option or quitclaim deed relinquishing any interest in the subject property.

11. Notices. All notices required hereunder shall be to the addresses of the parties hereinbefore set out unless the same are modified by written agreement to that effect and all parties so notified.

11A. Buyer will maintain all fences between Buyers property and Sellers property & will help grade a road into Sellers Residence and will keep any access roads

AB

12. Assignment and Succession. This option and the contract resulting from the exercise thereof shall bind and inure to the benefit of the heirs, administrators, executors, successors and assigns of respective parties *and is not assignable by Buyer*
In witness whereof the parties have hereunto set their hands and seals the day and year first above written. *EL*

Seller

Eric S. Rudman

Buyer

Ben Cavaness

State of Idaho

==

County of Power

On this 11th day of August, 1992, before me, a notary public in and for said State, personally appeared Ben Cavaness known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

SEAL

Malene J. Jorgensen
Notary Public

Residing at American Falls, Idaho
Comm. Expires

NOTE:

NOT ASSIGNABLE

BY THE BUYER.

OCT 28 1992

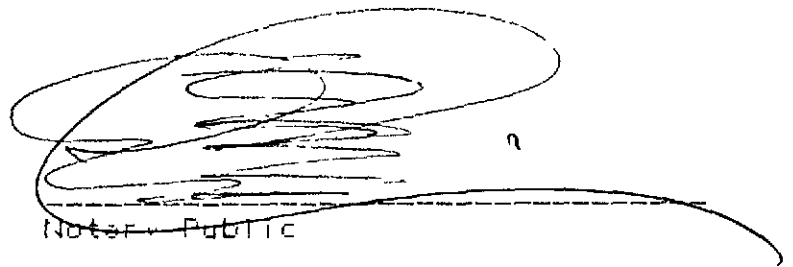
State of Idaho

==

County of Power

On this 12th day of August, 1992, before me, a notary public in and for said State, personally appeared Erin Prudhomme known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

SEAL



Residing at American Falls, Idaho
Comm. Expires

EXHIBIT "K"
Power County
Township 9 South
Range 29 E.B.M.

Section 8; S1 2SE1/4; NE1 4SE1 4;
Section 9; S1 2SW1/4; NW1 4SW1 4; SW1 4NW1 4;
Section 17; N1 2NE1/4;
Section 18; NE1 4

SELLER RESERVES RIGHT TO KEEP
THE FOLLOWING 6 PROPERLY UPON \$5,000.00
PRICE REDUCTION:

SEC 8: NE 1/4 SE 1/4

SEC 9: NW 1/4 OF SW 1/4 & SW 1/2 OF NW 1/4

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 19 day of August, 1992 and the date of last publication being the 26 day of August, 1992.

(Signed)

State of Idaho

County of Power

On this 26 day of August in the year of 1992, before me, a Notary Public, personally appeared Erma Crompton, 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 she executed the same.

Brett Crompton
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

RECEIVED

SEP 04 1992

Department of Water Resources
Eastern District Office

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 7, 1992.
R. Keith Higginson
Director

**NOTICE OF PROPOSED AMENDING
OF APPROVED PERMIT TO APPROPRIATE WATER**

Notice is hereby given that Permit No. 35-08844 in the name of Bowler Ranches, American Falls, ID, was issued for the diversion of 6.40 cfs of water from a groundwater source with the point of diversion within the NENW SEC 19 T08S R29E, Power County; to be used for the irrigation of 320 acres within the NW SW SEC 19 T08S R29E, B.M.

The permit holder now proposes to amend a portion of Permit No. 35-08844C, changing the name to Erin Prudhomme, American Falls, ID, and changing the point of diversion, place of use, and amount to the SESE SEC 8 NENE SEC 18 T09S R29E, using 2.16 cfs to irrigate 108 acres within the S1/2SE SEC 8 N1/2NE SEC 17 T09S R29E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 7, 1992.
R. Keith Higginson
Director

**NOTICE OF PROPOSED AMENDING
OF APPROVED PERMIT TO APPROPRIATE WATER**

Notice is hereby given that Permit No. 35-08227 in the name of Herbert A. & Linda C. Bohrer, Springfield, ID, was issued for the diversion of 2.34 cfs of water from a groundwater source with the point of diversion within the NWNE SEC 23 T04S R32E, Bingham County; to be used to irrigate 117 acres from April 1 to November 1 within the NENE NWNE SEC 23 T04S R32E, B.M.

The permit holder now proposes to amend Permit No. 35-08227, changing the name to Elizabeth Chapin Marcellin & Sharon Chapin, Newark, CA, and the point of diversion and place of use to the NENE SEC 18 T09S R29E, to be used to irrigate 117 acres within the NW SEC 17 T09S R29E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 7, 1992.
R. Keith Higginson
Director

**NOTICE OF PROPOSED AMENDING
OF APPROVED PERMIT TO APPROPRIATE WATER**

Notice is hereby given that Permit No. 35-08630 in the name of L. Blaine Sasser and Ardeena Sasser, Pingree, ID, was issued for the diversion of 1.40 cfs of water from a groundwater source with the point of diversion within the SWNW SEC 6 T04S R33E, Bingham County to be used to irrigate 73 acres from April 11 to November 1 within the NWNW SWNW SEC 6 T04S R33E, B.M.

The permit holder now proposes to amend Permit No. 35-08630, changing the name to Erin Prudhomme, American Falls, ID, and the point of diversion and place of use to the SESE SEC 8 T09S R29E, to be used to irrigate 73 acres within the S1/2SW SEC 9 NENE SEC 17 T09S R29E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 7, 1992.
R. Keith Higginson
Director

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08630

Proposed Priority: June 9, 1986

Maximum Diversion Rate:

1.40 CFS

This is to certify, that **L. BLAINE SASSER**
ARDEENA SASSER
635 S. 1800 W.
PINGREE, ID 832620000

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	04/11 to 11/01	1.40 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	SWNW	Sec. 6, Township 04S, Range 33E BINGHAM County
---	------	---

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	33E	6	NWNW 3	SWNW 30	SENE 40	73

Total number of acres irrigated: 73

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1993**.
2. Subject to all prior water rights.
3. 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.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 20 cubic feet per second for each acre of land.

MICROFILMED

MAR 06 1990

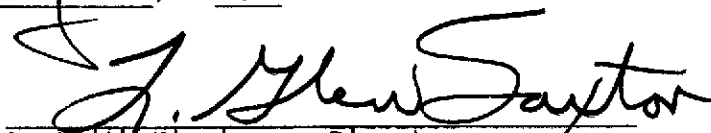
Permit To Appropriate Water

NO. 35-08630

CONDITIONS/REMARKS:

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

12th day of February, 1990.

for 
R. Keith Higginson, Director

RECEIVED
FEB 14 1990

WATER DIVISION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- 1 Name of applicant L. Blaine Sasser or Ardeena Sasser Phone 328-2201
Post office address 635 S. 1800 W. Pingree, Idaho 83262
- 2 Source of water supply groundwater which is a tributary of _____
- 3 Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 6 Township 4S Range 33E B M Bingham County; additional
points of diversion if any. _____
4. Water will be used for the following purposes:
- Amount 1.4cfs for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-foot per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) 1.40 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works
- a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, mainline & 4 laterals.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive
- c Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d Is ground water with a temperature of greater than 90°F being sought? _____
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).

MICROFILMED

MAR 06 1990

a	Hydropower, show total feet of head and proposed capacity in KW	_____
b	Stockwatering, list number and kind of livestock	_____
c	Municipal; show name of municipality.	_____
d	Domestic; show number of households	_____
e	Other, describe fully	_____

a If water is for irrigation, indicate acreage in each subdivision in the tabulation below

ponding place of use below. See instructions for standard symbols

[illegible]

73 Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above	70 shares of stock in Aberdeen Springfield Canal
---	--

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

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

12. Remarks.	All of the property is presently irrigated with water from Aberdeen
--------------	---

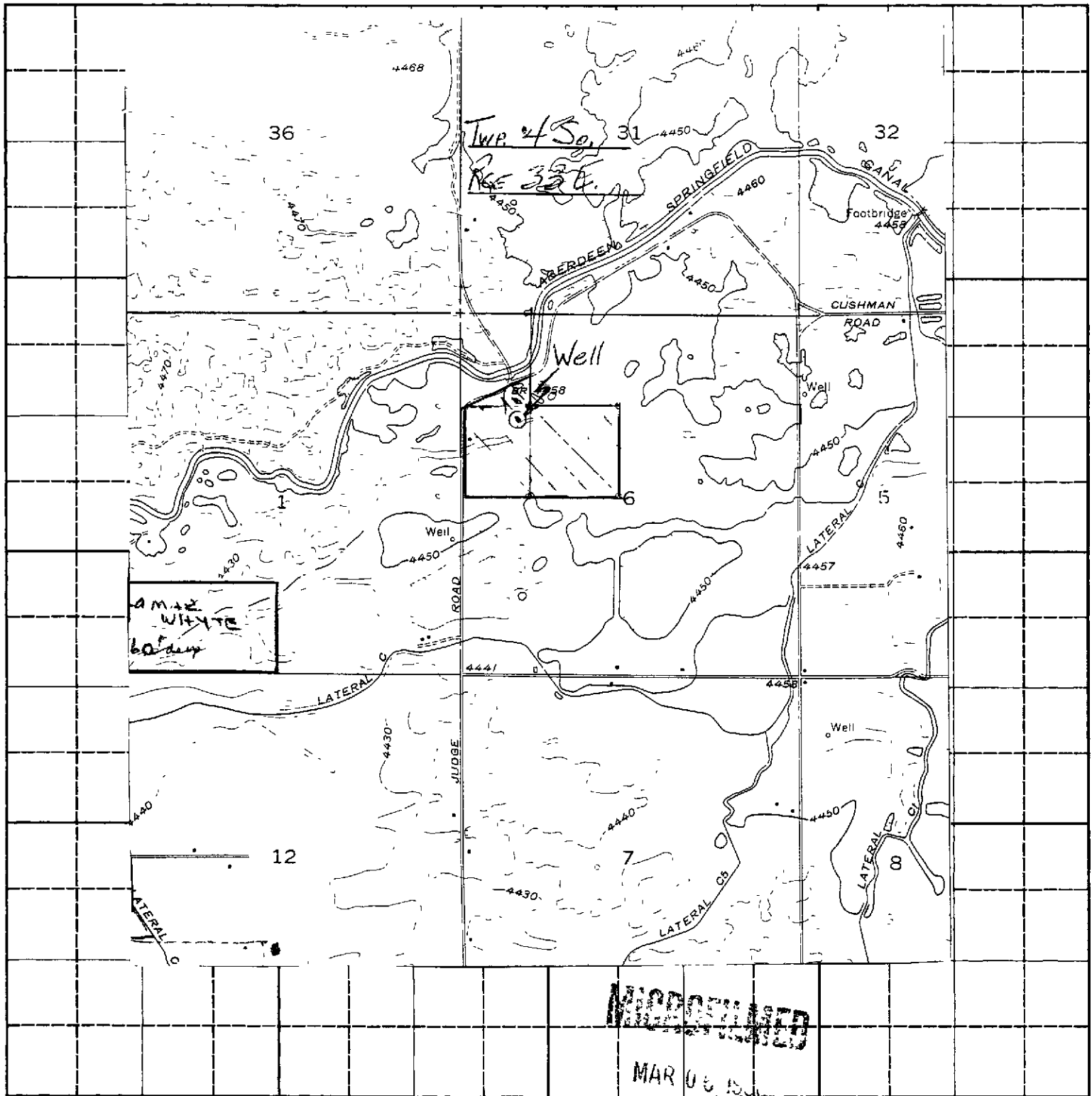
Springfield Canal. However, there is substantial loss of water due to sink holes in ditch. To remedy this problem I want to drill a well and use

groundwater as the source for irrigation.

MMR 0 6 1990

77-690

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



Scale 2 inches equal 1 mile

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

L. B. Blaine Tasser
(Applicant)

RECEIVED

MAR 06 1990

e. Other:

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit

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.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by EMC Date 6-9-86 Time 11:40 Preliminary check by G.S.

Fee \$ \$65.00 Received by MD # 39628 Date 6-9-86

Publication prepared by RB Date 12-21-89 Published in Morning News

Publication approved all Date 1-8-90

Groundwater, Lavar
GROVER, Boyd
Rt 1, Box 386
Shelley, Id. 83274
Source GROUNDWATER
Diversion Pt NWSE, Sec. 31, T 01N, R.
37E.
Use: IRRIGATION (.660 CFS)
COMMERCIAL (020 CFS).
DOMESTIC (110 CFS)
Total Diversion (790 CFS)
Date Filed 5/31/1983
In T01N, R37E, S31, NESE, NWSE.
33.0 ACRES TOTAL

27-07429
BITHELL, Neil F
BITHELL, Eleanor
392 E 400 N.
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt SESE, Sec 10, T 02S, R
36E
Use IRRIGATION (3.000 CFS).
Total Diversion (3.000 CFS)
Date Filed: 3/11/1987.
In T02S, R36E, S10, NESE, NWSE, SWSE,
SESE
150.0 ACRES TOTAL

27-07438
OLSEN, John W
40 West Rich Lane
Blackfoot, Id. 832210000
Source: GROUNDWATER
Diversion Pt. SWSE, Sec. 36, T 02S, R
35E
Use IRRIGATION (2.840 CFS)
Total Diversion (2.840 CFS)
Date Filed 7/10/1987
In T02S, R35E, S36, NENW, SENW,
NESW, SESW, NWSE, SWSE.
142.0 ACRES TOTAL

27-07488
CROFTS, Inc.
P O Box 296
Firth, Id 83236
Source GROUNDWATER
Diversion Pt SESENE, Sec. 18, T. 01S, R
37E
Use DOMESTIC (200 CFS).
Total Diversion (200 CFS)
Date Filed 6/01/1989
In T01S, R37E, S17, SWNW, S18, SENE

27-07489
CROFTS, Inc.
P O Box 296
Firth, Id. 83236
Source GROUNDWATER
Diversion Pt SESENE, Sec 18, T. 01S, R.
37E
Use DOMESTIC (360 CFS).
IRRIGATION (350 CFS).
Total Diversion (690 CFS)
Date Filed 6/01/1989.
In T01S, R37E, S17, SWNW, S18, SENE
18.0 ACRES TOTAL

35-08630
SASSER, L. Blaine
SASSER, Ardeena
635 S. 1800 W
Pingree, Id 832620000
Source: GROUNDWATER
Diversion Pt SWNW, Sec. 6, T. 04S, R
33E
Use IRRIGATION (1.400 CFS)
Total Diversion (1.400 CFS).
Date Filed 6/09/1986.
In T04S, R33E, S06, NWNW, SWNW,
SENW
73.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted here.

Dec 19 1989
Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Ted Townsend do
solemnly

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

newspaper two consecutive weeks

the first publication having been made on the

21st day of December, 1989;

and the last publication having been made on the

28th day of December, 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 29th day of December, in
the year 1989 before me a Notary Public of said State,
personally appeared

Ted Townsend
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

Ted Townsend
Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

November 10, 1994

Affidavit Processing Fee \$5.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

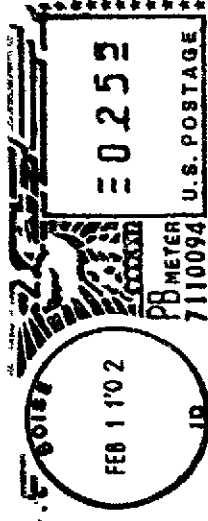
Return Service Requested

RECEIVED
FEB 19 2002

Department of Water Resources

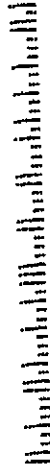
REC
35-7472
-7991A+B
-12170
-RS
35-8227
-8605E+F
-8630
-8844C+D

PRIORITY
FIRST CLASS



BEN CAVANESS

CAVA8954 832112007 1C01 04 02/15/02
RETURN TO SENDER
CAVANESS
2761 MOONLIGHT LN 83211-5432
AMERICAN FALLS ID
RETURN TO SENDER



AUME 832340038



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

October 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BEN CAVANESS
LINDA CAVANESS
895 FILLMORE
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-08630

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 described in the enclosed information sheet.

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

NOV 1 1999

NOV 1 1999

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of October, 1999, 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. 35-08630

BEN CAVANESS
LINDA CAVANESS
895 FILLMORE
AMERICAN FALLS ID 83211


Kari Lynn Townsend
Secretary

NOV 16 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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 a 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.

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

October 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BEN CAVANESS
LINDA CAVANESS
895 FILLMORE
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-08630

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

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,

Kay Walker
for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

NOV 1 1999
WATER RIGHTS

Memorandum

To: Files 35-08227, 35-08605F, 35-08844D, 35-08605E, 35-08630 & 35-08844C

From: Kay Walker *KW*

Date: 09/29/99

Re: Changes to Licensing Recommendations

In a review of these rights for licensing, I found the examiner had recommended the rates of diversion under each right proportionately for the number of acres recommended. I recommend that we license these rights with the amount of water permitted from senior rights down to junior rights to allow the water user the most he could have under his senior water rights. The attached chart shows how I recommend these rights be licensed in regard to the diversion rates.

MICHAEL J. WELLS
MAY 11 1999

Water Right Number	Permit Amount	Priority	Recommended Amount
35-08227	2.34 cfs	11/16/83	2.34 cfs
35-08605F	0.58 cfs	6/28/85	0.58 cfs
35-08844D	2.64 cfs	8/14/89	2.07 cfs
			4.99 cfs = Capacity
35-08605E	2.00 cfs	6/28/85	2.00 cfs
35-08630	1.40 cfs	6/9/86	1.40 cfs
35-08844C	2.16 cfs	8/14/89	1.70 cfs
			5.10 cfs = Capacity

MO. 10/1/85
8/14/89

LICENSE REVIEW CHECKLIST

Permit No 35-08630 Date: 9/27/99 Reviewer Kay Walker

Change/OK

Name/Address

Source

Point of Diversion

Does change clarify original intended source? If no, void permit.
Change (P39/P47) Add (P45/P42) Feds (P43)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

Change (P41/P47) Add (P41/P42) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 35-08844C, 35-08605E
File reviewed _____ Profile reports printed _____

all in license process

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.40 cfs
Fee Limit 2.0 cfs
Measured 5.1 cfs
Theoretical 5.47 cfs

Recommended Total Diversion Rate _____

Water Uses

Change (P46)

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/079)
overlap spec combined rts (W35)
>1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)

Volume Determination

1.4 cfs x 1 9835 x 214 days = 594.3 af (vs) 73 acres x 4.0 (FHR) = 292.0 af

Remarks _____

Additional Conditions

NO Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust (052/R55 - remove 051)
Non-trust (048/049)

Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? _____

Adjust memo _____

Amend Letters

P38

P41

conditions
R64

remarks
W27 (73 ac)
W36

RECEIVED
SEP 16 1999
Department of Water Resources

MEMORANDUM

TO: SHELLEY KEEN

September 13, 1999

FROM: KEITH C. WILSON

RE: LICENSING OF 35-08605C, 35-08630, 35-08844C, 35-08844D, 35-08227

The permit holder has requested that these permits be licensed as soon as possible. He is in the process of selling the system (#12/#13) under 35-08605C, 35-08630, & 35-08844C. Because of different systems I have recommended that 35-08605C be licensed as 35-08605E (System #12/#13) & (System #10 & #11) F.

Your assistance in licensing the permits will be appreciated.



Keith C. Wilson
Senior Resource Agent

RECEIVED
NOV 10 1999

RECEIVED

Form 219
6/88

SEP 16 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

~~35-08605C~~
35-08630
~~35-08844C~~

A. GENERAL INFORMATION

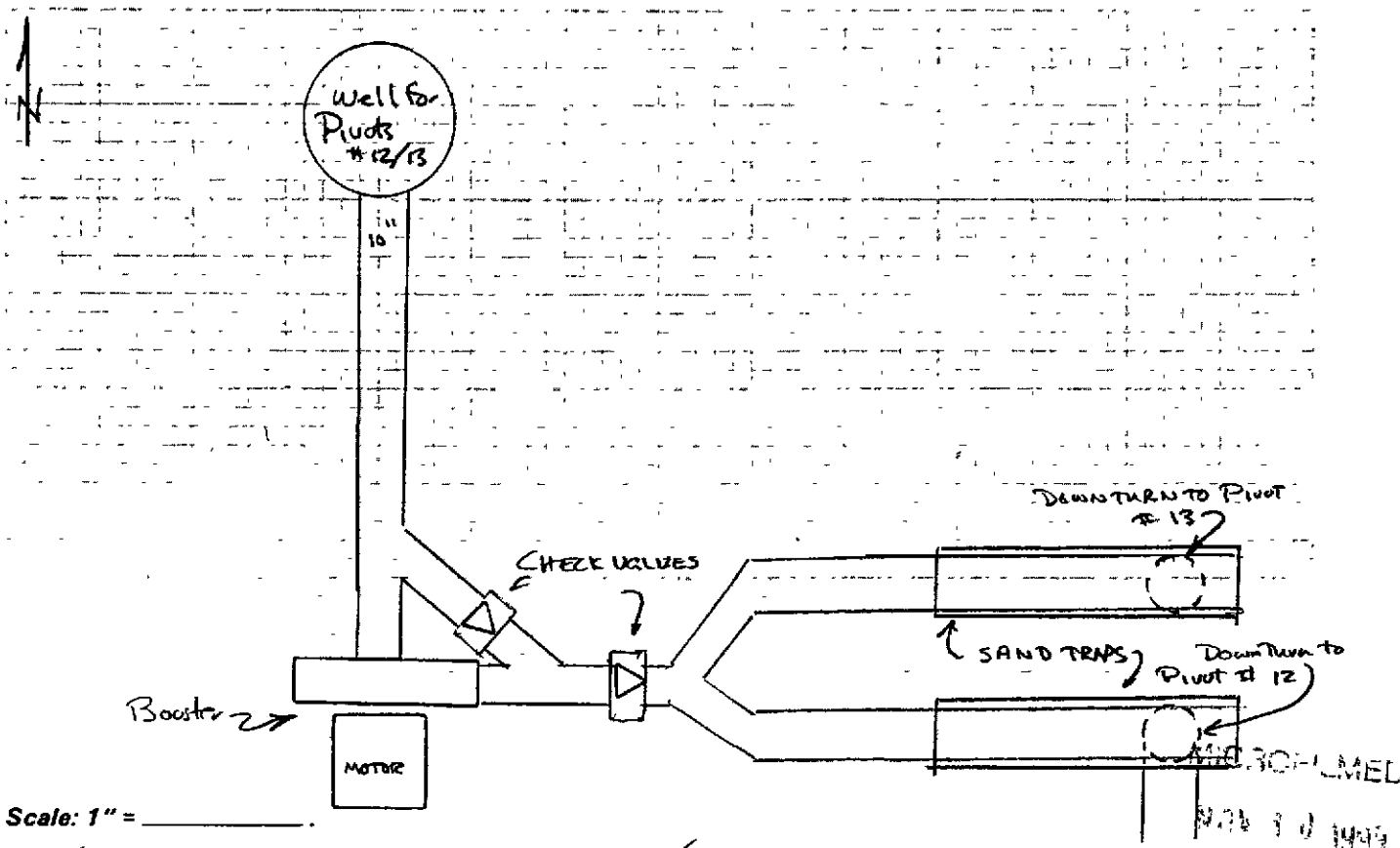
- Owner BEN CAUANESS Phone No. 226-5201
Current Address: 895 Fillmore, American Falls Id 83211
- Accompanied by: KEVIN RAMSEY EXAM. DATE: 10-20-1998
Address: P.O. Box 41, American Falls Id 83211 Phone No. 226-1916
220-1032 cell
Relationship to Permit Holder: OPERATOR
- Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

- Other water rights with same place of use: _____ ☐ Copies Attached
- Other water rights with same point of diversion: 35-08605C / 08630 / 08844C
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

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

35-08630

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

Well pump mainline to Booster w/mainline to center pivot # 12/13 and to
solid sets with sprinklers for a portion of NW SW Sec 9, T 9 S, R 29 E

$$\text{Total acres} = 279 \text{ ac} = \frac{(35-08605E)}{100 \text{ ac}} + \frac{(35-08630)}{73 \text{ ac}} + \frac{(35-08844C)}{106} = 279 \text{ ac}$$

$$\text{Rate/ac} = 5.10 \text{ cfs} / 279 \text{ ac} = 0.018279 \text{ cfs/ac} \quad \text{NOTE: } 35-08605E \rightarrow 35-08605F \left(\frac{1.98 \text{ cfs}}{100 \text{ ac}} \right)$$

$$\text{Total Q} = (0.018279 \text{ cfs/ac}) (73 \text{ ac}) = 1.33 \text{ cfs}$$

Limit This right (35-08630) To 1.33 cfs/73 ac within 279 ac permissible place of Use

☐ 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
Well (# 12/13)	GE	200	FKJ605128		10"
Booster (# 12/13)	GE	100	GNTJ323404		8"

*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
12/13		NE	SE	SE	8	9S	29E	Power	On site / FSA Aerial / USGS Quad

6. Place(s) of Use: 35-08630 (73 ac w/in 279 ac) Indicate Method of Determination
- ON SITE / FSA Aerial

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	
9S	29E	9						4			39	40	33						116
		8												9		34	39		82
		16					4	7											11
		17	33	36			1												70
																			279

NOV 10 1999

35-08630

Do not use this space

D. FLOW MEASUREMENTS☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter	Sonic	Polysonic	TF-P2	NIK 2905		

2. Measurements:

$$Q = 5.10 \text{ cfs}$$

E. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

1. Measured Method. $Q = 5.10 \text{ cfs} / 279 \text{ ac} = 0.018279 \text{ cfs/ac} \times 73 \text{ ac} = 1.33 \text{ cfs}$

$$Q_{\text{LIMITED TO}} = 1.33 \text{ cfs}$$

2. Alternate Method for Checking Purposes.

$\text{60 PSI DYNAMIC PUMPING} = 200'$ $Q_{\text{THEORETICAL}} = \frac{300 (8.814) (7)}{200 + (60 \times 2.309)} = 5.47 \text{ cfs}$

70% efficiency

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:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (73 \text{ ac}) \times 4 = 292.0 \text{ afa}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.33)(214)(1.9835) = 564.5 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 292.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

35-08630

SPLIT 35-08605C → 35-08605E (SYSTEM 12/13) 1.98 cfs / 100 ac

→ 35-08605F (SYSTEM 10/11) 0.58 cfs / 29 ac

SYSTEM 12/13 $5.10 \text{ cfs} / 279 \text{ ac} = 0.018279 \text{ cfs/ac} = 0.91 \text{ minor inches/ac}$

35-08605E Limited to 1.83 cfs for 100 ac within 279 ac Place of Use

35-08630 Limited to 1.33 cfs for 73 ac within 279 ac Place of Use

35-08844C Limited to 1.94 cfs for 106 ac within 279 ac Place of Use

$\frac{5.10 \text{ cfs}}{279 \text{ ac}}$

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	1.33 cfs	292.0 afa
Totals:			1.33 cfs	292.0 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 PERMISSIBLE PLACE OF USE

J. AUTHENTICATION

Field Examiner's Name

KEITH C. WILSON

Signature

Keith C. Wilson

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.

35-08630

10-20 11:5200 *R
+982.456E 06GPM

10-20 11:5200 *R
+ 1.055E 36PM

10-20 11:5300 *R
+ 1.047E 36PM

10-20 11:5300 *R
+ 1.058E 36PM

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
10.7500 IN

PIPE MATERIAL
? CS-SS

WALL THICKNESS
0.1909 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.155 IN U

10-20 11:5500 *R
+002.40 % AI2

MODE SELECT
TO CHECK

0391.0 MMSEC
099.82 % TO

DAMPING SET
30 SEC

10-20 11:5600 *R
+ 1.016E 36PM

10-20 11:5600 *R
+ 1.014E 36PM

PRT PERIOD
03 MIN

PRT UNIT GPM
NO

PRT PERIOD
03 MIN

PRT UNIT GPM
NO

PRT UNIT GPM
YES

PRT UNIT MGD
NO

PRT UNIT FPS
NO

PRT UNIT INTEG
NO

PRT UNIT HI1
NO

PRT UNIT HI2
YES

START TIME
10-20 11:59

OPERATION TIME
01 HOR

11:59+996.985E 06GPM 00R
+002.40% AI2 00R

12:02+983.248E 06GPM 00R
+002.40% AI2 00R

PRT PERIOD
0 MIN

MODE SELECT
INPUT

OUTER DIAMETER
10.7500 IN

PIPE MATERIAL
? CS-SS

WALL THICKNESS
0.1909 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.155 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE

PRT PERIOD
0 MIN

MODE SELECT
INPUT

OUTER DIAMETER
10.7500 IN

PIPE MATERIAL
? CS-SS

WALL THICKNESS
0.1909 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.155 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

10-20 12:0800 *R
+ 1.233E 36PM

10-20 12:0900 *R
+002.70 % AI2

MODE SELECT
TO CHECK

0392.7 MMSEC
100.24 % TO

10-20 12:0900 *R
+ 1.173E 36PM

TOTAL Flow = 1058 + 1233 gpm

Q = 2291 gpm = 5.10 cfs

FLOW MEASUREMENT DATE
10-20-1998

35-08630

R29E

T9S

POINT OF DIVERSION

MINIDOKA NATIONAL

WILDLIFE REFUGE

Morgans Waterhole

PLACE OF USE

35-08630

18.9

105.1

T 2732

HEL

15379

SEC 8

SEC 9

R29E

T 9 S

POINT OF DIVERSION

SURVEY MARK

Ben Caviness

39

26.7

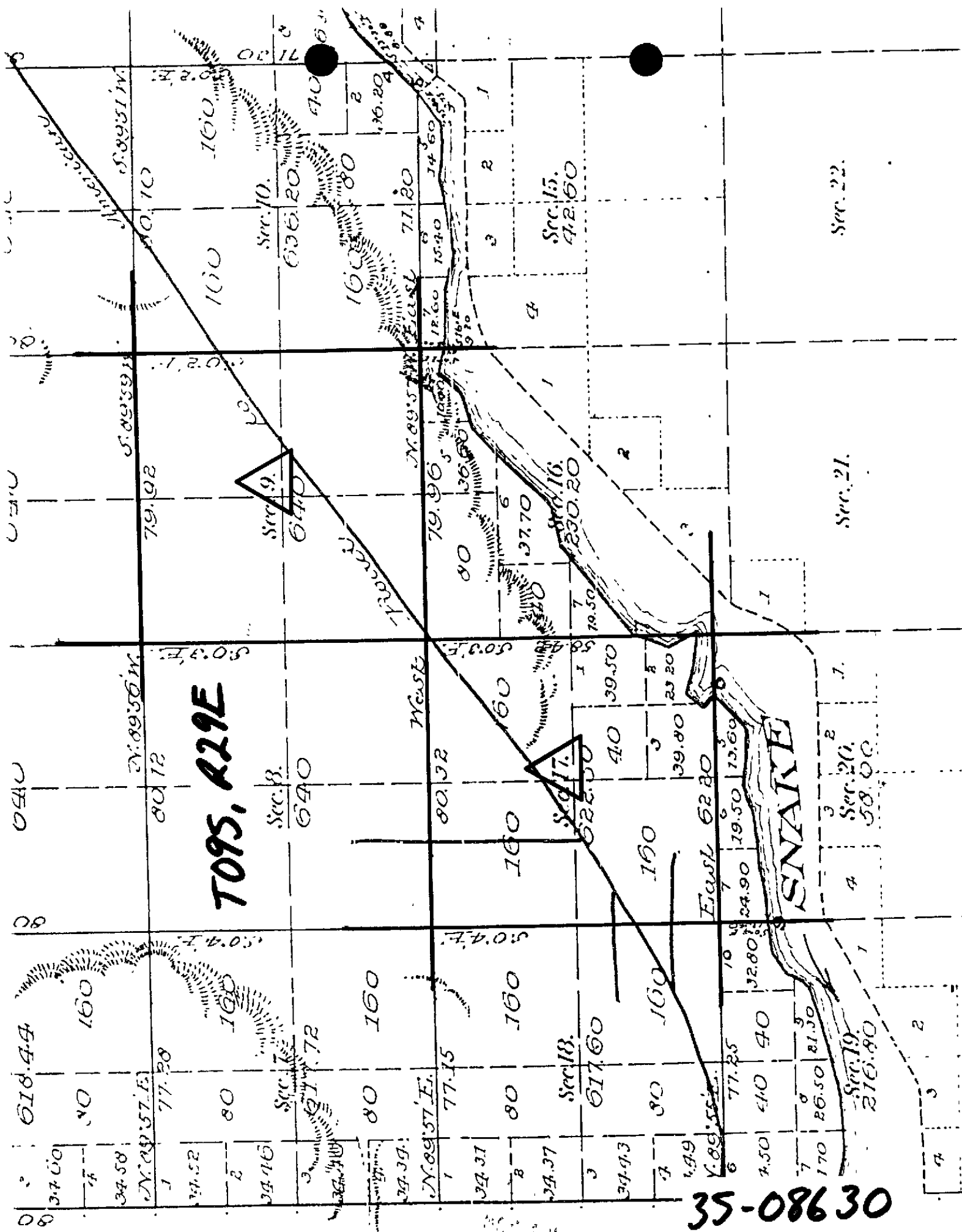
11

PLACE OF USE

SEC 17

SEC 16

35-08630



TOPS, A29E

35-08630

BEN CAVANESS

IRRIGATION

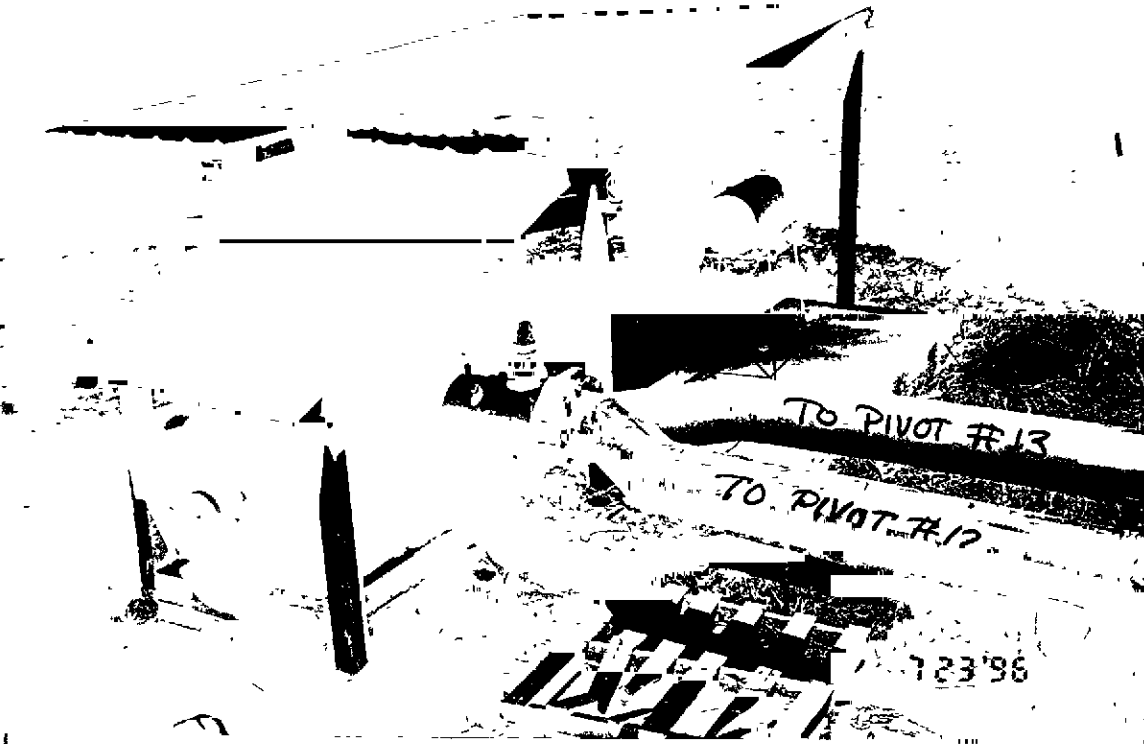
1/3

EAST WELL

VIEW OF
POINT OF
DIVERSION

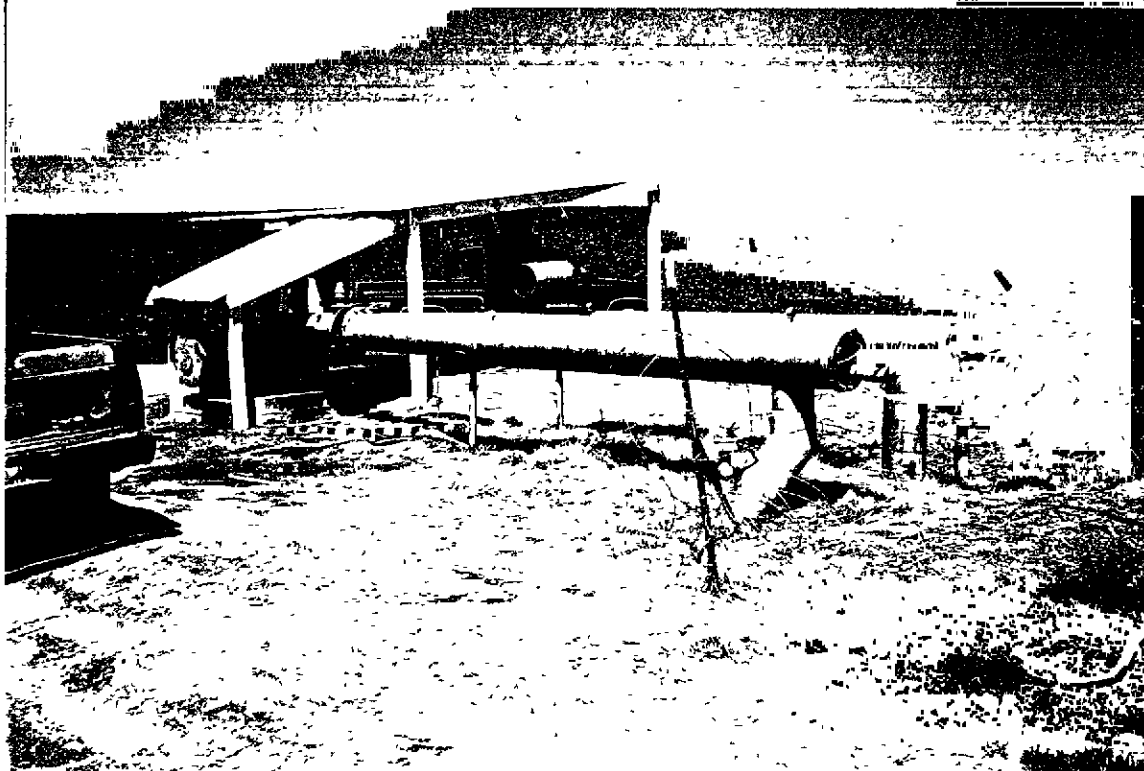
WELL FOR
PIVOTS 12 & 13
(EAST WELL)

PLACE OF
MEASUREMENT



VIEW OF
POINT OF
DIVERSION

WELL FOR
PIVOTS 12 & 13
(EAST WELL)



35-08844C
35-08630

PERMIT
NUMBER

35-086052^E

IRRIGATION

BEN CAVANESS

243

PIVOT 13

PLACE OF
USE



PLACE OF
USE

PIVOT 13
IN FOREGROUND

PIVOT 12
IN BACKGROUND



PERMIT

35-08644C
35-08630

10/15/98

BEN CHAVANESS

IRRIGATION

3/3

VIEW OF
PLACE OF
USE

PIVOT 13



VIEW OF
PLACE OF
USE

← NOT
IRRIGATED



35-08844C

35-08630

PERMIT
NUMBER

35-68605^E

June 3, 1993

LINDA CAVENESS
BEN CAVENESS
895 FILLMORE
AMERICAN FALLS ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08630

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

JUN 29 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 35-08630

Reviewed by Klg

Date 6/2/93

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate - 73
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

data Copy in the file? Drilling Permit No. 35-92-E-0013-000

200 Amount paid for permit yes Correct?

data Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
25 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
yes Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 6/30/93
6/3/93 Klg

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
35-92-E-0113-000	0	BEN CAVANESS 395 FILLMORE AMERICAN FALLS, ID 83211 (208) 226-2562	09S	29E	08	SE SE		POWER

2 ERIN PRUDHOM
 AMERICAN FALLS, ID 83211

Subdivision Location and Description:
 Subdivision Name:
 Well Site Address:
 City, State:
 Geographic Location:
 Accuracy Code:
 Lat: N
 Long: W

Proposed Use of Well: Non-Domestic Proposed Casing Diameter: 16 In. Proposed Depth: 450 Ft.

Well Use Comments:

Driller License No: 0161 Firm Name: SHERMAN TOUCH WELL DRILLING
 Official: SHERMAN R COUCH

Permit Status: Permit	Verbal Issue Date	Receipt No.	Receipt Date	Fee
	Date Received: 11/12/1992	E018088	11/12/1992	\$ 200.00
	Date Approved: 11/12/1992			
	Proposed Start Date: 11/12/1992			
	Extension Date:			
	Extension Expiration:			

Specific Conditions:
 Permit Remarks:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 35-92-E-0113-000 Water Right No: 35-086058
 Injection Permit No

Nature of Work: NEW WELL	Construction Method: CABLE	Number of Monitor Wells:
Casing Diameter: 12 In. <td>Static Water Level: 148 Ft. <td>Actual Start Date: 12/18/1992</td> </td>	Static Water Level: 148 Ft. <td>Actual Start Date: 12/18/1992</td>	Actual Start Date: 12/18/1992
Depth of Casing: 633 Ft. <td>Temperature: F <td>Well Finish Date: 03/09/1993</td> </td>	Temperature: F <td>Well Finish Date: 03/09/1993</td>	Well Finish Date: 03/09/1993
Total Depth: 705 Ft. <td>Production Rate: 2400.00 GPM <td>Log Received Date: 04/13/1993</td> </td>	Production Rate: 2400.00 GPM <td>Log Received Date: 04/13/1993</td>	Log Received Date: 04/13/1993
Screen Installed? No <td> <td>Certification Date: 03/28/1993</td> </td>	<td>Certification Date: 03/28/1993</td>	Certification Date: 03/28/1993
		Field Inspection Date:

Well Log Remarks:
 .250 - 16 INCHES FROM 1 TO 384 FEET
 .250 - 12 INCHES FROM 590 TO 633 FEET
 10 PER ROW PERFORATIONS FROM 175 TO 180 FEET
 10 PER ROW PERFORATIONS FROM 230 TO 233 FEET

Inspector:

WD0790NP
(OD-790)

DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 06/02/93
PAGE: 2

=====

WELL DRILLER'S LOG REPORT: Permit No. 35-92-E-0113-000 (cont'd)

Well Log Remarks: 10 PER ROW PERFORATIONS FROM 261 TO 266 FEET
10 PER ROW PERFORATIONS FROM 277 TO 282 FEET



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

June 2, 1993

Ben Caveness
895 Fillmore
American Falls, ID 83226

Re: Permit Nos. 35-08605B, 35-08630, 35-08227, 35-08844C, 35-08844D

Dear Permit Holder:

We acknowledge receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you. I have modified our computer records to reflect this change in ownership.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: IDWR - Regional Office

JUN 23 1993

RECEIVED
APR 30 1993
Department of Water Resources

April 29, 1993

Ms. Karen Gustafson
Idaho Dept. of Water Res.
Statehouse Mail
Boise, Idaho 83720

Re: Assignment of permit numbers 35-8605B, 35-8630,
35-8227 & 35-8844C & D.
Proof of Beneficial use for permit numbers 35-8630,
35-8227 & 35-8844C and 35-8844D.

Dear Karen:

Enclosed are the forms listed above properly filled out to transfer the ownership of the above permits to me and file proofs on all of the applications except the 35-8605B since 40 acres still remains to be developed and will be done at a later date. I am also enclosing a check for \$675.00 to cover the required license fees.

If you have any questions or problems, please give me a call.

Also, I want to express my appreciation to you and Jim for putting up with me these last few months.

Sincerely,



Ben Cavaness

JUN 29 1993

WR0749NP
No. 35-08630

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 05/28/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LINDA CAVENESS	06/09/1986	IRRIGATION	04-11 11-01	1.40 CFS	
C	BEN CAVENESS					
	895 FILLMORE					
	AMERICAN FALLS ID 83211					
				TOTAL DIVERSION:	1.40 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T09S R29E S08 SE SE

Place of Use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	29E	9	:													33	16			:	49.0
09S	29E	17	:	24																:	24.0
																				TOTAL ACRES	73.0

Pou County: POWER

Other Water Rights with Same Point(s) of Diversion and Source:
35-08605B 835-08605B

Other Water Rights Listing Overlapping Place(s) of use:
35-08605B 835-08605B

Conditions of Approval:

- 026 - 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.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 048 - 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.
- 049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.
- 01G - Prior to the diversion of water under this right 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.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.
- 46A - A well drilled pursuant to this permit must be located at least
- 500 feet from any existing well. Well spacing closer than 500

WR0749NP
No. 35-08630

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 05/28/93
PAGE: 2

=====

Conditions of Approval:

- feet must be approved by the Department of Water Resources.
- 46B - Construction of the well must comply with Idaho well
- construction standards.
- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

Dates: App. Received: 06/09/1986 Priority Date: 06/09/1986
Proof Due Date: 05/01/1993 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Comments: Date: 11/19/1992 User-ID: MILLER Subject: AMENDMENT & OWNERSHIP CHANGES
This permit has been amended to change the point of diversion
and the place of use. The new owner is Erin Prudhomme; however,
Ben Cavaness has an option to buy the property and possesses
the power of attorney to act upon the permit.

Audit: 05/28/93 ZIMMERMA

February 28, 1993

ERIN PRUDHOMME
740 TETON
AMERICAN FALLS ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 35-08630

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 May 1, 1993. (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.

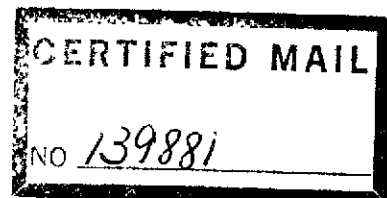
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED
JUN 29 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1992

Erin Prudhomme
c/o Ben Cavaness
740 Teton
American Falls, ID 83211

Re: Permit No. 35-08630

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to May 1, 1993. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

JUN 29 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 35-08630 Reviewed by Klg Date 11/16/92

BASIC INFORMATION

11/10/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommended approval Based on due diligence
Extend to 5/1/93*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 11/17/92 Klg
Change Priority Date _____

RECEIVED

NOV 10 1992

Department of Water Resources

November 8, 1992

Ms. Karen L. Gustafson
Idaho Dept. of Water Res.
1301 North Orchard St.
Statehouse Mail,
Boise, Idaho 83720

Re: Extension - Permit # 35-08630

Dear Karen:

After waking up believing that I had not extended a water right I thought that it might be an omen so decided to file for a short extension of the one remaining permit to make sure that it is not overlooked. The well driller is nearly done with one well but all the systems may not be completed and the water applied until after March 1, 1993. I am enclosing the required fee for \$15.00. Please advise if anything further is required.

no fee
enclosed

Sincerely,



Ben Cavaness

MICROFILMED

JUN 29 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. CH. D. ANDRUS
GOVERNOR

P. KEITH HIGGINSON
DIRECTOR

October 1, 1992

ERIN PRUDHOMME
740 TETON
AMERICAN FALLS ID 83211

RE: Permit Nos. 35-08630, 35-08844C & 35-08844D

Dear Water Right Holder:

Enclosed are copies of your approved Applications for Amendment submitted in connection with the above referenced permits.

If you have any questions concerning these documents, please feel free to contact our offices.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

c: Rosholt Robertson & Tucker

MEMORANDUM

TO: File 35-08630

FROM: Brenda

DATE: September 18, 1992

RE: Amendment Conditions

=====

The Application for Amendment of the above referenced permit is to be approved with the following recommended conditions:

Approved provided the conditions as set forth in Permit No. 35-08630 are met.

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

Construction of the well must comply with Idaho well construction standards.

Prior to the diversion of water under this right 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.

The issuance of this right in no way grants any right-of-way or easement across the land of another.

OCT 23 1992

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Heu

Right Number 35-08630 Applicant Prudhomme

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions _____

By Heu Date 9-14-92

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By BLM Date 9-18-92
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

RECEIVED
SEP 17 1992

Department of Water Resources

NOTICE OF PROPOSED AMENDING OF
APPROVED PERMIT TO APPROPRIATE WATER

Notice is hereby given that Permit No. 35-08630 in the name of L. Blaine Sasser and Ardeena Sasser, Pingree, ID, was issued for the diversion of 1.40 cfs of water from a groundwater source with the point of diversion within the SWNW SEC 6 T04S R33E, Bingham County to be used to irrigate 73 acres from April 11 to November 1 within the NWNW SWNW SENW SEC 6 T04S R33E, B.M.

The permit holder now proposes to amend Permit No. 35-08630, changing the name to Erin Prudhomme, American Falls, ID, and the point of diversion and place of use to the SESE SEC 8 T09S R29E, to be used to irrigate 73 acres within the S1/2SW SEC 9 NENE SEC 17 T09S R29E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 7, 1992.

R. Keith Higginson

Director

Published in the Power County Press on August 20 & 27, 1992

OCT 23 1992

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
February 13, 1990

L. BLAINE SASSER
ARDEENA SASSER
635 S. 1800 W.
PINGREE, ID 832620000

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

RE: PERMIT NO. P35-08630

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

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

RECEIVED

MAR 06 1990

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.

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

MICROFILM

MAR 06 1991

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Bary Spaulman APPLICATION NUMBER: _____
CHECK:

- ☒ Source.
☐ Point of diversion. (Bout Lot ?)
☒ 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. (Bout Lots)
☒ 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. Possibly also 01-0023 C -
right in name of American Falls Canal
☒ Yes ☐ No* In form for advertising.
Final date for protests: 1-8-90
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1-4-90
☐ 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? 01-P05
6-9-1986 Date of priority recommended.
Special conditions of approval or cover letter. LAGZ

App. in NON-TRUST area-

Allow 3 yrs. to develop

By: HCS Date: 1-19-90

STATE OFFICE REVIEW:

P05, P23, P03, P17 26 46 48 49 016

- ☐ See attached sheet for more information.

By: KW Date: 1-31-90

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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18-Dec-1989

L. Blaine Sasser
635 S. 1800 W.
Pingree, ID 83262

RE: Application for Permit No. 35-8630

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News on. 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

RECEIVED

MAR 06 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 14, 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 JANUARY 8, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
MAR 06 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appli[redacted]on(s) have been filed to [redacted] appropriate the public waters of the State of Idaho:

MAR 18 1909
MAR 18 1909

35-08630

SASSER, L. BLAINE
SASSER, ARDEENA
635 S. 1800 W.
PINGREE, ID 832620000

Source: GROUNDWATER

Diversion Pt: SWNW Sec 6 T 04S R 33E

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

Date Filed: 6/09/1986

In: T04S R33E S06 NWNW SWNW SENW

73.0 ACRES TOTAL

MICROFILMED

MAR 06 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203C, 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 8, 1990.

R. Keith Higginson, Director

Published 12/21/1989 & 12/28/1989

RECEIVED
MAR 02 1990