

T2S
R33E

Sec. 11

35-08612

Not enough acres in
Permit 35-08612 to cover
these acres (4).

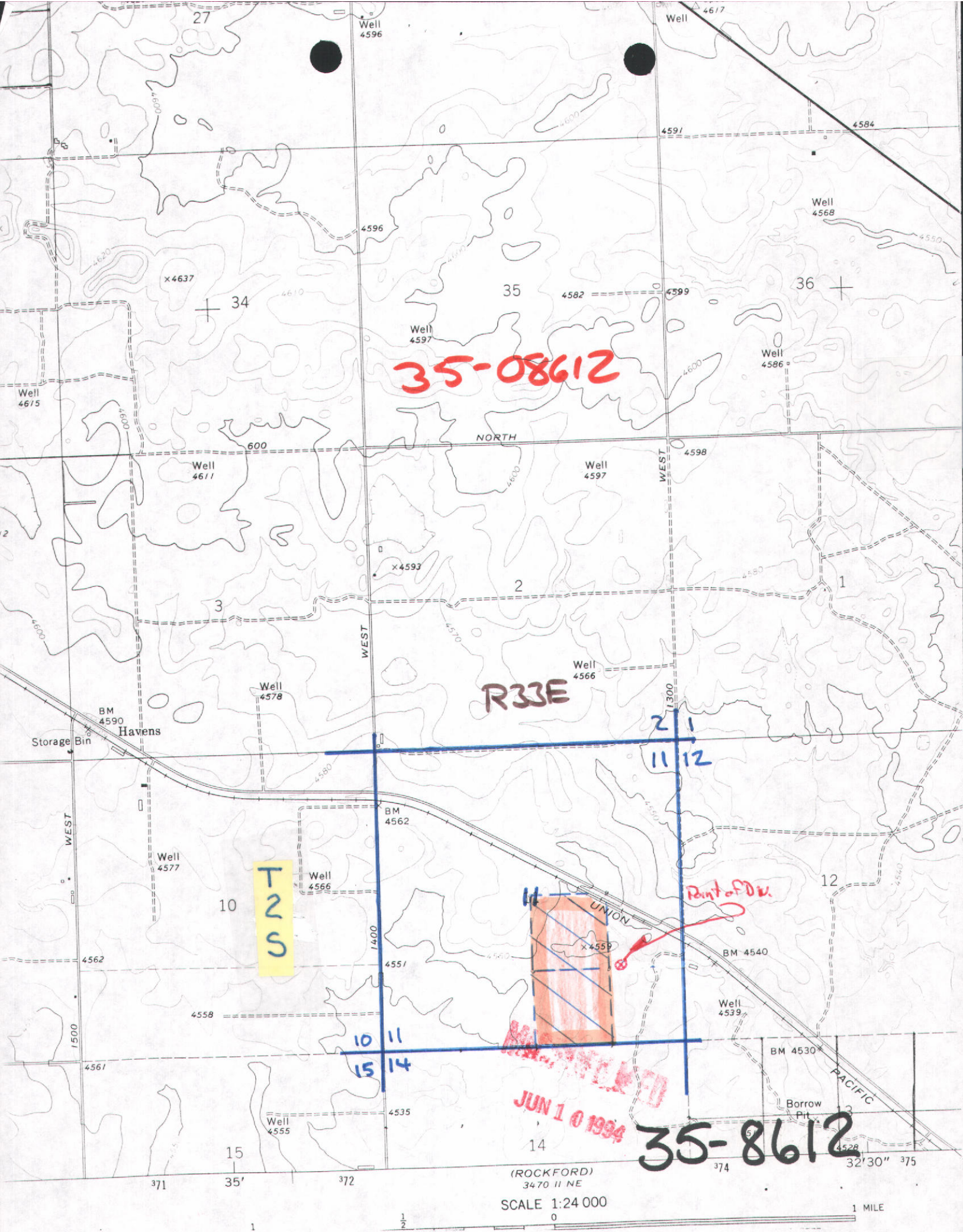
POINT OF
DIVERSION

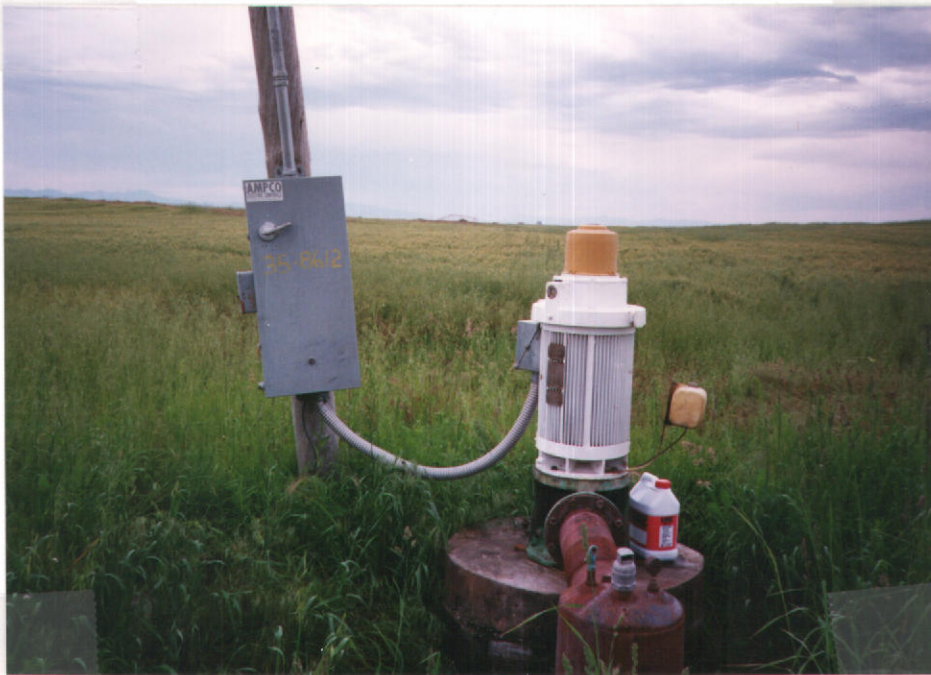
PLACE OF
USE



35-8612

JUN 10 1994





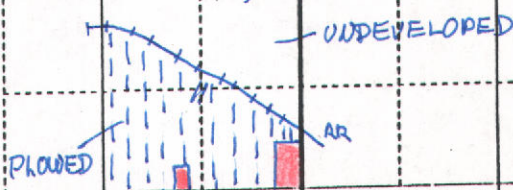
35-08612

JUN 10 1994

APPLICATION
FROM ~~PERMIT~~: 2S-33E

5
11
35
30

FROM NHAP: 189-156 (8/24/80)



NHAP SHOWS NO VEGETATION
ON ~~PERMITTED~~ LANDS IN APP.,
BUT DOES SHOW FURROWS
OVER ENTIRE ~~PERMITTED~~ AREA
OF LANDS IN APP.

INDEXED

FEB 14 1990

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 30 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources Eastern Region

Incomplete forms will be returned.

1. Water Right Number(s) 35-02567B, 35-13242, 35-02567C, 35-08612, 35-08611

Adjudication Claim Number(s) A35-13248

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) WILLIAM WILLIAMS ET AL

6 S. 900 W., BLACKFOOT, ID 83221

4. New Owner/Claimant(s) KEVIN THOMPSON AND STARLA THOMPSON

Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR

New Mailing Address, 1102 W. 200 N., BLACKFOOT, ID 83221

City, State and ZIP Code BLACKFOOT ID 83221

New Telephone Number (208) 684 - 3991

5. Date you acquired the property OCTOBER 15, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Kevin Thompson
Starla Thompson

Date 10-20-98

Date 10-20-98

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney

COPY

Warranty Deed

470281

For Value Received WILLIAM M. WILLIAMS LIMITED PARTNERSHIP, WILLIAM M. WILLIAMS AS TO A 73% INTEREST, LINDA WILLIAMS AS TO A 13.5% INTEREST and HILLARY WILLIAMS AS TO A 13.5% INTEREST WITH WILLIAM M. WILLIAMS ACTING AS CUSTODIAN UNDER THE IDAHO UNIFORM TRANSFERS TO MINORS ACT

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto KEVIN THOMPSON and STARLA THOMPSON, husband and wife whose address is: 1102 WEST 200 NORTH, BLACKFOOT, ID, 83221

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

TRACT 1:

Part of Section 12 and 13 Township 2 South, Range 33 E.B.M., Bingham County, Idaho, described as: Beginning at the NW corner of said Section 13; and running thence S. 00°21'53" W. 1416.48 feet along the section line; thence S. 89°03'53" E. 2302.16 feet more or less to the west line of Deed Instrument No. 436459; thence N. 00°23'39" E. 181.05 feet; thence N. 07°57'55" W. 1135.65 feet more or less to the south right-of-way of the Union Pacific Railroad; thence N. 47°48'21" W. 1029.97 feet along said Railroad right-of-way; thence along the boundary line of Deed Instrument No. 443838 the next six (6) calls S. 82°43'27" W. 197.94 feet; thence N. 55°57'11" W. 90.47 feet; thence N. 32°25'37" W. 544.01 feet; thence N. 57°19'56" W. 589.32 feet; thence N. 69°38'12" W. 292.51 feet; thence W. 30.00 feet; thence S. 00°24'34" W. 1448.31 feet along the west line of said Section 12 to the Point of Beginning.

SUBJECT TO a 30 foot road right-of-way along the west line of said parcel.

TRACT 2:

Part of Section 11, Township 2 South, Range 33 E.B.M., Bingham County, Idaho, described as: Beginning at the SE corner of said Section 11; and running thence N. 89°37'40" W. 2650.33 feet along the section line to the S¼ corner of said Section 11; thence N. 00°28'53" E. 3131.01 feet along the North-South half section line to the southerly right-of-way of the Mackay Branch of the UPRR; thence along said right-of-way S. 60°42'21" E. 2745.43 feet to the P.C. of a curve to the right, (Curve Data: Delta=02°51'34", Radius=5629.58 feet, Length=280.95 feet, Chord=280.92 feet, Tangent=140.50 feet) thence along said curve 280.95 feet to its intersection with the east line of said Section 11; thence S. 00°24'34" W. 1661.31 feet to the point of beginning. **SUBJECT TO** a 30 foot road right-of-way along the east side.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

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

Dated: OCTOBER 14, 1998

William M. Williams

WILLIAM M. WILLIAMS -PARTNER WILLIAM M. WILLIAMS LIMITED PARTNERSHIP

William M. Williams
WILLIAM M. WILLIAMS

Hillary Williams
HILLARY WILLIAMS

Linda Williams
LINDA WILLIAMS

98 OCT 15 PM 4:42
CREDITED TO THE REQUEST OF

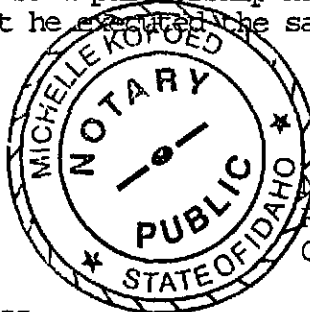
FIRST AMERICAN TITLE COMPANY
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

MICROFILMED

Hillary Williams, minor JAN 04 1999

STATE OF IDAHO)
) : ss.
COUNTY OF BINGHAM)

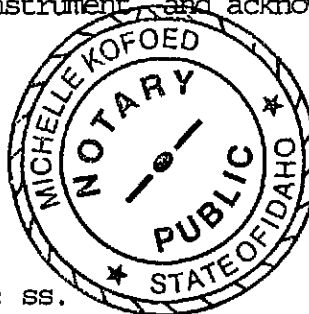
On this 14th day of OCTOBER, 1998, before me, a Notary Public in and for said State, personally appeared WILLIAM M. WILLIAMS, known to me to be one of the partners in the partnership of WILLIAM M. WILLIAMS LIMITED PARTNERSHIP, and the partner subscribed said partnership name to the foregoing Instrument, and acknowledged to me that he executed the same in said partnership name.



Michelle Kofoed
Notary Public for Idaho
Residing at: BLACKFOOT IDAHO
Commission Expires: 4-11-2000

STATE OF IDAHO)
) : ss.
COUNTY OF BINGHAM)

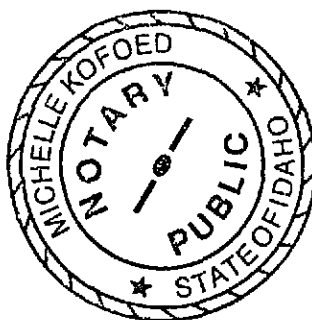
On this 14TH day of OCTOBER, 1998, before me the undersigned, a Notary Public in and for the said county and state, personally appeared WILLIAM M. WILLIAMS AND LINDA WILLIAMS, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



Michelle Kofoed
Notary Public for Idaho
Residing at: BLACKFOOT IDAHO
My Commission Expires: 4-11-2000

STATE OF IDAHO)
) : ss.
COUNTY OF BINGHAM)

On this 14th day of October, 1998, before me a Notary Public in and for said State, personally appeared WILLIAM M. WILLIAMS, known to me to be the person whose name is subscribed to the within instrument as the Custodian of HILLARY WILLIAMS, a Minor, and acknowledged to me that he executed the same in his capacity as Custodian of HILLARY WILLIAMS, A MINOR.



Michelle Kofoed
Notary Public for Idaho
Residing at: BLACKFOOT IDAHO
My Commission expires: 4-11-2000

470281

MICROFILMED

1998 6 4 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08612

Priority: June 28, 1985

Maximum Diversion Rate: 1.40 CFS
Maximum Diversion Volume: 280.0 AF

This is to certify, that JENNIE L WILLIAMS
ESTATE OF C L WILLIAMS

RT 5 BOX 17

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1985; and has submitted Proof of Beneficial Use on December 6, 1990. An examination indicates that the works have a diversion capacity of 2.430 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	280.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 11, Township 02S, 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>
02S	33E	11	NWSE 35	SWSE 35		70

Total number of acres irrigated: 70

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Right 35-02567B is also diverted through the point of diversion described above.

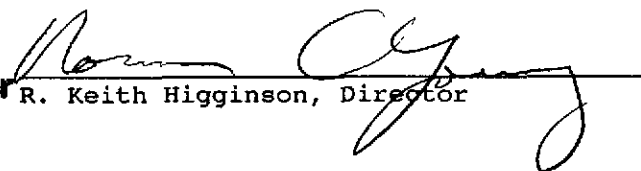
JUN 10 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08612

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15th
day of JUNE, 1994.

Acting for  R. Keith Higginson, Director

JUN 10 1994

RECEIVED
DEC 06 1990For Office Use Only:
Amt. of Fee \$ 125.00
Date 12-6-90
Receipt No. CO19059
Received by gry

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

Permit No. 35-8612 Telephone No. (208) 684-4277Name(s) of Permit Holder(s): Jennie L. Williams and the Estate of C. L. WilliamsPost Office Address: Route 5, Box 17, Blackfoot, Idaho 83221Source of Water: GroundwaterIf ground water, well driller's name: C. L. Williams Date drilled: 1975Extent of Use:
Domestic _____ (No. of households) Irrigation 70 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____Total rate and/or volume for which proof is submitted 1.4 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: April 1, 1975

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

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? X Yes No Installed? X Yes NoFee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Le Grande R. Williams
Name(208) 684-4137
Telephone No.Route 5, Box 107, Blackfoot, Idaho 83221
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho

9-23-90 Date Le Grande Williams Signature (and title if on behalf of a company or organization) Personal Representative of the Estate of C. L. Williams

MICROFILMED

JAN 28 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08612

Proposed Priority: June 28, 1985

Maximum Diversion Rate:

1.40 CFS

This is to certify, that **JENNIE L. WILLIAMS**
ESTATE OF C. L. WILLIAMS
RT. 5 BOX 17
BLACKFOOT, ID 83221

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

1.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE Sec. 11, Township 02S, Range 33E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

02S 33E 11

SWNE 5

NWSE 35

SWSE 30

70

Total number of acres irrigated:

70

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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. 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.

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

23 day of **January**, 19**90**

for

R. Keith Higginson, Director

RECORDED

FEB 14 1990

WILLIAMS HOLDEN
R VERN KIDWELL, P A
FRED J HAHN
KENT W FOSTER
ROBERT E. FARNAM
WILLIAM D FALER
STEPHEN E MARTIN
CHARLES A HOMER
GARY L MEKLE
CURT R THOMSEN
RANDALL K BARTON
MICHAEL D CRAPO

JAMES D. HOLMAN
GAYLE A SORENSON
DONALD L. HARRIS
BRUCE T SMITH
GREGOR S. CHVISUK
RANDALL B REED

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO
IDAHO FIRST NATIONAL BANK BUILDING
P O BOX 129
IDAHO FALLS, IDAHO 83402
—
TELEPHONE 523-0620
AREA CODE 208

ARTHUR W HOLDEN (1877-1967)
ROBERT B HOLDEN (1911-1971)
TERRY L CRAPO (1939-1982)

RECEIVED

NOV 13 1985

Department of Water Resources
Eastern District Office

November 11, 1985

Mr. Keith C. Wilson
Senior Resource Agent
Idaho Department of Water Resources
Eastern Region Office
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Keith:

As I indicated in our recent telephone contact, we need copies of the documents filed last summer by our office for the Williams family, now that the identification numbers and filing information has been put on them. We filed ten applications for permit, four claims, and five applications for transfer on the same day and only one receipt was made for the entire filing fee.

I see that we put the address for the applicant on each filing, rather than our firm's address. We should have at least requested that all contacts and correspondence be directly with the firm rather than with the clients since they are expecting us to handle these matters to completion. So far, you, Harold Jones and Jerry Ramsey have been kind enough to contact us with most questions. Perhaps as you locate each file, you could insert a note so that any future contacts will be with us. Hopefully we can avoid substantial confusion.

For each of the filings, we have included the name of the applicant or claimant, the amount of water, and the point of diversion. Hopefully this will be adequate for you to locate each file. Since there is already a number on the applications for transfer, we will get that as well. Because of your recent contact on No. 35-2097, we will not need another copy, and we have omitted it from this list. The information for each is as follows:

35-8612

FILED

Identification No. _____
Application No. 35 8612

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- L. Williams
- 1 Name of applicant C.L. Williams Estate and Jennie Phone 684-4277
post office address Route 5, Box 17; Blackfoot, ID 83221
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township T 2S
Range 33 E. B.M. Bingham County; additional points of diversion if any. _____
- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes
Amount 1.4 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
- 5 Total quantity to be appropriated
a 1.4 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, sprinklers

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo. Day) (Mo. Day)
c Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years
b Estimated construction cost is \$ _____
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated _____ hp 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 _____
(5) If water is to be used for other purposes describe _____

RECEIVED
FEB 11 1969

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

TWP	RANGE	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	
2 S	33E	11			5										35	30			70

Total number of acres to be irrigated 70

c. Describe any other water rights used for the same purposes as described above N/A

9 a. Who owns the property at the point of diversion C.L. Williams Estate & Jennie L. Williams

b. Who owns the land to be irrigated or place of use C.L. Williams Estate & Jennie L. Williams

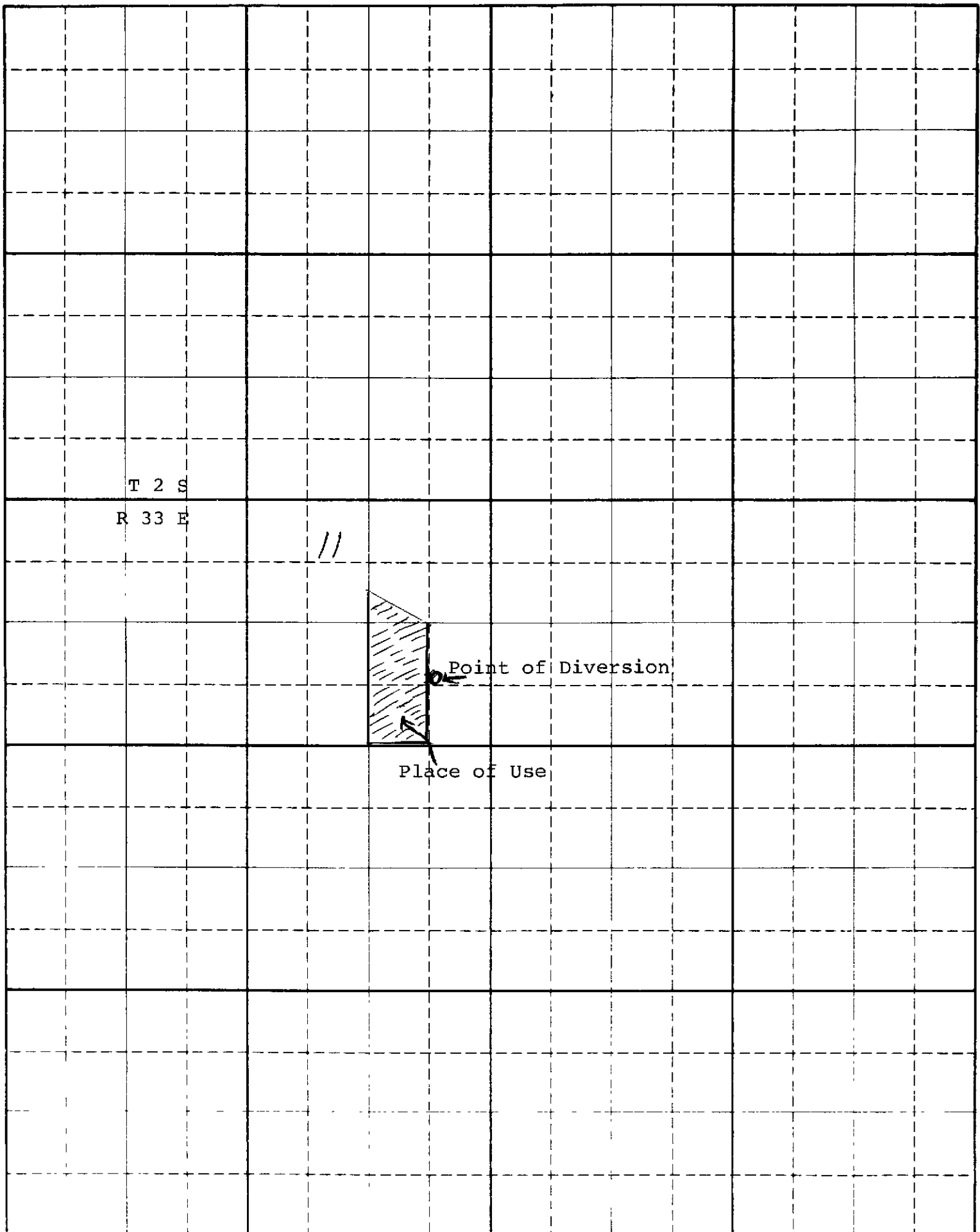
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10 Remarks This well was drilled in 1975 and the water was put to a beneficial use at that time. This land and about 50 acres in the E 1/2 SE 1/4, Sec. 11, T.2 S., R. 33 E. have all been irrigated from this well each irrigation season since 1975. See Application for Transfer of water right No. 35-2567.

RECEIVED

FEB 14 1980

11 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

RECORDED

FEB 14 1990

LeGrande R. Williams
(Applicant)

LeGrande R. Williams as Personal
Representative of C.L. Williams Estate.

Jennie L. Williams
Jennie L. Williams

Received by CW Date 6-28-85 Time 4:30p
Preliminary check by BW Fee \$ 65.00
Receipted by pu Date 7-1-85 # 35412
Publication prepared by gfy Date 8-2-85
Published in Morning News
Publication dates 11-16 & 23-89
Publication approved RB Date 12-6-89
Priority reduced to _____ Reason _____

Protests filed by none

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

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 Other _____

- 2 Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

Director

MICROFILMED

FEB 14 1990

Darrell A. Wilson
Bingham County Assessor
P.O. Box 310
Blackfoot, ID 83221

THIS IS NOT A BILL

Presorted
First Class Mail
U.S. Postage Paid
Blackfoot, ID 83221
Permit No. 196

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	214.000 AC	97.411
5 DRY GRAZING	10.000 AC	260
19 WASTE	78.000 AC	

**TAXPAYERS 1985
VALUATION ASSESSMENT NOTICE**

Information on Protest of Assessment
and Claims for Tax Reduction and
Exemption on Reverse Side

IN CASE OF ERROR
Notify Assessor's Office Immediately

KEEP THIS COPY FOR YOUR RECORDS

TOTAL MARKET

Mail To:
WILLIAMS, C L
RT 5 BOX 17
97.671 BLACKFOOT ID 83221

T2S R33E SEC 11
ALL SEC. LESS E2SE4, T-7195 &
PORTION LYING NORTH OF RD.
R/W. S 768.73' CF SWS44

DEPT. OF WATER RESOURCES
Eastern District Office

PROPERTY ADDRESS

PARCEL NO

TAX CODE



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

December 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KEVIN THOMPSON
STARLA THOMPSON
1102 W 200 N
BLACKFOOT ID 83221

RE: WATER RIGHT 35-08612

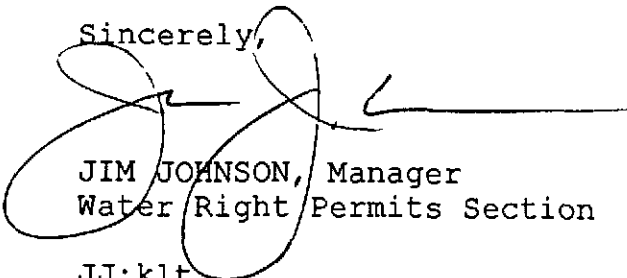
Dear Mr. & Mrs. Thompson:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

JAN 04 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
RECEIVED

NOV 09 1998

Department of Water Resources

November 3, 1998

KEVIN & STARLA THOMPSON
1102 W 200 N
BLACKFOOT ID 83221

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
FOR ADJUDICATION CLAIMS 35-02567B, 35-02567C,
35-13242, 35-13248, AND WATER RIGHTS ~~35-08611~~,
35-08612

*For a Review
phone call
11.30.98
K*

Dear Mr. & Mrs. Thompson:

The request for Change of Water Right Ownership concerning adjudication claims 35-02567C, 35-13242, 35-13248 have been processed and the Department's records updated to reflect you as the new claimant.

The enclosed reports show this change along with the elements of the water right being claimed. Please review these reports and contact this office if there are corrections or questions.

Please keep these reports for your records.

Your request to change ownership on water rights ~~35-08611~~ and 35-08612 will be forwarded to our state office in Boise for processing. To follow up on these claims, please contact the Allocations Bureau at (208) 327-7900.

Adjudication claim 35-02567B will be processed in our office and will be sent to you in another mailing.

Respectfully yours,

Jennifer Hoagland

Jennifer Hoagland
Technical Records Specialist

Enclosure

MICROFILMED

JAN 04 1999

MEMORANDUM

DATE: June 14, 1994
TO: File No. 35-08612
FROM: Donna Corless
SUBJECT: RETURNED MAIL

=====

The Water Right License mailed to Jennie L Williams and the Estate of C.L. Williams at Rt 5, Box 17, Blackfoot, ID 83221 was returned by the U.S. Post Office with the following notation:

Returned to Sender - Not Deliverable as Addressed- Unable to Forward.

A call to the Bingham County Assessor's Office revealed that their address of record is as follows:

931 W. Hwy 39
Blackfoot, ID 83221

The License was forwarded to that address today.

MICROFILMED

JUN 14 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

June 3, 1994

JENNIE L WILLIAMS
ESTATE OF C L WILLIAMS
RT 5 BOX 17
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08612

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

JUN 10 1994

WR0749NP
No. L35-08612

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/26/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JENNIE L WILLIAMS RT 5 BOX 17 BLACKFOOT ID 83221 (208) 684-4277	06/28/1985	IRRIGATION	04-01 10-31	1.40 CFS	280.00 AFA
TOTAL DIVERSION:					1.40 CFS	280.00 AFA

C ESTATE OF C L WILLIAMS
RT 5 BOX 17
BLACKFOOT ID 83221

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 2.43 CFS

Point(s) of Diversion: T02S R33E S11 NESE

BINGHAM County

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	
02S	33E	11	:																	:		
																			35	35	:	70.0
																			TOTAL ACRES		:	70.0

Pou County: BINGHAM

Other Water Rights with Same Point(s) of Diversion and Source:
35-02567B 35-08612

Other Water Rights Listing Overlapping Place(s) of use:
35-08612

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Remarks: Right 35-02567B is also diverted through the point of diversion
described above.

Dates: App. Received: 06/28/1985 Priority Date: 06/28/1985
Proof Due Date: 02/01/1991 Proof Made Date: 12/06/1990
Exam Made Date: 07/29/1993 Exam Sent to S.O.: 01/27/1994
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 05/26/94 BCHAPMAN

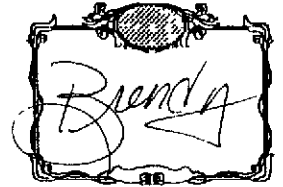
(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L3508612	T02S R33E S11 GROUNDWATER																	
	:																	70
3502567B	GROUNDWATE :																	50
A3502567B	GROUNDWATE :																	50
R3502567B	GROUNDWATE :																	50
3508023	GROUNDWATE :	31	29	28	30	38	15		08									179
A3508023	GROUNDWATE :	31	29	28	30	38	15		08									179
R3508023	GROUNDWATE :	31	29	28	30	38	15		08									179
~~3508612~~	~~GROUNDWATE :~~			05														~~70~~
3508613	GROUNDWATE :						08	37	28		35	38	14					160
3508622	GROUNDWATE :											19	20					39

No overlaps

LICEN REVIEW CHECKLIST

PERMIT NO. 35-8612 DATE 5/25/94



NAME	Yes ☐	No ☒	Or Address Change?
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	☒	Amendment needed? _____ Overlaps? <u>35-2567 B / TRANS 3188</u>
PLACE OF USE	☐	☒	Amendment needed? <u>DELETE SWNE 1/4 1/4 ACRES</u> Overlaps? _____
DIV RATE	☐	☒	Measurement done? _____ Theoretical only? <u>YES</u> <u>Q = 2.43 CFS</u> <u>70 x .02 = 1.40 CFS</u> Capacity: <u>2.43</u> Combined rates exceed capacity <u>NO</u> Allowable amount: <u>1.40</u>
ANNUAL VOLUME	☐	☒	Season of use: <u>C. 4.0 (4-1 to 10-31)</u> Calculations: <u>70 x 4 = 280 af</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☐	☒	Change(s) in Nature of Use? _____ Amendment necessary? _____
REMARKS	<u>W36</u>	☒	Multiple p/d(s) in 1/4 1/4? _____ Other _____
CONDITIONS	☐	☒	Measuring/Locking Devices _____ Watermaster control - District _____ <u>R37</u> Irrigation Overlap _____ Water Quality _____ Other _____

COMMENTS: _____

RECOMMENDED	CFS	VOLUME	LICENSE ☒
<u>Irrigation</u>	<u>1.40</u>	<u>280</u>	
_____	_____	_____	1ST AMENDMENT LETTER _____
_____	_____	_____	FINAL AMENDMENT LETTER _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8612

1. Owner: Jennie L. Williams
Estate of C.L. Williams Phone No. 684-4277

Current Address: Rt 5 Box 17 Blackfoot, Id. 83221

2. Accompanied by: Bill Williams EXAM DATE: 7-29-93

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: N.A.; 35-0256712 on Adjacent acreage

2. Other water rights with the same point of diversion: 35-0256713 / Tr. 3188

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
			NE	SE	11	2S	33E	Bingham	USGS Quad map

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	33E	11														35	35		70

JUN 10 1994

2. Measurements: operating pressure 60 PSI (According to owner) dynamic pumping depth 115'

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Well Probe	double wire	olympic	500		500'	

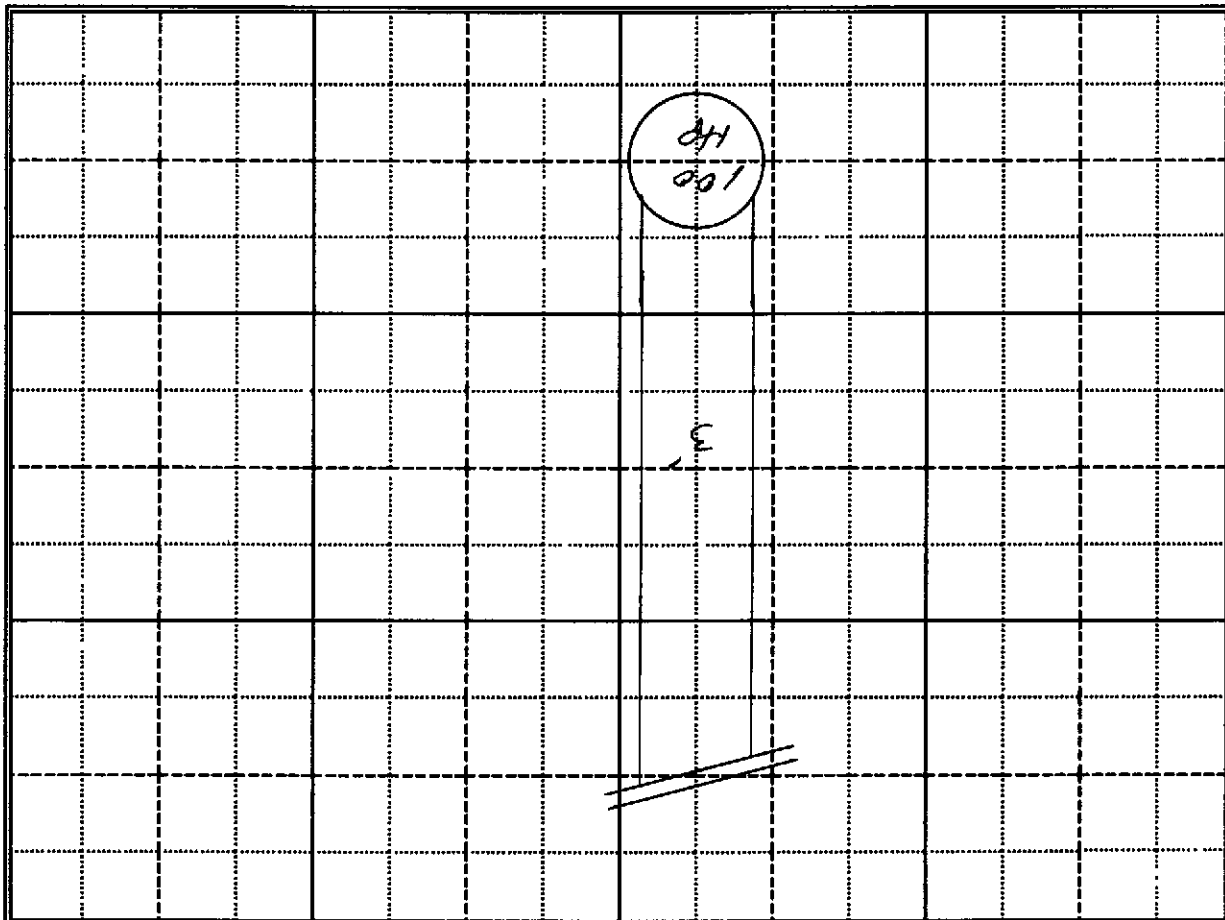
D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	100	DTS422346	Johnston	8" discharge

4.

Scale: 1" = _____
Copy of USGS Quadrangle Attached Showing location(s) of _____
point(s) of diversion and place(s) of use (required)
Aerial Photo Attached of _____
(required for irrigation of 10+ acres)
Photo of Diversion and System Attached _____



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

100 Hp pump to 8" underground main line
Supplying water to 8 Hand lines (5/32")

This system irrigates 4 more acres than allowed by permit!

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

JUN 10 1994

Theory

$$Q = \frac{(100)(8.814)(.7)}{(2.43)(.2601)(.92)} = 0$$

1 Volume Calculations for Irrigation: $70 \text{ ac} \times 0.02 \text{ ft} = 1.40 \text{ cfs}$ maximum flow

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 70,000 \times 4.0 = 280,000$$
$$V_{or} = [\text{Diversion Rate (cts)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.4055 \times 0.14 \times 1.9835 = 0.40 \text{ cfs}$$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use

Investigation

From

Period of Use

이

Rate of Diversion

Q (S1C)

Annual Volume (ata)

OSZ

2. Recommended Amendments

— Change P.D. as reflected above

— Change P.U. as reflected above

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

1. AUTHENTICATION

Field Examiner's Name Gary Buss Date 7-29-93
Reviewer [Signature] Date 1-5-94

SEAL

T2S
R33E

Sec. 11

Not enough acres in
Permit 35-08612 to cover
these acres (4).

35-08612

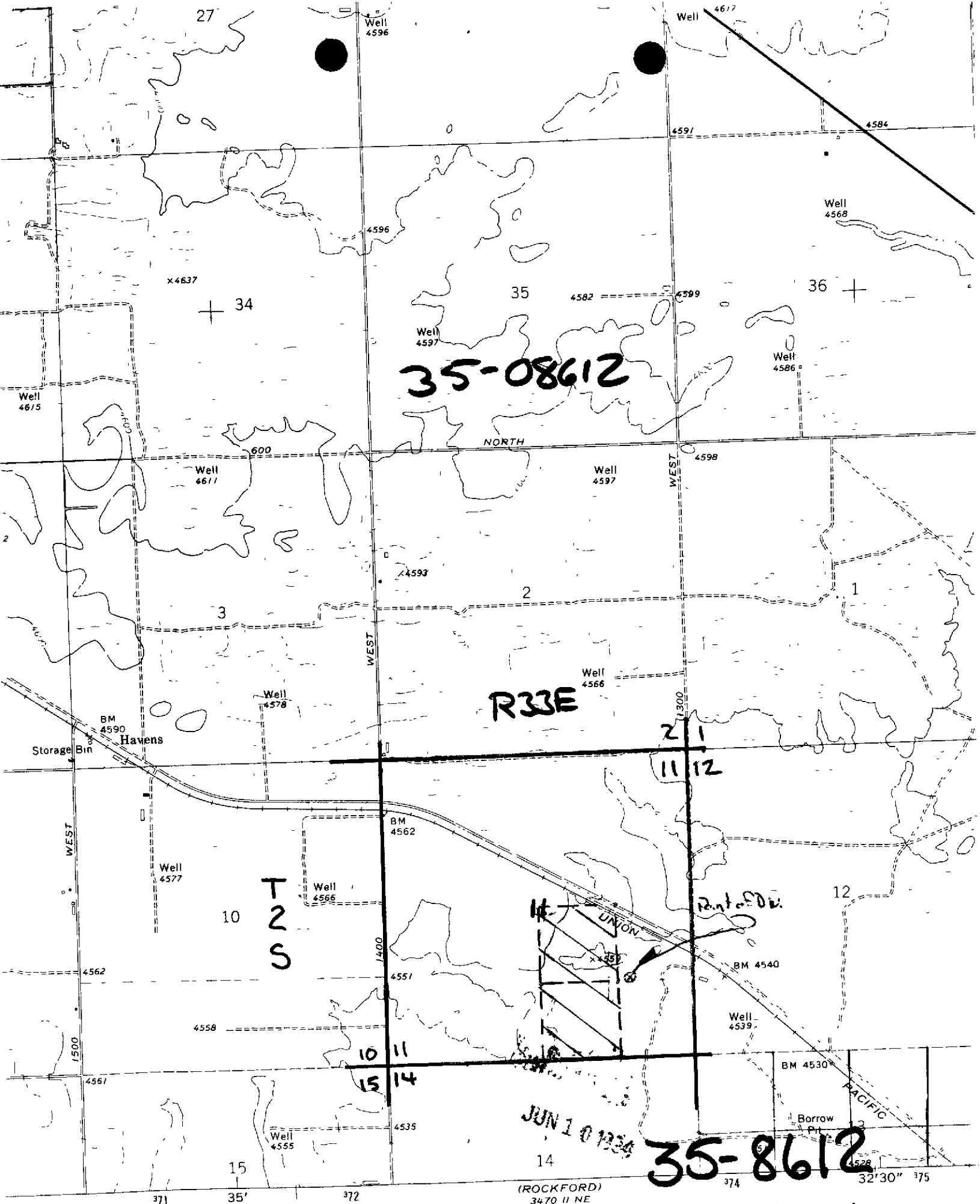
POINT OF
DIVERSION

PLACE OF
USE



35-8612

JUN 10 1934



35-08612

R33E

T2S

JUN 10 1936

35-8612

(ROCKFORD)
3470 11 NE

SCALE 1 24 000

1 MILE



35-08612

JUN 1 0 1994

December 28, 1990

JENNIE L. WILLIAMS
ESTATE OF C. L. WILLIAMS
RT. 5 BOX 17
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08612

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region
HODEN, KIDWELL, HANN, & CRAPP

MicroFILMED

JAN 28 1991

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

December 4, 1990

Gary Spackman, Supervisor
Water Rights Permit Section
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Dear Mr. Spackman:

We are enclosing with this letter a completed Proof of Beneficial Use form for Permit No. 35-8612 in the name of the Jennie L. Williams and the Estate of C. L. Williams. We have also enclosed our check in the amount of \$125.00. Please let us know if we may be of any assistance.

Yours very truly,



Kent W. Foster

#0471.00/srs

Enclosure

INDEXED
FILMED

JAN 28 1991

130862

November 30, 1990

JENNIE L. WILLIAMS
ESTATE OF C. L. WILLIAMS
RT. 5 BOX 17
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08612

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 February 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

NOT RECORDED

JAN 23 1991

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
January 24, 1990

JENNIE L. WILLIAMS
ESTATE OF C. L. WILLIAMS
RT. 5 BOX 17
BLACKFOOT, ID 83221

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

RE: PERMIT NO. P35-08612

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

FEB 14 1990

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAIL ROOM
FEB 10 1969

FROM

Tim

DATE

1-4-89

TO

Ray

SUBJECT

This App is exempt from processing requirements of section 42-203C based on evidence of development prior to 10/1/84. It is ready for approval. No test conditions required.

FILMED

FEB 14 1990

Tim

SIGNATURE

13-Nov-1989

C. L. Williams Estate &
Jennie L. Williams
Rt. 5, Box 17
Blackfoot, ID 83221

RE: Application for Permit No. 35-8612

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right Permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

FEB 14 1990

35-08153
CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS
Thomas Fourth Ward
Rt. 5, Box 354
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt SESE, Sec 6, T. 03S, R. 34E.
Use: IRRIGATION (400 CFS).
Date Filed: 5/25/1983.
In: T03S, R34E, S06, SESE
20.0 ACRES TOTAL

HENNEBOLD, ~~35-08156~~
Box 263
Pingree, Id 83262
Source: GROUNDWATER
Diversion Pt SWNE, Sec. 4, T. 04S, R
33E
Use: IRRIGATION (.480 CFS)
Date Filed: 6/10/1983
In: T04S, R33E, S04, SWNE, SENW,
NESW, NESE, NWSE
132.0 ACRES TOTAL.

35-08172
UNIVERSITY OF IDAHO
Box AA
Aberdeen, Id 83210
Source: GROUNDWATER
Diversion Pt SENE, Sec 22, T 05S, R
31E.
Use: IRRIGATION (2 400 CFS)
Date Filed: 7/08/1983.
In T05S, R31E, S22, SWNE, SENE, S23,
SWNW
120.0 ACRES TOTAL.

35-08173
MARTINEAU, Glenn B
1138 Wilshire Blvd
Los Angeles, CA 90017
Source: GROUNDWATER
Diversion Pt. NENW, Sec 9, T 04S, R.
33E.
Use: IRRIGATION (4 100 CFS)
STOCKWATER (090 CFS).
Date Filed: 8/22/1983.
In: T04S, R33E, S09, NENE, NWNE,
NENW, NWNW, SWNW, SENW.
240.0 ACRES TOTAL

35-08175
NORTH HIGHLANDER FARMS, Inc
1845 Tiffany Drive
Idaho Falls, Idaho 83401
Source: GROUNDWATER
Diversion Pt NENW, Sec. 6, T. 03S, R
33E.
Use: IRRIGATION (1 000 CFS)
Date Filed: 6/30/1983.
In: T03S, R33E, S06, NENE, NWNE,
NENW, NWNW
50.0 ACRES TOTAL

35-08612
WILLIAMS, Jennie L.
WILLIAMS, Est of C L.
Rt. 5, Box 17
Blackfoot, Id 83221
Source: GROUNDWATER
Diversion Pt NESE, Sec 11, T 02S, R.
33E.
Use: IRRIGATION (1 400 CFS)
Date Filed: 6/28/1985
In T02S, R33E, S11, SWNE, NWSE,
SWSE
70.0 ACRES TOTAL.

The application alleges completion of
development and beneficial use of water
described above prior to October 1, 1984

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-
ed 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 DECEMBER 4, 1989.

R KEITH HIGGINSON
Director

(588)
Pub 11/16, 23

RECEIVED

DEC 04 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss
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

16th day of November, 19 89;

and the last publication having been made on the
23rd day of November, 19 89;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement

On this 29th day of November, in
the year 19 89 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

Ray Hunter
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho,
My commission expires

November 10, 1994

Affidavit Processing Fee . . . \$5.00

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
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 7, 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 DECEMBER 4, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

INDEXED

FEB 14 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICHAEL M. MINTO

FEB 14 1990

35-08612

WILLIAMS, JENNIE L.
WILLIAMS, EST. OF C. L.
RT. 5 BOX 17
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NESE Sec 11 T 02S R 33E

Use: IRRIGATION (1.400 CFS)

Date Filed: 6/28/1985

In: T02S R33E S11 SWNE NWSE SWSE

70.0 ACRES TOTAL

The application alleges completion of development
and beneficial use of water described above prior
to October 1, 1984.

MICROFILMED

FEB 14 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 4, 1989.

R. Keith Higginson, Director

Published 11/16/1989 & 11/23/1989

MAED
11/16/1989

MEMORANDUM

TO:TIM/FILE

FROM:ROXANNE MCCARTHY

RE: DEVELOPMENT PRIOR TO 1985

DATE: 19-OCT-1989

=====

The land under this application is not served by any prior rights. The point of diversion was documented in Transfer #3188 from License 35-2567 on August 29, 1985. This new point of diversion was used to irrigate existing acreage after a split in ownership; the lands under 35-8612 are not mentioned in the transfer.

RECEIVED

FEB 14 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
APPLICATION NO. 35-8612

DATE: 10-18-89

=====

This file has been reviewed to determine whether it is subject to Swan Falls processing. The application was filed June 28, 1985 and may be exempt from Swan Falls processing and approved out of sequence if the development was completed prior to October 1, 1984.

A review of 1984 NHAP photography confirms that the land described in the application was irrigated in that year. The IDWR remote sensing report for Bingham County shows that this same land was classified as irrigated for the 1986 irrigation season. The IDWR 1980 orthophoto appears to show the same land irrigated in that year as well. The application also contains a statement by the applicant that the project described was developed and in place since 1975.

Based on this information, I recommend that the department process this application out of sequence and exempt the filing from any Swan Falls processing. The application may be advertised as a typical public water appropriation (protests filed in accordance with 42-203A only). Since it is a ~~non~~^{non}-trust water application, advertising should be done by the regional office.

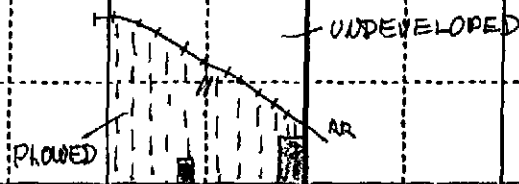
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APPLICATION
FROM ~~PERMIT~~ 25-33E

5
11
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FROM NHAP: 189-156 (8/24/80)



NHAP SHOWS NO VEGETATION
ON ~~REVERTED~~ LANDS IN APP.,
BUT DOES SHOW FURROWS
OVER ENTIRE ~~REVERTED~~ AREA
OF LANDS IN APP.

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86 ~~DATA~~

NWSE 30

SWSE 39