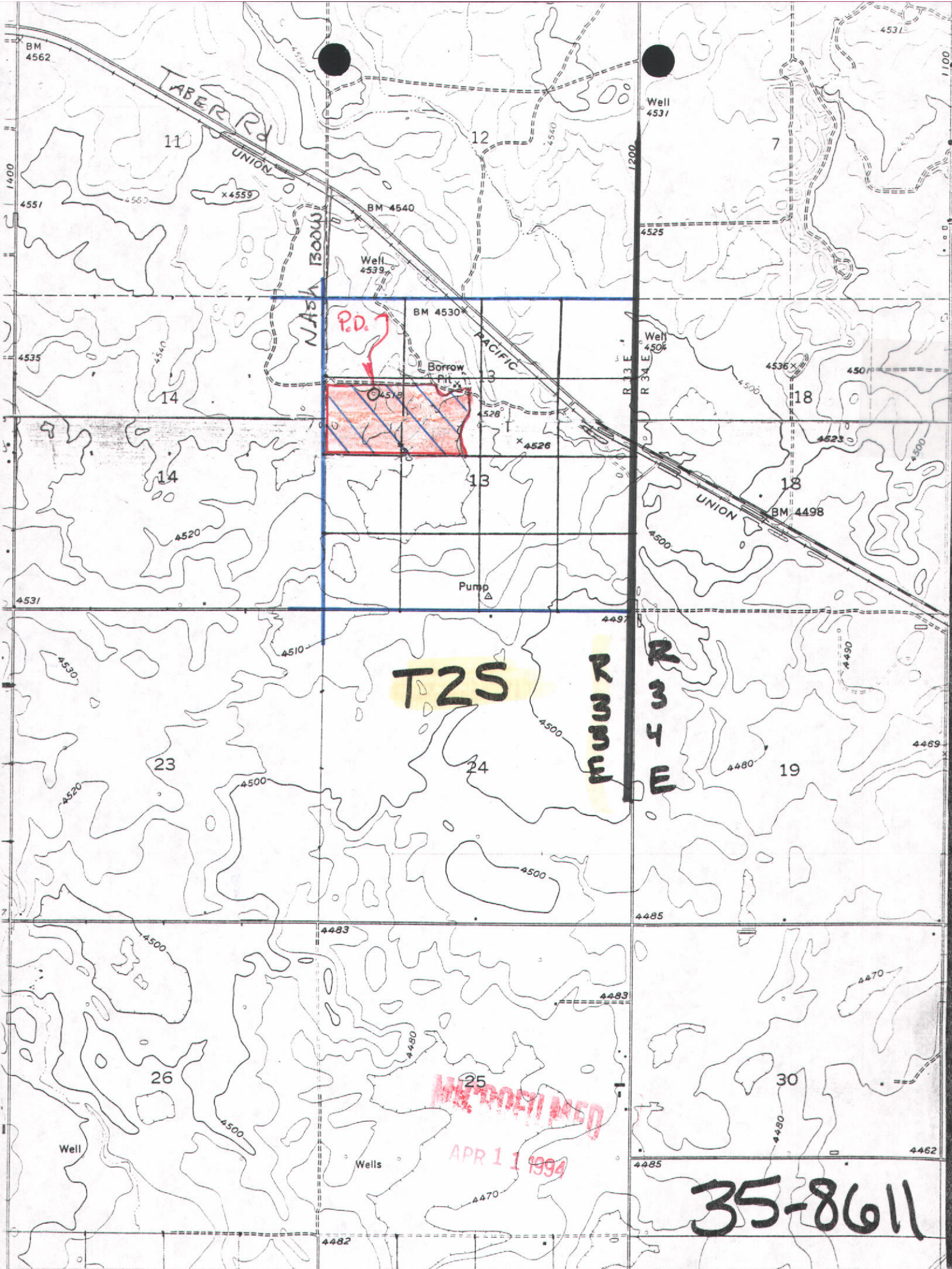
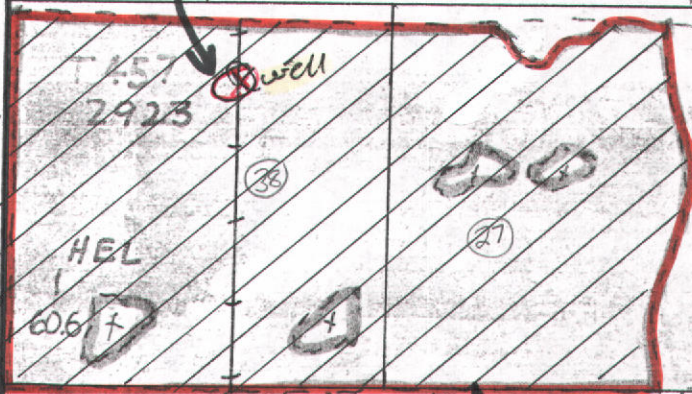




35-8611

POINT OF DIVERSION



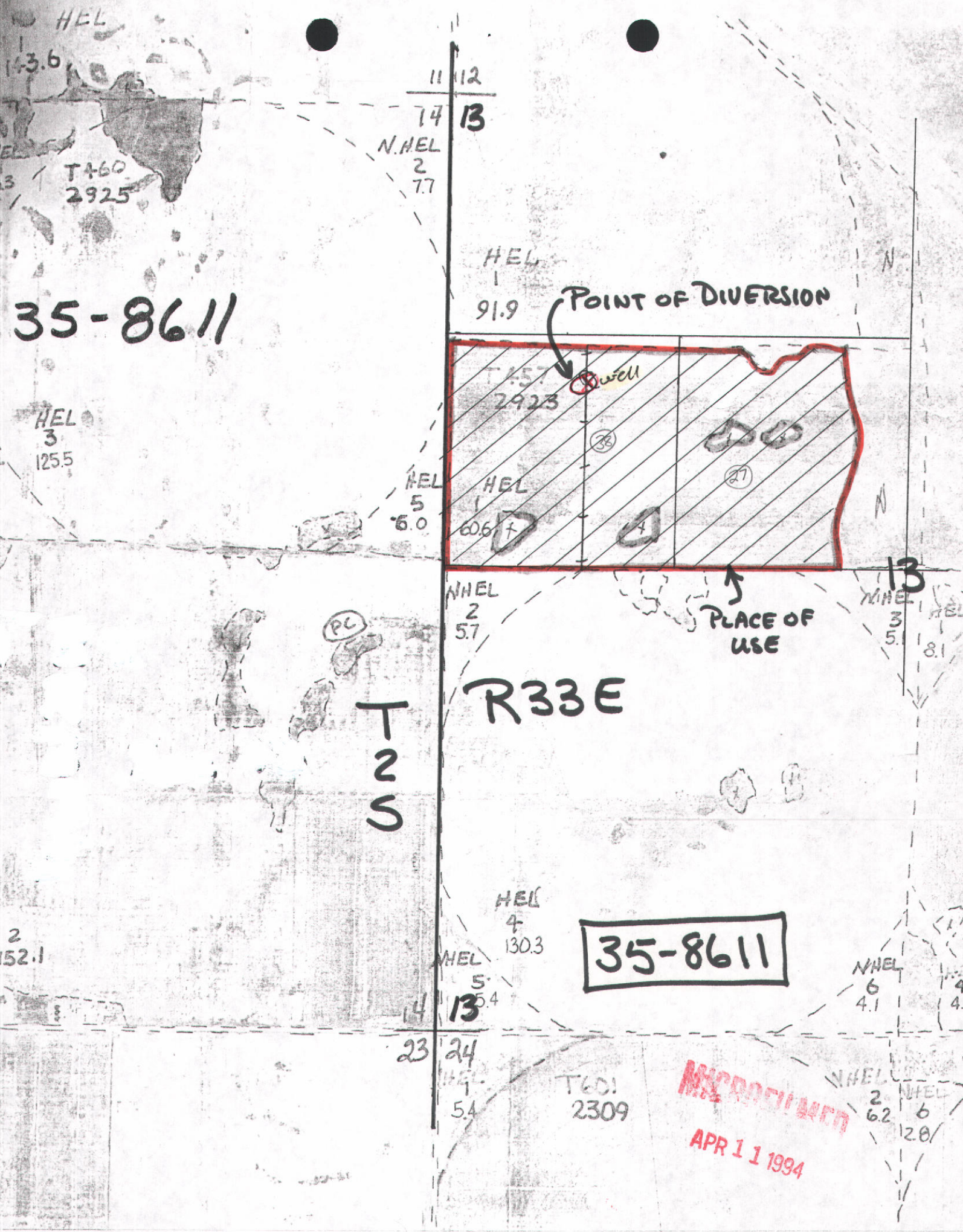
PLACE OF USE

R33E

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2
S

35-8611

RECORDED
APR 11 1994





35-08611

UNRECORDED

APR 11 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08611

Priority: June 28, 1985

Maximum Diversion Rate: 1.18 CFS
Maximum Diversion Volume: 260.0 AF

This is to certify, that WILLIAM M WILLIAMS LTD
1346 W 300 N

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 November 7, 1989. An examination indicates that the works have a diversion capacity of 1.180 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	1.18 CFS	260.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 13, Township 02S, Range 33E
BINGHAM County

PLACE OF USE: IRRIGATION

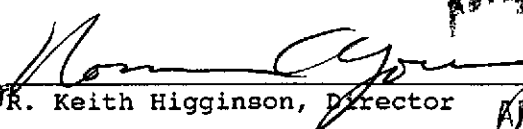
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	33E	13	SWNW 38	SENE 27		65

Total number of acres irrigated: 65

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.

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 4TH day of MARCH, 1994.

Acting for  R. Keith Higginson, Director

APR 11 1994

RECEIVED
NOV 07 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 125.00
Date 11-7-89
Receipt # C012765
Receipt by D.K.
Reviewed by DS-11/24/89
Sent to region

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 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. 35-8611

Name(s) of Permit Holder: William M. Williams Family Limited Partnership

Post Office Address: 1346 West 300 North, Blackfoot, Idaho 83221

Telephone No. (208) 684-4137

Source of Water: Groundwater

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 65 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.3 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: April 1, 1974

Measuring Device: Required? ☒ Yes ☐ No Fee enclosed \$ 125.00
Installed? ☒ Yes ☐ No (See License Examination Fee Schedule)

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

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

William M. Williams (208) 684-4137
(Name) (Telephone Number)

1346 West 300 North, 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.

RECEIVED

DEC 1, 1989

10-24-89 William M. Williams General Partner
Date William M. Williams Family Limited Partnership

Identification No. _____
Application No. 35 8611

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)

Approved

- 1 Name of applicant William M. Williams Ltd. Partnership Phone 684-4137
post office address Route 5, Box 107; Blackfoot, ID 83221
- 2 Source of water supply groundwater which is a tributary of _____
3. a Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13 Township 2 S
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 1.3 cfs for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
- 5 Total quantity to be appropriated
a 1.3 cubic feet per second and/or
b _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. well, pump, and 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.
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 _____

MICROFILMED

AUG 18 1989

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	33 E	13							40	25									65

Total number of acres to be irrigated 65

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

9 a. Who owns the property at the point of diversion William M. Williams Ltd. Partnership

b. Who owns the land to be irrigated or place of use William M. Williams Ltd. Partnership

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 The well was constructed on this land in 1974, and water for the irrigation of the described land has been used each irrigation season since.

MICROFILMED

AUG 18 1989

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

T 2 S
R 33 E

Point of Diversion
13

Place of Use

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

DECLASSIFIED

AUG 18 1959

Jefferson E. Williams
(Applicant)

(Applicant)

William M. Williams, by LeGrande R. Williams, trustee for the William M. Williams trust which is the General Partner

Proposed Priority 6-28-85

Received by CU Date 6-28-85 Time 4:30 p

Preliminary check by _____ Fee \$ 65.00

Received by CU Date 7-21-85 # 3542

Publication prepared by CFR Date 8-2-85

Published in Morning News

Publication dates 3-16 & 23, 89

Publication approved CU Date 4-4-89

Priority reduced to _____ Reason _____

Protests filed by none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by HWJ

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. 35-8611, and said application is hereby APPROVED.

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 June 1, 19 90.

c Other.

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

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.

Witness my hand this 23rd day of May, 1989.

A Glen Saylor

MICROFILMED

AUG 18 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 7, 1994

WILLIAM M WILLIAMS LTD
1346 W 300 N
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08611

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

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

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED

APR 11 1994

WR0749NP
No. L35-08611

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/25/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM M WILLIAMS LTD 1346 W 300 N BLACKFOOT ID 83221 (208) 684-4137	06/28/1985	IRRIGATION	04-01 10-31	1.18 CFS	260.00 AFA
TOTAL DIVERSION:					1.18 CFS	260.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.18 CFS

Point(s) of Diversion: T02S R33E S13 SWNW 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	13	:									38	27							65.0
TOTAL ACRES																			65.0	

Pou County: BINGHAM

Other Water Rights with Same Point(s) of Diversion and Source:
35-08611

Other Water Rights Listing Overlapping Place(s) of use:
35-08611

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.

Dates:	App. Received:	06/28/1985	Priority Date:	06/28/1985
	Proof Due Date:	06/01/1990	Proof Made Date:	11/07/1989
	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: 02/25/94 CHAPMAN

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

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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No overlaps

LICENSE REVIEW CHECKLIST

Permit # 35-8611 Date 2-25-94 Brenda Chapman

NAME Yes ☒ No ☐ Or Address Change? Correct

PRIORITY DATE ☐ ☒ Advance? ☐ Advanced to: ☐
☐ ☒ Order to Reinstate Needed? ☐
☐ ☒ Incorrect Fee for rate recommended?

SOURCE ☐ ☒ Changes? Clarification of Originally Intended source ☐
☐ ☒ Notice of Intent to Void - Source change.

P/D ☐ ☒ Amendment Needed? ☐
☐ ☒ Overlap(s) ☐

P/U ☐ ☒ Amendment Needed? ☐
☐ ☒ Overlap(s) ☐

TOTAL CFS ☐ ☒ Measurement ☐ Theoretical only ☒
Q = 1.18 CFS

Allowable Amount: 65 x .02 = 1.3

Capacity of System: ☐

TOTAL VOLUME Season of Use: 2/4 (4-1 to 10-31)

☐ ☒ Calculations: 65 x 4 = 260

Flow limit: 1.18 x 214 x 1.9835 = 500.87

USES ☐ ☒ Change(s) in Nature of Use? ☐
☐ ☒ Amendment Needed? ☐

REMARKS ☐ ☒ Multiple P/Ds in 1/4 1/4? ☐
☐ ☒ Special Overlap ☐

CONDITIONS ☐ ☒ Measuring/Locking Devices ☐
☐ ☒ W/Master Control - District ☐
R31 ☐ Irrigation Overlap ☐
☐ ☒ Water Quality ☐
☒ ☐ Other TRUST R55, 56, 57 (NA - OLDER DEVELOPMENT)

COMMENTS: ☐

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Irrigation</u>	<u>1.18</u>	<u>260</u>	☒
☐	☐	☐	1ST AMEND LETTER ☐
☐	☐	☐	2ND AMEND LETTER ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 31 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8611

1. Owner: William M. Williams Ltd. Partnership Phone No. _____

Current Address: Rt 5 Box 107 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: NA

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
				SW NW	13	25	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	13							38	27									65

APR 11 1994

2. Measurements: Operating pressure 20 ps. (according to owner) dynamic pumping depth 100'

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

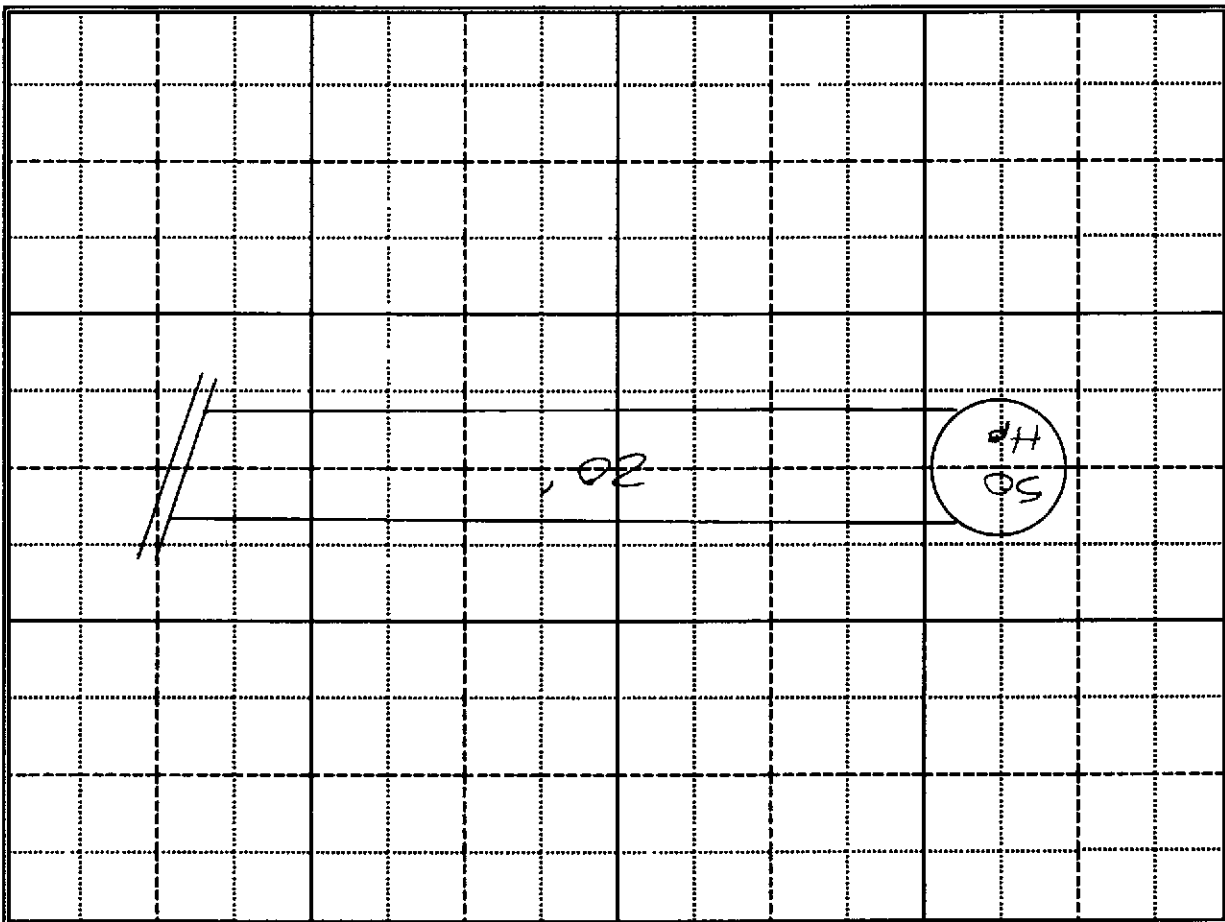
D. FLOW MEASUREMENTS

*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
	US motor	50	unknown	LeZee	10" discharge

4.

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



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

E. NARRATIVE/REMARKS/COMMENTS

50 Hp pump to 10" underground Mainline
Supplying water to 4 Handlines (5/32")

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

APR 11 1994

SEAL

Field Examiner's Name Gary Buss Date 7-29-93

Reviewer [Signature] Date 1-3-94

I. AUTHENTICATION

<u> </u>	Change P.D. as reflected above	<u> </u>	Change P.U. as reflected above
<u> </u>	Add P.D. as reflected above	<u> </u>	Add P.U. as reflected above
☒ None		☐ Other	

2. Recommended Amendments

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
Irrigation	7-1 / 6-31	1.18 cfs	260 af
Totals:		1.18 cfs	260 af

1. Recommended Amounts

H. RECOMMENDATIONS

2. Volume Calculations for Other Uses:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 6500 \times 4.0 \text{ cfs} = 26000 \text{ cfs}$$

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

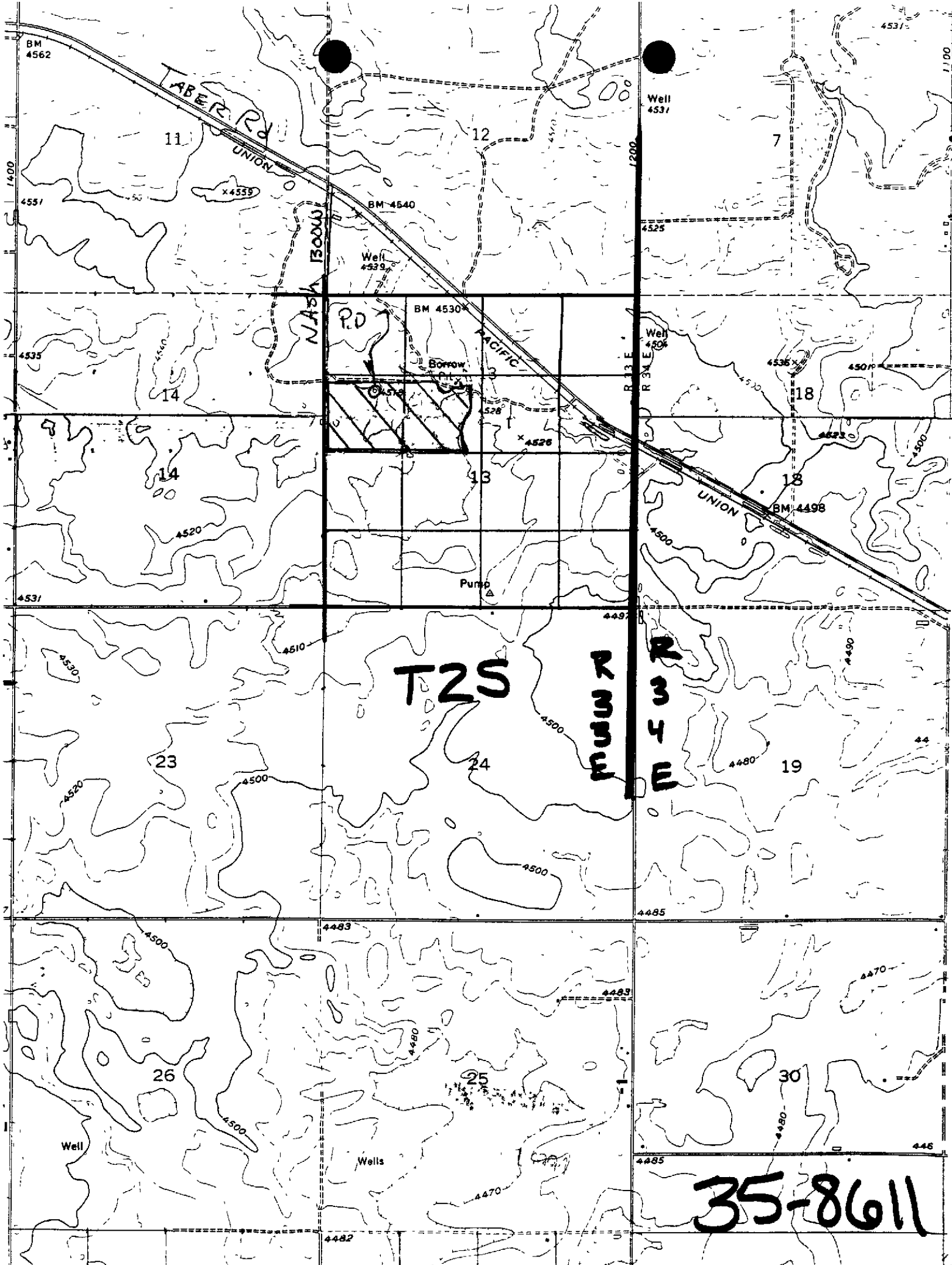
$$Q = \frac{(50)(8.8/4)(.7) + (100)(.001)}{(100)(.2)(.368)} = 1.18 \text{ cfs} \quad (529 \text{ gpm})$$

Loay /

Measured Method:

F. FLOW CALCULATIONS

Additional Computation Sheets Attached



HEL

11 12

14

13

N.HEL

2

77

T460

2925

HEL

91.9

POINT OF DIVERSION

35-8611

HEL

3

1255

HEL

5

6.0

HEL

60.6

NHEL

2

5.7

PC

T
2
S

R33E

PLACE OF
USE

HEL

4

130.3

NHEL

5

5.4

35-8611

NHEL

6

4.1

23

24

5.4

2309

APR 11 1994

NHEL

2

6.2

NHEL

6

2.0



35-08611

APR 1 1994

December 1, 1989

WILLIAM M. WILLIAMS LTD.
RT. 5 BOX 107
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08611

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MicroFILMED
DEC 13 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8611

Date: 11/24/89

General Considerations:

- ☒ Name same as permit
☐ Signature the same as permit holder
☒ Address change yes If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
☐ 1. well log in file April 1974 no well log found
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

1/24/90

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
CURT R. THOMSEN
MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
G. LANCE NALDER
J. MICHAEL WHEELER
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

November 3, 1989

RECEIVED
NOV 07 1989

Idaho Department of
Water Resources

ATTENTION: Gary Spackman, Supervisor
Water Rights Permit Section
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

RE: Permit No. 35-8611

Dear Mr. Spackman:

We are enclosing with this letter a completed form "Proof of Beneficial Use" together with our check in the amount of \$125.00 for the examination fee. We will look forward to hearing from you on this matter as soon as possible.

Yours very truly,

Kent
Kent W. Foster

#0471.00/srr

Enclosure

MICROFILMED

DEC 13 1989

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) 334-7900
May 23, 1989

WILLIAM M. WILLIAMS LTD. PTSHP.
RT. 5 BOX 107
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. 35-08611

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.

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.

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.

MICROFILMED

AUG 18 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. 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

RECEIVED
AUG 18 1999

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. MEIKLE
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:

35-8611

MICROFILMED

AUG 18 1989

March 15, 1989

William M. Williams Family Ltd. Partnership
Rt. 5, Box 107
Blackfoot, ID 83221

Application for Permit No. 35-8610 & 35-8611

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned identification No. 35-8610 & 35-8611. Please refer to this number in all further correspondence.

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

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED
AUG 18 1989

35-08600
RICKS BROTHERS
Route 4, Box 16-A
Rexburg, Idaho 83440
Source: GROUNDWATER
Diversion Pt. SWSE, Sec. 8 T, 01N, R 31E,
SENE, Sec. 9, T 01N, R 31E
Use: IRRIGATION (600 CFS)
Date Filed, 6/28/1985

In: T01N
R31E S04 NESW SESW NESE NWSE
SWSE SESE
S05 NESW NWSW SWSW SESW
S06 NESE NWSE SWSE SESE
S07 NENE NWNE SENE NESE
S08 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW NESE NWSE
S09 NENE NWNE SWNE SWNW
SENE NESW NWSW SWSW
SESW
S17 SWNE SWNW SENW
S18 SENE

1614.0 ACRES TOTAL

35-08610
WILLIAM M. WILLIAMS FAMILY
LTD PTSHIP
Route 5, Box 107
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt. SESE, Sec. 13, T. 02S, R
33E
Use: IRRIGATION (2 588 CFS)
Date Filed: 6/28/1985
In: T02S, R33E, S13, SWNE, SENE, NESE,
NWSE, SWSE, SESE — 129.0 ACRES TOTAL.

35-08611
WILLIAM M. WILLIAMS LTD PTSHIP
Route 5, Box 107
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt. SWNW, Sec. 13, T. 02S, R
33E.
Use: IRRIGATION (1 300 CFS).
Date Filed: 6/28/1985

In: T02S, R33E, S13, SWNW, SENW —
55.0 ACRES TOTAL

35-08613
WILLIAMS, Jennie L
WILLIAMS, Est of C L
Route 5, Box 17
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt. NWSW, Sec. 11, T. 02S, R
33E
Use: IRRIGATION (3 300 CFS)
Date Filed: 6/28/1985
In: T02S, R33E, S11, NWNW, SWNW,
SENE, NESW, NWSW, SWSW, SESE —
160.0 ACRES TOTAL

35-08702
FURNISS BROTHERS FARMS
131 N Oak
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt. NWNWNE, Sec. 1, T. 03S, R.
32E
Use: COMMERCIAL (040 CFS)
Date Filed: 2/27/1989
In: T03S, R32E, S01, NWNE

35-08703
FURNISS BROTHERS FARMS
131 N Oak
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt. NWNWNE, Sec. 1, T. 03S, R.
32E
Use: COMMERCIAL (040 CFS)
Date Filed: 2/27/1989
In: T03S, R32E, S01, NWNW

The undersigned will be subject to all prior

RECORDED

APR 3 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, Michael Bell

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 week

the first publication having been made on the

16th day of March, 1989;

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

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

[Signature]
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.

[Signature]
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing fee \$5.00

AUG 18 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 8, 1989

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

Gentlemen:

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

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

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

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
AUG 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED
AUG 18 1989

35-08611

WILLIAM M. WILLIAMS LTD. PTSHP.
RT. 5 BOX 107
BLACKFOOT, ID 83221

Source: GROUNDWATER

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

Use: IRRIGATION (1.300 CFS)

Date Filed: 6/28/1985

In: T02S R33E S13 SWNW SEnw

65.0 ACRES TOTAL

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AUG 18 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 3, 1989.

R. Keith Higginson, Director

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

MicroFILMED

AUG 18 1989

January 23, 1989

WILLIAM M. WILLIAMS FAMILY LTD. PTSHP.
RT. 5, BOX 107
BLACKFOOT, ID 83221

RE: APPLICATION FOR PERMIT NO. 35-8610, 35-8611

Dear Applicant:

The department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the department requests the information described below.

From the department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

The department asks that you advise us within 15 days of this letter if you no longer have a continued interest in developing a water right as proposed by the application. If you do not respond in this time period, the department will proceed with the usual processing of the application including advertisement.

Please feel free to contact the department if you have any questions.

Sincerely,

Ronald D. Carlson
EASTERN REGIONAL MANAGER

RDC/rb

INDEXED

AUG 18 1989

35-8611-

WILLIAM M. WILLIAMS LTD. PTSHP.

RT. 5 BOX 107, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 06/28/1985

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

Use: IRRIGATION (1.30 CFS)

In: SWNW SENW Sec 13 T 02S R 33E FOR 65 ACRES

NOT RECORDED

AUG 18 1989